

MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 18 OCTOBER 2023, AT 7.00
PM

PRESENT: Councillor C Horner (Chairman).
Councillors M Adams, R Buckmaster,
E Buckmaster, C Brittain, I Devonshire,
S Bull, V Burt, R Carter, N Clements,
M Connolly, S Copley, N Cox, B Crystall,
A Daar, B Deering, T Deffley, J Dumont,
J Dunlop, Y Estop, V Glover-Ward,
M Goldspink, C Hart, G Hill, D Hollebon,
A Holt, S Hopewell, D Jacobs, S Marlow,
S Nicholls, A Parsad-Wyatt, C Redfern,
V Smith, T Stowe, M Swainston, J Thomas,
R Townsend, S Watson, G Williams,
G Williamson, C Wilson, F Woolf, J Wyllie
and D Woollcombe.

OFFICERS IN ATTENDANCE:

Richard Cassidy	- Chief Executive
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Steven Linnett	- Head of Strategic Finance and Property
Katie Mogan	- Democratic Services Manager
Helen Standen	- Deputy Chief

Executive

177 ELECTION OF A CHAIRMAN

It was proposed by Councillor Goldspink and seconded by Councillor Crystall that Councillor Horner be elected as Chairman of the Council for the remainder of the 2023/24 Civic Year. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – That Councillor Horner be elected as Chairman of the Council for the remainder of the 2023/24 Civic Year.

Councillor Horner made the statutory declaration of acceptance of office and took the chair.

178 ELECTION OF A VICE-CHAIRMAN

It was proposed by Councillor Smith and seconded by Councillor Goldspink that Councillor Connolly be elected as Vice-Chairman of the Council for the remainder of the 2023/24 Civic Year. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – That Councillor Connolly be elected as Vice-Chairman of the Council for the remainder of the 2023/24 Civic Year.

Councillor Connolly made the statutory declaration of acceptance of office.

179 CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked Members for electing him as the Chairman of the Council for the remainder of the Civic Year. He said that he took on the role in times of great upheaval in the world and particularly, in the Middle East. He said that the violence in Israel and Gaza had deeply affected many residents in the district, especially those who had family and friends in the region. He said he recognised the impact that the terrible events had and the real threat that could lead to division and conflict within East Herts. He said he acknowledged the suffering of all communities and stood alongside those who worked for peace.

A minute's silence was held for all the victims of the attacks in Israel and Gaza.

180 LEADER'S ANNOUNCEMENTS

The Leader of the Council gave a statement regarding the events in Israel and Gaza.

The Leader said that his heart went out to everyone who had been caught up in the dreadful events in Israel and Gaza and to those residents in East Herts with loved ones impacted by the appalling violence. He said he appreciated their fear for family and friends in the region and said he had relatives in Israel, no doubt like other people in the Chamber.

He said that the attacks by Hamas on civilians on the

7th October were horrific. The deaths during those attacks and the seizure of hostages, including women and children, was appalling. Such brutality had no justification and he called for the immediate release of all hostages.

The Leader said that the killing that was continuing across the region was also unacceptable and called for an immediate end to the violence. He said that the targeting of civilians, whoever they were, breached international law and should never be acceptable. He said that the Government must work with the international community to protect civilians and infrastructure from attack, to provide immediate humanitarian relief and to end the cycle of violence. He said that the world needed a meaningful political negotiation to bring peace.

The Leader said that he was deeply concerned that the escalating situation could impact community relationships in East Herts. He said that the district's communities were strong but as local leaders, they must do everything they could to reduce tension and division, avoid actions that could inflame the situation, and encourage communities to be united, whatever their cultures and faiths.

The Leader said that Councillor Martin Butcher had made a serious mistake posting inflammatory comments on social media while he was Chair of East Herts Council. He said he had stepped down from his position and has made a full apology for any offence

that he might have caused. The Green Leadership Team in East Herts had discussed a suspension and investigation, but by mutual agreement Councillor Butcher would be leaving the EHC Green group. He thanked Councillor Butcher for his hard work as Chair and as one of the Green group.

The Leader said that it was vitally important to remind councillors of their responsibilities as elected members. He said they were elected and at all times their responsibility was to their community. He said that as a Council, it would do everything it could to support residents whose families and friends had been caught up in the awful conflict. It was vital that councillors worked hard locally to reduce tension, and in a time of crisis that was more important than ever. He said that the Israel-Palestine conflict can spark intense emotions and the UK had already seen demonstrations and a rise in racism and prejudice. He hoped that the Council could agree to do its absolute best to prevent that from happening here.

The Leader said that the Council's role as leaders across East Herts was clear: they must stand together and encourage unity over division.

The Leader of the Council invited the Leaders of the other political groups to make their own statements.

Councillor Deering, Leader of the Conservative group, said that it was right the Council had observed a minute's silence at the start of the meeting. He

acknowledged the Leader's comments and said it was right that Councillor Butcher had stood down as Chairman of the Council and noted that he had left the Green group. He said that appalling acts of terrorism had occurred with the murder of innocent families and babies, taking children and the elderly hostage and was completely unacceptable and was terrorism of the worst kind. He said that his heart went out to everyone involved and hoped that peace and safety would return to the region. He said that he endorsed the Leader's comments about showing leadership to everyone in East Herts and said there was no place for prejudice against any community.

