

MINUTES OF A MEETING OF THE
COUNCIL HELD AS AN ONLINE MEETING
ON WEDNESDAY 13 JANUARY 2021, AT 7.00
PM

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

OFFICERS IN ATTENDANCE:

Richard Cassidy	- Chief Executive
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Tamara Jarvis	- Improvement and Insight Manager
Chloe Hipwood	- Service Manager - Waste, Recycling and Street Cleaning
Jess Khanom- Metaman	- Head of Operations
Steven Linnett	- Head of Strategic

	Finance and Property
Peter Mannings	- Democratic Services Officer
Robert Mayo	- ORL Programme Manager
Helen Standen	- Deputy Chief Executive

320 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Members to the Extraordinary Council meeting being held as a virtual meeting on Zoom. He also welcomed those that there were watching the meeting live on the East Herts District YouTube channel.

The Chairman advised that the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on Saturday 4 April 2020 to enable councils to hold remote committee meetings during the Covid-19 pandemic period. This was to ensure local authorities could conduct business during this current public health emergency. This Extraordinary Council meeting is being held remotely under these regulations, via the Zoom application and is being recorded and live streamed on YouTube.

The Chairman reminded Members about the voting arrangements to be used via zoom, in the form of the green tick or red cross for voting for or against respectively, or the use of the blue hand to signify an

abstention. He stated how the results of each vote would be announced.

The Chairman asked that Members use the raised blue hand to indicate if they wished to speak. He thanked the Members that had contributed to the Isabel Hospice appeal in December 2020. He said that Members could still contribute by contacting his PA, Esther Piper.

The Chairman stated that at 6:30 pm on the 28 January 2021, there would be an East Herts Holocaust Memorial Day event on Zoom. He said that John Carr OBE would be speaking and he had been the Labour candidate for Hertford and Stortford in 1983. He would be talking about his father who had escaped from a Polish Ghetto at the age of 13 and how he eventually got to Britain. The Chairman stated that Zoom details would be sent out nearer the time.

321 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors I Devonshire, H Drake, R Fernando, D Hollebon, J Jones, M McMullen, S Newton and N Symonds. Upon taking a roll call of Members, it was established that Councillors D Andrews and J Ranger were absent.

322 MINUTES - 16 DECEMBER 2020

Councillor Ward-Booth proposed, and Councillor Alder seconded, a motion that the Minutes of the meeting held on 16 December 2020 be confirmed as a correct record and signed by the Chairman.

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

RESOLVED – that the Minutes of the meeting held on 16 December 2020 be confirmed as a correct record and signed by the Chairman.

323 DECLARATIONS OF INTEREST

Councillor Page declared a non-pecuniary interest in the matters referred to in minute 325, on the grounds that he was a Member of Bishop's Stortford Town Council. He said he would be reserving his right to speak and vote on this matter.

Councillor Wyllie declared a non-pecuniary interest in the matters referred to in minute 325, on the grounds that he was a trustee of the Rhodes Birthplace Trust. He said he would be abstaining from voting on this matter.

324 IMPLEMENTATION OF A CHARGEABLE GREEN WASTE SERVICE

Councillor G McAndrew, the Executive Member for Environmental Sustainability, submitted a report in respect of the implementation of a Chargeable Garden Waste Service. The report proposed that a chargeable service be implemented from 1 April 2021, which would provide the single largest contribution to the Council's savings plan in 2021/22. It also means that the council would not be removing the service in its entirety.

Councillor McAndrew said that in January 2020, the option to charge for a green waste service was approved by Council as part of the medium term financial plan (MTFP). He said that an income of £400,000 had been identified for the 2021/22 financial year and the COVID-19 pandemic continued to have a significant impact on all Council budgets.

Councillor McAndrew referred to a greater challenge now to balance budgets and deliver statutory services to those who needed them. The purpose of this report was to seek approval for a service change, for the introduction of a charge for the collection of garden waste. He said that the collection of garden waste was a non-statutory service that the Council did not have to provide and the current financial position of the Authority left the Council little choice but to progress with this change.