Councillor Goldspink, Leader of the Liberal Democrat group, endorsed the comments of Councillor Crystall and Councillor Deering. She said everyone had been horrified and dismayed by events in Israel and Gaza and the attacks on civilians by a terrorist organisation. She said the Liberal Democrat group unequivocally condemned all attacks on innocent civilians and as bystanders in the UK, their hearts went out to all those caught up and affected by the tragedy. She said her and the group's deepest sympathy and condolences went to all those who were mourning, suffering or sick with worry about friends and relatives and hoped and prayed that leaders of nations with influence could devise a peaceful solution to the conflict.

Councillor Jacobs, Leader of the Labour group, thanked the Leader of the Council for the opportunity to speak on the situation. He echoed many comments made by the other Members. He said that there were not the words to describe the horror of what was happening

and what might happen if the situation continued. He said that the UK government must continue to press for Hamas to release all the hostages and act in accordance with international law providing access to food, water and aid and safe humanitarian corridors. He said, however, that even in the darkest moments there was always hope and said he had seen the end of apartheid in South Africa, the fall of the Berlin Wall and peace in Northern Ireland. He said the world must not give up on the Middle East and hoped for an end to the conflict.

181 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors Andrews, Boylan, Butcher, Hoskin, McAndrew and Willcocks.

182 MINUTES - 26 JULY 2023

Councillor Copley asked for an amendment to the minutes. She asked to insert the words "if that were true" on page 54 of the minutes.

Councillor Goldspink proposed, and Councillor Hopewell seconded a motion that the Minutes of the meeting held on 26 July 2023 with the amendment suggested by Councillor Copley be approved as a correct record and be signed by the Chairman. On being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 26 July 2023 be approved as a correct

record and signed by the Chairman.

183 DECLARATIONS OF INTEREST

Councillor Copley declared an interest in Item 13a. She worked in Bishop's Stortford town centre and was a member of the BID. She said she would be leaving the Chamber for the discussion and voting of the item.

184 PETITIONS

There were no petitions.

185 PUBLIC QUESTIONS

Charlotte Lipscomb to ask Cllr Vicky Glover-Ward, the Executive Member for Member for Planning and Growth

The AMA festival took place at The Silver Leys Polo Club in Bury Green on Saturday 2nd September, having been granted a licence by East Herts Council at a hearing on 14th August. The festival left a trail of disruption in its wake, affecting all our local roads through Bury Green and our neighbouring hamlets and blocked the designated route for emergency vehicles. Local residents experienced not only gridlocked traffic which left us trapped in our homes but also indiscriminate parking on roads and verges, along with issues related to noise, litter, and anti-social behaviour.

Residents endured a weekend of mayhem. Examples

include an eighty four year old resident directing traffic in order to try and mitigate the gridlock, a 93 year old man terrified in his house and surrounded by festival goers trying to retrieve abandoned vehicles, an elderly and confused lady in her last weeks of life who was moved to residential care for 2 weeks in anticipation of the event and children aged 10 and 12 too terrified to pick blackberries on the green, even with adult supervision. Young and old were profoundly and adversely affected.

Can the Executive Member responsible for licensing please explain how the decision was made to allow the festival to take place, despite the strong objections from residents, the parish Council, our local councillor, the County Council Highways Dept and the police, all of whom were all able to accurately foresee the havoc the festival would create.

Response from Councillor Glover-Ward

I would like to thank Charlotte Lipscomb for raising this important question about the recent AMA Fest event.

First, I'd like to assure everyone that the council has followed the right process when considering the AMA Fest application. While I have responsibility for licensing policies, the national legislation and guidance does not allow me, as an Executive member, to be involved in decisions on individual applications. So, because there were representations *against* the application, a hearing led by a sub-committee of the council's Licensing Committee was convened. Please do not think I am trying to distance myself from the

sub-committee's decision to grant the licence; I am simply pointing out that if the council had failed to follow the processes set out in law, we could have been taken to court for incorrectly dealing with the application.

That said, I have spoken with my colleague, the Chair of the Licensing Committee, and I am very happy to explain the council's position.

The Licensing Act 2003 dictates the broad range of issues the council must take into account when deciding whether to issue a licence for an event. When looking at the AMA Fest application, just like the five local residents, the local parish council, the police and others who raised objections, East Herts Council had considerable concerns about the traffic and parking arrangements put forward.

The organisers gave assurances both in writing and verbally at the Licensing Sub-Committee hearing that adequate arrangements would be put in place but, of course, the council did not simply take the organiser's word at face value. So, the sub-committee stipulated that the event could only go ahead *if* the organisers demonstrated the robustness of their plans by gaining, at their own expense, a Temporary Traffic Regulation Order (a TTRO) from the Highways team at Hertfordshire County Council.

The organisers made the application and, although the notice period for submitting this was far shorter than usual, Hertfordshire County Council felt able to issue the TTRO. To be absolutely clear, had the county council *not* issued the TTRO, the conditions placed on

the licence by East Herts Council would not have been met and so the East Herts Council would have been enabled to halt the festival before it had even begun; this action would have been taken irrespective of the number of tickets that had been sold and entertainment arranged.

Unfortunately, the day of the festival saw very considerable disruption on the roads just as Ms Lipscombe has described and East Herts Council immediately launched an investigation. This includes looking at what information the organisers provided in support of their TTRO application to the county council and how this compared with the actual traffic management arrangements they put in place. Until we have concluded the investigation we are unable to comment on the details as this might prejudice any potential action that the council may deem appropriate.

Please be assured, however, that East Herts Council is ready to take action against any event organiser that commits offences under the Licensing Act 2003 which may include not complying with the terms of a licence. Regarding AMA Fest, we have gathered information and data from various sources, all of which has now been reviewed but we agreed to a request from Little Hadham Parish Council to hold off completing our investigation until local residents had time to respond to a request for evidence published in the October edition of the parish council magazine. As we are striving to be a listening council and in the spirit of partnership we respect the parish council's wish to enable as many residents as possible to have their say.

Finally, just as we must follow the legal processes when considering granting a licence, we must do the same when considering taking action *after* an event. We will weigh all the evidence received, including the information that may come in as a result of the Parish Council appeal, against the Licensing Act 2003 and the public interest to determine the appropriate action to take in relation to AMA Fest and its organisers.

Supplementary question from Charlotte Lipscombe

The terms of the licence restricted the number of attendees to 5,000 and tickets were on sale long before the hearing in August. She asked the Executive Member if the council knew how many tickets were sold or how the number of attendees at the event was controlled.

Response from Councillor Glover-Ward

Councillor Glover-Ward said she could not comment on this specific point as it was part of the investigation.

186 MEMBERS' QUESTIONS

Question 1

Cllr George Williams to ask Cllr Vicky Glover-Ward, the Executive Member for Planning and Growth

Given the protections for nesting birds under the wildlife and countryside act, do the council and its providers have a responsibility and the powers to

postpone or decline planning applications for non-urgent roofing works in known swift nesting sites?

Response from Councillor Glover-Ward

Thank you for the question as I am keen to protect swifts and have four swift boxes on my property. As such I am aware of the issues around swift nesting areas in roofs and I know that swifts tend to nest in the same place for life. As such I share the concerns raised by Cllr Williams.

Unfortunately, the planning system allows a great deal of building work to take place without the need for planning permission. This is referred to as 'Permitted Development' and there are currently no exemptions included in the General Permitted Development Order 2015 which relate to the presence of swifts.

Of course, under the Wildlife and Countryside Act disturbing nesting birds is an offence and so if there is evidence of nests in use when work is about to take place then no works should be undertaken.

I have already been approached by the Hertford Swift Group who have volunteered to draft a suggested swift policy for the Council's consideration. I understand that this will cover both existing nesting sites and to provide additional sites in new builds and refurbishments of properties. This will then be presented for inclusion in due course in the update of the District Plan, should this be approved in our motion later on this evening.

In the meantime, the Council will continue to encourage the inclusion of nest boxes in accordance with the Council's Sustainability Supplementary Planning Document. Consideration will also be given to the production of a Swift Best Practice Advice Note.

I welcome the input from community organisations such as Hertford Swift Group, Herts North East Herts Swift Group and Ware Swift Group who are doing such incredibly important work to save this red listed species whose numbers have declined by over 50% in the last 20 years (RSPB figures) due to, amongst other things, habitat loss. The groups have been steadily increasing the number of installed swift boxes in existing properties and I hope this invaluable work will result in an increase in swift numbers as they start to recover locally.

There was no supplementary question.

Question 2

Cllr Diane Hollebon to ask Cllr Vicky Glover-Ward, the Executive Member for Planning and Growth

Can the Executive Member for Planning and Growth confirm to me that she is aware that the proposed community centre in the St James's Park development, Bishop's Stortford South, is being offered on a 100-year lease hold basis when it's being funded by Section 106 funds and should therefore be a community asset in perpetuity. Who allowed this and why?

Response from Councillor Glover-Ward

I would like to thank Councillor Hollebon for her question.

Firstly, I would like to make it clear that there was never a requirement to build a community centre as part of this project; the requirement is to provide up to 200m² of community space within the Local Centre under the S106 agreement. This Community Space is required to be designed in accordance with the Community Space Management Strategy with the management and maintenance of same along with the management body details included in the 'Management Strategy'.

It is not uncommon for community space to be included in another building, as is the case here, and therefore a long leasehold agreement in this circumstance is not unreasonable. It's probably worth noting that there is no planning policy requirement that community space should be offered in perpetuity to any local council and I understand that currently it is anticipated that this space will be run by a non-council body although this may alter dependent on progress made by the developer to secure a lease agreement with an appropriate body.

I am sure that the Councillor will agree that the likely term of 100 years on the lease, which may also be extended or renewed at the end of the term as with any lease, does offer a substantial degree of permanence.

There is a working draft of the Community Space Management Strategy and Specification submitted to

EHDC planners for comment and we would anticipate that a more formal draft will be submitted subsequently where councillors and the public will be able to comment.

Supplementary question from Councillor Hollebon

Councillor Hollebon asked if the Executive Member could guarantee that relevant ward members were made aware and consulted on any agreement before Officers made a decision regarding the provision of community centres? She said that residents needed a community asset for their health and wellbeing.

Response from Councillor Glover-Ward

Councillor Glover-Ward said if the council were providing a community centre she would take that on board but the council was providing community space under this S106 decision and that was why it was leasehold, not freehold.

Question 3

Cllr Joe Thomas to ask Cllr Sarah Hopewell, the Executive Member for Wellbeing

What steps are East Herts District Council taking to mitigate the risk of injury from lightning strikes in our facilities and open spaces?