Councillor McAndrew said that waste and recycling was the Council's single largest expenditure and charging for a garden waste collection service would provide the single largest contributor to the savings plan in the MTFP. He said that charging would allow the Council to continue to provide a service to those who wanted it. Alongside this the Council would also promote a reduction in food waste and home composting, prior to introducing a weekly food waste collection service in 2023.

Councillor McAndrew said that the final recommendation in the report related to a commitment to reducing food waste, as approximate

70% of the food waste from UK households that entered the waste stream was edible. He commented on savings for the average family of four of approximately £60 a month as well as environmental benefits regarding reductions in carbon dioxide emissions just from the food being wasted.

Councillor McAndrew said that the recommendations needed to be agreed en bloc in order for the scheme to provide the projected financial returns for the Council. He said that any delays would have a detrimental impact on the Council's finances. Councillor G Williamson, Executive Member for Financial Sustainability, referred to the £1.5 million gap in the Council's budget that he had presented in the MTFP at a Council meeting in January 2020.

Councillor Williamson said that Members had recognised some years ago that financing the Council's services would get progressively more difficult and savings had been made to ensure the Council could continue to deliver valued services at a lower cost. He said that there were no longer any easy savings to be made and a number of strategies had been put in place to secure extra income sources.

Councillor Williamson said that a strategy of investment in commercial property ownership had been brought to a halt by an announcement on 25 November 2020 that Councils would be barred from using the Public Works Loans Board if there were any investments in assets primarily for yield anywhere within its capital programme. He said that the viability of the Council's residential property investment via the

Millstream property investment company was also now in doubt. Councillor Williamson said that £0.5 million of potential income was now no longer available to the Council in terms of bridging the budget gap for 2021/22. Councillor Williamson commented on the impact of the COVID-19 pandemic. He said that money from government had only gone some of the way to cover the overall losses experienced by Councils and this had made things even more difficult when setting a balanced budget for 2021/22.

Councillor Williamson concluded by stating that the ability of the Council to fund a free green waste collection service had progressively declined to the point that it was simply no longer viable. He said that the charge being proposed equated to less than £2 per collection and when taken collectively, the total sum which was now vital to enable the Council to provide other services for residents across the District. Councillor McAndrew proposed and Councillor Stowe seconded a motion that the proposals in the form of recommendations A to E, be supported. Councillor Stowe reserved his right to speak at this point in the meeting.

Councillor Goldspink said that she wished to propose some amendments to the proposals. She proposed that the Council resolves to defer making a decision on Charging for Garden Waste only collections until i) arrangements for the collection of Food Waste have been designed and ii) detailed assessments of the carbon emissions which would be caused by the change in collections have been made.

Councillor Goldspink said she did understand that the Council was trying to find ways to reduce costs and save money. She stated that she did not believe it was right to make savings by reducing the service provided by the Council to the community. She expressed concern over the lack of provision for a weekly collection of food waste. She also believed that it was unrealistic to expect homeowners to start home composting based on the results of a recent survey that showed that 50% of respondents had no interest in doing home composting.

Councillor Goldspink said that she believed that some residents would choose not to pay for a brown bin collection and would put all garden waste into a black bin. She emphasised that this would increase the amount going to landfill and would increase the Council's costs and this was also bad for the environment.

Councillor Bell said that she was aware from page 51 of the report that other neighbouring Councils operated a weekly food waste collection service separate to garden waste. She pointed out that it would be mandatory for all Councils to collect food waste separately from other waste from 2023. She also emphasised that idea that all residents could reduce food waste by composting was out of touch with the situation faced by many East Herts residents. She seconded the amendment proposed by Councillor Goldspink.

Councillor Kemp commented on his initial adverse reaction to the proposal to charge for garden waste

collection. He said that he had now changed his mind having considered the arguments of both sides. He said that he was mindful of the point made by Councillor McAndrew that this was a non-statutory service that incurred a substantial cost for the Council of over a £1 million per annum. Councillor Kemp referred to the cost per household and the income increase that would offset the cost of providing this service.

Councillor Redfern expressed a degree of concern about food waste and the impact of this going to landfill in terms of carbon dioxide emissions. She commented that this approach was not perhaps the best way forward in terms of the green agenda and sustainability. She commented on whether there could be any mitigation for those who did not have a bank account and might not be able to afford the annual charge for the collection of garden waste.