Response from Councillor Hopewell

I would like to thank Councillor Thomas for his

question.

In fact, my colleague Councillor Dumont has already raised a similar question with officers following the terrible recent lightning strike at Sele School in Hertford. In this case members may be aware that as we understand it, the tournament had been suspended at the school and the playing field was being cleared when the storm gathered pace and unfortunately the boy was struck.

Education is critical to mitigating injury. East Herts takes all reasonably practicable steps concerning weather events and activity management if reports of storm weather are received. Added to this, we already provide information on our website regarding coping with cold weather, heat waves and floods and so, in response, to the recent incident, and so we will be adding a link to the Met Office's guidance for staying safe in thunder and lightning which we will share with the various community groups and partners we work with.

Whilst it is difficult to plan for every eventually concerning natural phenomena, defibrillators can be vital if someone has a cardiac incident for whatever reason. Over recent years we have funded defibrillators at our own sites such as Wallfields and the Theatre in Hertford and Navigation House in Bishop's Stortford. All of these are registered on both The Circuit, a highly respected national database of defibrillator locations funded by the NHS, the British Heart Foundation, the Resuscitation Council UK and St John Ambulance, and the online National Defibrillator

Database, operated by the Community Heartbeat Trust charity.

In addition, there are defibrillators located at Hartham, Grange Paddocks, Leventhorpe, Ward Freman and Fanshawe leisure centres and swimming pools.

Of particular note, all schools in the district have been part of a roll out programme to ensure access to defibrillators. State-funded primary, secondary and special schools in England that do not have existing provision in place are eligible, with larger schools having been provided with two or more defibrillators so they can be strategically placed in areas where a cardiac arrest may be more likely, such as sports halls. Timely access to a defibrillator can greatly improve survival rates following a cardiac incident and members may wish to look at the National Defibrillator Database at www.nddb.uk as the searchable map shows the significant number of defibrillators across our district.

There was no supplementary question.

187 EXECUTIVE REPORT - 5 SEPTEMBER AND 3 OCTOBER 2023

The Leader of the Council presented a report setting out recommendations to the Council made by the Executive at its meetings on 5 September and 3 October 2023.

188 BIRCHALL GARDEN SUBURB MASTERPLAN

The Executive Member for Planning and Growth presented the Birchall Garden Suburb Masterplan and said the report sought approval to adopt the

masterplan as a material planning consideration. She said that the East Herts District Plan was adopted in 2018 and it allocated a number of strategic sites for growth. Policy EWEL1 in the District Plan set out the strategy for co-ordinated development of Birchall Green through a joint masterplan with Welwyn Hatfield Council.

The Executive Member for Planning and Growth said that the masterplan was developed by East Herts and Welwyn Hatfield working with the landowner and other key stakeholders. She said that the landowner had submitted an outline application in June 2022, so the councils decided to lead on the plan process and jointly appointed an external partner. A steering group was established with representatives from both councils and met on four occasions and three engagement events were held for local members and residents.

The Executive Member for Planning and Growth said that if it was adopted, it would become a material planning consideration for both councils and be a reference guide for Herts County Council with regards to transport, highways and education provision.

Councillor Glover-Ward proposed that the recommendation in the report be supported.
Councillor Copley seconded the proposal.

Councillor Cox said that he appreciated that the document was a masterplan and not a planning application but said that if approved, it would be an out of town housing estate serving a town that had

huge amounts of brown belt land. He said that he felt the council should oppose the application.

Councillor Estop said that masterplans were an excellent policy and was pleased to hear that a steering group had helped officers work through the process. She said she felt that the masterplan process and document needed to be easier to understand so that the public felt they had joint ownership. She also said that the document started with aspirations for sustainable, high quality design which she said was an easy cliché and highly specific about high quality. She said that her overriding concern was that the landowner and developers were absent from the document yet they were the ones that needed to be ticking the box. She felt that a masterplan needed a statement from the landowner to demonstrate that they were committed to the process of the masterplan and its principles and there was not any information in the document about implementation.

Councillor Daar said she went to the resident engagement event with Councillor Glover-Ward and said she was impressed at the efforts being made on active travel within the development. She hoped that as the development came forward, active travels links would continue to Hertingfordbury and Sele and be promoted.

Councillor Hart said that the allocation for affordable housing within the document was on the low end. She said it was 40% for East Herts but said this was always normally watered down when development started. She said it was not financially or socially viable to build

large housing estates and not provide sufficient housing for workers on low incomes. She said that the district needed to have an adequate and sustainable allocation of affordable housing.

The motion to support the recommendation having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

RESOLVED - That the Birchall Garden Suburb Masterplan for the strategic allocation known as EWEL1 Land East of Welwyn Garden City be agreed as a material consideration for Development Management purposes.

189 REVIEW OF THE EAST HERTS DISTRICT PLAN 2018

The Executive Member for Planning and Growth presented the Review of the East Herts District Plan recommendations. She said that the current District Plan was adopted in October 2018 and it was a requirement that it should be reviewed within five years of adoption. The planning department had carried out an assessment and concluded that it did need updating.

The Executive Member for Planning and Growth said the assessment looked at the consistency of the current plan with the National Planning Policy Framework and its engagement with the duty to co-operate. She said that a review was normally straightforward but that was currently not the case with significant uncertainty on proposed government reform of the planning systems, consultations on a

new plan making system continuing and changes being implemented as part of the Levelling Up and Regeneration Bill going through Parliament. She said that whilst the department waited for clarity from the government and based on the assumption that a strong evidence base would still be required, the team would use the 12 months to update its evidence base and other preparatory work including a call for sites.