Councillor Corpe said that he did understand the financial pressures that the Council had to endure. He commented on the SEED corporate plan aims where the S stood for sustainability at the heart of everything we do. He commented on the likely implications of this decision in terms of the carbon dioxide emissions resulting from food waste in black bins rather than into brown bins.

Councillor Brady stated that she supported the proposed amendment and emphasised that the equality impact assessment had not considered certain user groups in terms of affordability. She commented on a likely increase in fly tipping, as experienced in the

Surrey area where a similar decision about charging had been made. Councillor Wilson said that more important than this not being a statutory service was the moral duty of the Council to East Herts residents to maintain the environment.

Councillor McAndrew reiterated that the only way that had been identified for the Council to bridge the budget deficit was to charge for the collection of green waste. He said that this was a temporary measure until a system was put in place to actually collect food waste. Councillor McAndrew said that there was no actual physical evidence of a substantial increase in fly tipping and he said that deferring a decision would create a significant shortfall in the MTFP. He said that charging for a garden waste collection service provided the single largest contribution to the budget savings plan and a weekly food waste collection service would be introduced within 2 years in line with the government's resources and waste strategy.

Councillor McAndrew commented on the meetings and consultation that had taken place with Hertfordshire County Council (HCC). He believed that consultation had been sufficient and formal consultation feedback from the HCC Minerals and Waste Team on 30 December 2020.

Councillor Crystall said that he supported what other Members had said about the damaging increase in carbon emissions. He commented on the damaging impact of landfill in terms of methane emissions. He said that he appreciated that the financial balance in terms of whether to include food waste collections for

the next 2 years.

Councillor Ward-Booth said that budget papers and the Medium Term Financial Plan (MTFP) had been presented to the Audit and Governance Committee on 17 November 2020. Councillor Dumont raised a point of order in that it had been said that the Liberal Democrat Members had not had a full budget briefing.

The amendment motion A, as proposed by Councillor Goldspink and seconded by Councillor Bell, was put to the meeting and a vote taken. The motion was declared LOST.

Councillor Goldspink proposed an amendment motion B, that East Herts Council would consult with the County Council on the whole matter of garden waste, food waste and residual waste collections. She said that this was important as this Authority had to work with County Council colleagues and the County Council had a contract for the collection of garden waste for proper composting. She referred to the financial implications for the County Council. She pointed out that the County Council had asked that this decision be deferred in reference to garden waste.

Councillor Bell seconded the amendment proposal B. Councillor Kemp said that he understood the amendment but he thought it somewhat unnecessary as Officers and the Executive would have had been in discussions with Hertfordshire County Council. He said that the amendment might be asking for something which was normal ongoing practice.

Councillor McAndrew confirmed that Officers and Members had liaised and do liaise with County Council colleagues on a regular basis. He referred in particular to 3 monthly meetings of the Hertfordshire Waste Partnership. The amendment motion B, as proposed by Councillor Goldspink and seconded by Councillor Bell, was put to the meeting and a vote taken. The motion was declared LOST.

Councillor Goldspink proposed an amendment motion C, that the results of consultations and emission examinations should be presented to the Overview and Scrutiny Committee for detailed examination before any recommendation were presented to Full Council.

Councillor Bell seconded the amendment and said that there had been no mention of a reduction in fee for residents on lower incomes. She said that asking residents to put food waste in black bins was a massive step backwards. She stated that it seemed counter intuitive to operate a different system to North Hertfordshire District Council in light of the shared service arrangement this Council had with North Herts.

Councillor Haysey said that Members had to work together to find ways to cut food waste as well as other kinds of waste to reduce landfill and increase composting. Councillor Redfern said that a food waste collection service should be in place before chargeable green waste collections were introduced.

Councillor McAndrew spoke about the opportunities that had been open to all Members to engage with the budget and there had been meetings where

contributions could have been made to the budget setting process. The amendment motion C, as proposed by Councillor Goldspink and seconded by Councillor Bell, was put to the meeting and a vote taken. The motion was declared LOST.

Councillor Stowe said that the bottom line was the budget and this had to be balanced so as to avoid cutting services. He reiterated that he was seconding the original motion as proposed by Councillor McAndrew. Councillor Frecknall said that an opportunity for innovation and collaboration had perhaps been missed due to a variety of reasons including COVID-19. He said that he had been contacted by residents who believed that the consultation on these proposals had not come across as a consultation.

Councillor Goldspink commented on delays to the budget briefing she had hoped to receive. She said that she had refrained from chasing the Head of Strategic Finance and Property at this difficult time. Councillor Goldspink said that she hoped to receive a full budget briefing before presenting an alternative budget.

Councillor McAndrew made a few final summary comments in support of his motion. Councillor Haysey thanked Officers for their hard work in preparing these proposals. A motion to support the recommendations A to E having been proposed by Councillor McAndrew and seconded by Councillor Stowe, was put to the meeting and a vote taken. The motion was declared CARRIED.

RESOLVED – that (A) approval be provided, having regard to the results of the public consultation, for the cessation of the existing mixed organic waste collection and this be replaced with a chargeable garden waste only collection service;

(B) a £49 annual fee for the first year of the service (2021/22), reduced to £45 for residents signing up through a direct debit scheme before 15 March 2021, be approved;

(C) a £35 cost per additional bin and £49 for collection of additional bins, be approved;

(D) Adoption of the key principles of the terms and conditions as stated in Appendix 1;

(E) Given the comments raised during the consultation about the benefits of food waste reduction, run an enhanced food waste reduction and home composting campaign as outlined in Appendix 3.

325 EXCLUSION OF PRESS AND PUBLIC

Councillor Kaye proposed and Councillor Beckett seconded, a motion that the press and public be excluded from the meeting during the discussion of the next item, 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 Local Government Act 1972, in that disclosure could compromise information relating to the financial or

business affairs of any particular person (including the Authority holding that information).

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

RESOLVED – that the press and public be excluded from the meeting during the discussion of the next item, 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 Local Government Act 1972, in that disclosure could compromise information relating to the financial or business affairs of any particular person (including the Authority holding that information).

326 CHANGE OF SCOPE FOR THE OLD RIVER LANE ARTS CENTRE

Councillor G Williamson, Executive Member for Financial Sustainability, submitted the exempt report in respect of the proposed alternative scope for the Old River Lane Arts Centre in light of the impact on the Council's finances of the COVID 19 pandemic.

Councillor Williamson set out the history of the decision making in respect of Old River Lane and emphasised that the financial situation was not the same as in 2015. Councillor Williamson said that there had been delays to the project that were beyond the Council's control. He addressed the Council meeting in respect of the content of the exempt report and the exempt appendix documents.

Councillor Williamson proposed, and Councillor Cutting seconded, a motion to support the recommendations A and B in the exempt report. Councillor Cutting thanked Councillor E Buckmaster and Councillor Williamson and Officers for working through every option before presenting this exempt report to Council.

Councillor Goldspink said that she wished to propose an amendment to recommendation A. She proposed that, in view of the fact that the proposal to build a new 500 seat theatre on the Old River Lane site has now been abandoned, and that what was now being proposed was very different from the original idea, the Council would hold a full public consultation with the residents and business owners of Bishop's Stortford to find out what they would like to see provided and built on this very important site.

Councillor Wilson seconded the amendment motion. After a debate on the amendment motion A, as proposed by Councillor Goldspink and seconded by Councillor Wilson, this was put to the meeting and a vote taken. The motion was declared LOST.

A motion to support the recommendations A and B having been proposed by Councillor Williamson and seconded by Councillor Cutting was put to the meeting and a vote taken. The motion was declared CARRIED.

RESOLVED – that (A) Council agree the revised scope for the Old River Lane Arts Centre without auditorium, in combination with an additional c.

31 residential units and c. 2000 sq ft of commercial space to ensure financial sustainability of the overall scheme in light of the impact of the COVID-19 pandemic and endorse the project's approach to maximise the affordable housing delivered on the site, subject to the project having flexibility to vary the numbers in order to present a financially viable scheme at the planning application stage.

(B) Council notes, with disappointment, the government's change of policy concerning lending and requests a final business case for the whole scheme, based on the sale of the land for a capital receipt to the approved developer, Cityheart, be prepared and presented to Council for approval in March 2021.

The meeting closed at 9.15 pm

Chairman
Date