Councillor Glover-Ward proposed that the recommendations in the report be supported. Councillor Marlow seconded the proposal.

Councillor E Buckmaster said that the call for sites process would be crucial as previous mistakes had been made which had angered residents. He said that some urban expansions had caused issues in areas where residents warned it would happen and were now complaining that were not listened too. He said the review would be an opportunity for Members to ensure that the right developments were built in the right place because as the process continued, the options for Members narrowed considerably after statutory and legal requirements were met. He said that the Council owed it to residents that they were listening to them and not just following a process and could avoid problems in the future if the sites were chosen carefully.

Councillor Stowe noted that there would be a call for sites in 2024 to achieve a 33% increase in housing numbers. However, he said that there were sites that were put forward in 2018 that had been put on hold. He asked if assurances could be given to residents that

current adopted sites would be progressed before other land was handed over. He requested that strategic sites were monitored in the future to preempt any issues.

Councillor Goldspink said she shared other Members concerns about an increased need for more houses and agreed that it was important to select sites carefully.

Councillor Glover-Ward said the 33% increase in housing numbers were calculated under different methodologies. The council's housing need was greater than 839 houses and referred to page 30 in the District Plan which showed that its housing need was almost the same as the housing requirement under the standard methodology.

Councillor E Buckmaster said that would put into question the call for sites and questioned whether residents would understand the methodology.

Councillor Glover-Ward said that when the District Plan was updated, it would be valid for 15 years and would go up to 2040.

Councillor Wilson questioned the evidence base for the District Plan in 2018 as it was clear that mitigation had previously not happened. He said that a review of the plan was welcome to make it fit for purpose for all residents.

Councillor Estop said she thought that the council should make great efforts to explain planning strategies to

residents as they emerge and explain the method of assessing how many new homes needed to be built. She said the council need to counter the anti-development attitude whilst demonstrating the benefits.

Councillor Clements asked about the reasoning behind the language in Appendix 2. He said that some said updated and some said retained.

Councillor Glover-Ward said that it was based on the assessment that Officers had made an assessment between the exact policy and changes made to planning law.

Councillor Deering said that he would like an answer to Councillor Stowe's question about the call for sites and sites that had already been earmarked for development. He also asked to see a 12 month work programme for the Development Management Committee as it was apparent that some of its committees were being cancelled and questioned how applications could be taken forward in the time frame.

Councillor Glover-Ward responded and said that a planning authority could not force a private developer to build on land. She said that the HERT2 development should have been in development several years ago. She said it was difficult to provide a 12 month work programme for the Development Management Committee but could provide a three month programme but highlighted that some applications may slip to the next meeting if information was not supplied by applicants.

The motion to support the recommendations having

been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

RESOLVED – That (A) having assessed the East Herts District Plan 2018 in accordance with regulation 10A of The Town and Country Planning (Local Planning)(England)(Amendment) Regulations 2017, it is agreed that, in order that the Council can continue to fulfil its statutory duties, the District Plan needs updating;

(B) work commences during 2023/24 on updating the technical studies needed to provide a robust evidence base to inform an update of the District Plan;

(C) a 'Call for Sites' is undertaken during 2023/24;

(D) the District Planning Executive Panel is reconvened with membership drawn from the Executive in accordance with paragraph 8.5.2 of the Constitution;

(E) an engagement strategy is prepared which sets out the Council's approach to consulting and engaging the community and stakeholders;

(F) a further report on the detailed scope of the update and the timetable for its preparation is prepared at the earliest opportunity once the implications of the new National Planning Policy Framework (NPPF) are better understood, the Levelling-up and Regeneration Bill has received

Royal Assent, and the statutory framework required to implement.

190 COMMUNITY GRANTS POLICY AND PRIORITIES 2023/24

The Executive Member for Communities presented the Community Grants Policy and Priorities 2023/24 report and recommendations. She thanked Officers for their hard work on the report and for ensuring that the application process would allow the same forms used for other grants such as the UK Shared Prosperity Fund. She said that the amount of grant money available had been reduced compared to last year but another £40,000 was available from the UK Shared Prosperity Fund. She said that if the policy was agreed, it would be launched on 1 November 2023.

Councillor Daar proposed that the recommendation in the report be supported. Councillor Wilson seconded the proposal.

Councillor Goldspink said she supported the recommendation and was pleased to see the change that would allow small community groups apply for the grants if supported by their local councillor.

Councillor Clements thanked Councillor Daar and Officers for listening to the comments from the Overview and Scrutiny Committee and including in the policy.

Councillor Deering said that the Conservative group supported the recommendation.

Councillor Wilson echoed the comments from Councillor Clements and said that it showed the Overview and Scrutiny Committee process worked well.

The motion to support the recommendation having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

RESOLVED - That the revised Community Grants Policy including the priorities for 2023/24 be approved.

191 INDEPENDENT REMUNERATION PANEL 2023 - REVIEW OF MEMBERS' ALLOWANCES

The Head of Legal and Democratic Services presented the Independent Remuneration Panel's report on the Panel's behalf. He said that Council agreed, at its meeting on 1 March 2023, to extend the 2022/23 Members' Allowance Scheme until the scheduled Council meeting in October 2023. He said that this was done to allow new Members elected in May 2023 to input into the process and provide the Independent Remuneration Panel with their views on member allowances for the year ahead.

The Head of Legal and Democratic Services said that the Panel met three times on 6, 13 and 19 September 2023, meeting with Members from each of the political groups on the Council as set out at paragraph 2.4, and also conducted an online survey which all Members were encouraged to complete, with thirty-five Members doing so, representing 70% of the Council.

The Head of Legal and Democratic Services said that the Panel conducted its review of Members' allowances pursuant to the Local Authorities (Members' Allowances)(England) Regulations 2003. The rationale applied by the Panel in formulating their recommendations can found at paragraphs 2.8 to 3.3 of the report, and the results of the Member survey are at Appendix C.

Councillor Brittain proposed that the recommendations in the report be supported. Councillor Adams seconded the proposal.

Councillor Brittain thanked the panel for their report and said that the overall increase in allowances worked out at 3% which he felt was fair.

Councillor Glover-Ward said she was pleased to see that the Dependents Carer Allowances had been increased so that no future candidates were put off from being a councillor.

Councillor Goldspink thanked the Panel for their work and supported their recommendations. She felt that there should be an allowance attached to the role of councillor to reflect the expenses that are incurred when fulfilling their duties. She said it was interesting to note that East Herts Council pay a lower allowance than six other councils within Hertfordshire.

Councillor Deering said the Conservative supported the work of the independent Panel and supported their recommendations.

The motion to support the recommendation having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

RESOLVED – That the recommendations of the Independent Remuneration Panel be approved as follows:

i) To increase the Basic Allowance by £250 from £5,428.79 to £5,678.79 for 2023/24;

ii) To increase the Dependants' Carers Allowance from £25.00 per hour to up to £30.00 per hour;

iii) To increase the Childcare Allowance from £12.50 per hour to up to £15.00 per hour;

iv) To increase the electric car mileage from 4p per mile to 45p per mile in line with HMRC guidance; and

v) To make no changes to the Members' current Allowance Scheme other than those listed in the recommendations above.

192 REDUCED PARKING CHARGES FOR TOWN CENTRE WORKERS IN BISHOP'S STORTFORD

Councillor Wyllie presented his motion on notice about reduced parking charges for town centre workers in Bishop's Stortford.

Councillor Devonshire seconded the motion and reserved his right to speak.

Councillor Crystall responded to the motion and said he understood why Councillor Wyllie had submitted the motion. However, he felt it was ill judged. He said that town centre workers were vitally important but the administration thought that it could be done better. He said that the proposal had the potential to set a dangerous precedent to subsidise car parking in Bishop's Stortford and that other towns may push for the same treatment. He said that the proposal had unwelcome implications and Councillor Hoskin, the Executive Member, thought there was a better way of addressing the issue but to benefit a larger group of people. He said that car parking needed to be dealt with as a whole and to provide a similar service across the district. A new proposal could address traffic congestion and pollution by encouraging car parking use outside the town to encourage active travel.

Councillor Hill said that the Council should not be promoting car travel but investigate alternative ways to travel into town such as free bus passes. He said that town centre workers parking in the town's car parks all day restricted the spaces available for those shopping.

Councillor Wilson said that this was not a straightforward issue and could see the arguments on both sides. He said he wanted to see the town centre flourish and the work of the BID was invaluable. He said that there was far too much traffic in Bishop's Stortford and was a failure of the District Plan for

allowing development in and around the town. He said that the previous proposal promoted car travel and did not look at the bigger picture. He also added that the scheme was not means tested and the Council should look out for those on low wages in the most sustainable ways necessary with a considered decision on parking policy.

Councillor Goldspink said she understood the frustration of the opposition members but pleaded with them to listen to arguments for pausing and taking the opportunity for devising a better scheme that was fairer to a greater number of people. She said she would be voting against the motion.

Councillor E Buckmaster said that he had not heard a time frame for the process for the new scheme that the administration kept referring to. He asked for reassurance that if there was to be a pause, what the next steps were.

The Head of Legal and Democratic Services clarified that the Council were to discuss the motion presented.

Councillor Jacobs said that the administration were talking about a holistic approach to parking to improve the service for everyone. He asked what that scheme would look like and said the suggested scheme had been brought forward by the BID, not the previous administration. He said that he would be supporting the motion.

Councillor Deering said that the original decision was published in July, two months after the election and

said it was difficult to see why it had not been thought through in that time. He noted the pause remark and said this was a developing trend from the administration.

Councillor Parsad-Wyatt echoed the comments from supporters of the motion. He said that conflating workers with shoppers with a wide variety of transport options and times was misleading. He said it was disappointing that Councillor Wilson had said that those on low incomes could not afford to drive to work. He said that what was missing from the debate was the safety implications of driving to work early or late. He said he supported what Councillor Jacobs had said about unspoken wider benefits of a future scheme. He said without any alternative presented, he would be supporting the motion.

Councillor Wilson raised a point of clarification and said he said many people on low wages could not afford a car, not all.

Councillor Swainston said she had attended the meeting with the BID alongside Councillor Hoskin. She said that the BID had presented a good argument but felt that it was right to review the parking and make appropriate for everyone.

Councillor Redfern said that adopting the proposed policy would not stop a review happening in the future so could not see why the scheme couldn't be implemented now and amended in the future if necessary.

Councillor Glover-Ward said that the proposed review of the decision would be district wide and not just concentrated in Bishop's Stortford. She said adopting the scheme could create a two tier system and the pause would allow the administration to carry out a holistic review of parking charges and how they work.

Councillor Devonshire listed some advantages of the scheme such as workers travelling into Bishop's Stortford from rural areas do not have access to good public transport and would address the vacant levels at Northgate End car park. He said that the scheme would also help staff recruitment and retention for town centre businesses.

Councillor Wyllie responded to the points raised in the debate as proposer of the motion. He referred to the Leader's comments about finding a better solution but he suggested there was nothing wrong with introducing this original scheme and implement changes later on. He said the Council had declared a climate emergency but the lack of parking in Jackson Square meant that people were going elsewhere to shop, increasing their carbon footprint. He said that if the town centre workers were directed to the Northgate End car park, this would free up space in other car parks for shoppers, thereby increasing the council's income and helping those on low incomes who work in the town. He urged Members to vote for the motion.

At least five Members of the Council requested a recorded vote on the motion under paragraph 3.24.5 of the Constitution. The result was as follows:

FOR (17)

E Buckmaster, R Buckmaster, Bull, Clements, Deering, Deffley, Devonshire, Estop, Hollebon, Holt, Jacobs, Parsad-Wyatt, Redfern, Stowe, Williamson, Woolf, Wyllie

AGAINST (24)

Adams, Brittain, Burt, Carter, Connolly, Cox, Crystall, Daar, Dumont, Dunlop, Glover-Ward, Goldspink, Hart, Hopewell, Marlow, Nicholls, Smith, Swainston, Thomas, Townsend, Watson, Williams, Wilson, Woollcombe

ABSTAINED (2)

Hill, Horner

The motion was declared LOST.

193 RAW SEWAGE IN RIVERS

Councillor Thomas presented his motion on notice. He said it was important to protect the local chalk streams from raw sewage and said that the Environment Agency had recently called the actions of Thames Water unacceptable. He said many had been shocked at the level of sewage being dumped in rivers and said that in 2022, there were 169 cases reported.

Councillor Thomas said that the Chief Executive of Thames Water had been awarded a £1.5 million pay package and said that this was not the right way to incentivise companies to not dump sewage. He said that the government were not setting a long term goal for sewage dumping but residents did not want to see

it reduced, they wanted to see it stopped. He urged Members to vote for the motion to be one step closer to cleaner waters.

Councillor Swainston seconded the motion and reserved her right to speak.

Councillor Cox thanked Councillor Thomas for the presentation of his motion.

Councillor Daar said she was taking part in the Local Nature Recovery Strategy led by Hertfordshire County Council and said that chalk streams were quintessential to the area and said the Council should be doing all they could to make sure their quality was preserved. She thanked Councillor Thomas for bringing the motion forward.

Councillor Smith said the Council needed to protect the public who use the district's rivers for recreational activities. She said it was a sad situation that she had to remind her children not to open their mouths if they were in the river due to the water quality. She said that it was important to take action to protect natural facilities and thanked Councillor Thomas for bringing it forward.

Councillor Devonshire said he was happy to support the motion and had a chalk stream in his ward. He said another issue was over extraction of water causing the beds to dry up.

Councillor E Buckmaster said he was happy to support the motion and said that in his role as a County

Councillor, he was involved in starting up the Local Nature Recovery Partnership which had Members on different steering groups and representatives from the Environment Agency and from each Council. He said he also chaired the Hertfordshire Climate Change Sustainability Partnership and said there was a lot of work ongoing in this area.

Councillor Burt thanked Councillor Thomas for his motion and asked for the reasoning behind the stated 50% reduction by 2030.

Councillor Woollcombe said he supported the motion and said there should be an accountability mechanism for fining guilty parties. He said fines were built into companies' business models and suggested a strengthening of language to include incarceration.

Councillor Deering said that the Conservative group supported the motion and said the district's chalk streams were precious.

Councillor Crystall said he was delighted to support the motion and said he would raise it with the MP so she could lend her support to the cause.

Councillor Swainston said she supported the motion. She said that the BBC had recently done an investigation into dry spillage. They asked all 9 water companies and only 3 responded because the other 6 were currently being investigated for breaches. She said the issue was not being acted on quick enough and Thames Water discharged sewage in a dry spell over 110 hours last year.

Councillor Thomas responded to the points raised in the debate as proposer of the motion. He thanked Members for their contributions to the debate. He responded to Councillor Burt's question about the 50% figure and said it was a good starting point and felt like a reasonable target to achieve.

The motion to support the motion having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

RESOLVED – that East Herts District Council notes that, despite repeated calls to put a stop to the dumping of raw sewage into our precious rivers and chalk streams, the latest annual assessment (published this July) by the Environment Agency showed “totally unacceptable” performance on pollution for most of England’s water and sewage companies. Thames Water was given just 2 stars for performance for 2022, meaning that they require significant improvement.

The Environment Agency reported that in 2022 there were 169 discharges of raw sewage into our rivers in East Hertfordshire. East Herts is home to seven of only 210 rare chalk streams in the world. 169 discharges for a combined 1,799 hours equate to nearly 75 days of discharging.

The Council also notes that the Office for Environmental Protection has recently stated that the Government, the Environment Agency

and Ofwat may be allowing raw sewage discharges more frequently than the law permits because there are differing interpretations of the law. It also notes that many of the annual audits of the operations of the Water Companies have not been carried out during the last 6-8 years.

The Council further notes that the Environment Agency has called on Thames Water and all the other Water Companies together to invest £56 Billion to upgrade their sewage treatment plants and storm overflows, but it is allowing them 25 years in which to do this.

Therefore, East Herts District Council calls on the Prime Minister and the Secretary of State for the Environment to strengthen the legislation on the discharging of raw sewage into our rivers and coastal waters by:

- 1) Tightening and clarifying the regulations and law on the circumstances in which discharge of sewage might be permitted.
- 2) Requiring prompt prosecution and fining of all offending companies,
- 3) Requiring the Environment Agency to audit the Water and sewerage companies regularly, every year, to ensure that they are reporting their operations accurately.
- 4) The Council also requests the Government

to bring forward the date by which Water Companies are required to reduce their discharges by 50% -to bring it forward from 2048 to 2030.

- 5) This Council authorises the Chief Executive and the Leader of the Council to write to the Prime Minister and the Secretary of State for the Environment to make these 4 requests.

194 LGA SAVE LOCAL SERVICES CAMPAIGN

Councillor Jacobs presented his motion on notice and said he was removing item 3c from the motion.

Councillor Jacobs said that he knew there were huge funding pressures on local government which could not be met alone through making savings or raising council tax. He said that the motion called for adequate funding for councils in line with inflation and there needed to be a long-term plan for local government funding from the government as inflation would not come down overnight, reserves could only be spent once and services could not be cut twice. He hoped that by joining the Local Government Association's campaign, the collective voice of councils would be greater, and he wanted to raise the issue on behalf of residents.

Councillor Clements seconded the motion and reserved his right to speak.

Councillor E Buckmaster said he was happy to support the motion. He gave some context around a review of capital projects and identifying any savings. He said that the projects currently being delivered were conceived in 2014 and an ageing leisure service meant it would have been more expensive to maintain and they were investments intended to pay their way.

Councillor Goldspink said she was happy to support the motion and said she had found it very frustrating as a councillor to want to do good but not have enough money.

Councillor Dumont said that according to the National Audit Office since 2010, Council Tax revenue has had a 20% increase, grant funding had reduced by 60% and spending power had reduced by 30%. He said this had to change and it was depressing as councillors to want to do good but instead were being asked what we could stop doing.

Councillor Brittain thanked Councillor Jacobs for his motion and said he agreed wholeheartedly. He said his only concern was that he was not convinced the government would listen.

Councillor Hart said there could be a point where the Council could not discharge its statutory duties and said the Council could not function if the funding was not sufficient.

Councillor Deering said the Conservative group were completely aware of the pressures faced having set

four budgets in the previous administration. He said it was very challenging to run a local authority at the moment and he supported the motion.

Councillor Williams queried the title of the motion which stated 'Labour motion'. He said other motions did not have party headings.

The Head of Legal and Democratic Services said that it was just to indicate who had brought the motion. He said if the motion was passed then it would be a motion of the Council, not the Labour Group.

Councillor Crystall said he was happy to support the motion and said this had been raised at the LGA Independent Group and had been supported there.

Councillor Clements said it was no secret that the Council faced tough financial decisions but a large part of the decisions were made by the government. He said Councils of all colours were struggling and said he was pleased to see all Members supporting this and using their influence to pressure the government.

The motion to support the motion, including the removal of point 3c, having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

RESOLVED – that Council notes the Save Local Services campaign by the Local Government Association (LGA) which calls on the Government to ensure councils have adequate resources to meet ongoing cost and demand

pressures, protect local services from cutbacks and invest in improving the services our communities rely on.

LGA analysis¹ revealed that Councils in England face a funding gap of almost £3 billion over the next two years just to maintain services at current levels. Over the last decade, Councils have seen significant cuts in core funding from the government. More recently, inflation has increased costs on core services and pushed up interest rates on existing borrowing. Councils led by parties across the political spectrum have had to issue section 114 notices announcing that they are unable to meet spending commitments.

In East Herts these pressures mean that savings of over £6m are needed by the end of the 2026-27 financial year to balance revenue and expenditure². Residents' finances are already under huge pressure due to the cost-of-living crisis and any decisions made to balance the budget must prioritise the needs of the most vulnerable people in East Herts.

Council believes that the LGA is right to warn that the financial sustainability of councils and local services are at risk. The impact of inflation in the economy, cuts to funding and increasing demand pressures cannot alone be met by further reducing costs, making efficiencies, or

raising council tax. Reserves held by Councils can only be spent once and are not a solution to the long-term financial pressures faced. Local government needs adequate funding to provide the services our communities rely on.

Council therefore resolves to:

1. Conduct its budget setting operation for 2024/25 with the above principles in mind, considering the need to protect core services and to prioritise the needs of the most vulnerable in East Herts;
2. Review all of its capital projects with the intention of identifying possible savings;
3. Support the Save Local Services campaign and call on government to:
 - a. Put local government finances on a sustainable footing.
 - b. Provide adequate, long-term funding, in line with inflation and demand for services, giving Councils certainty to plan their budgets and minimise service disruption.
4. Instruct the Leader of the Council to write to government, local MPs and the LGA to communicate council's views on this issue.

The meeting closed at 9.10 pm

Chairman
Date