

MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 13 DECEMBER 2023, AT 7.00
PM

PRESENT: Councillor C Horner (Chairman).
Councillors M Adams, D Andrews,
R Buckmaster, P Boylan, E Buckmaster,
C Brittain, M Butcher, I Devonshire, 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, A Holt, S Hopewell, T Hoskin,
D Jacobs, S Marlow, G McAndrew,
S Nicholls, C Redfern, T Stowe,
M Swainston, J Thomas, R Townsend,
S Watson, D Willcocks, G Williams,
G Williamson and J Wyllie.

OFFICERS IN ATTENDANCE:

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| 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

249 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded Members to use their microphones when speaking so they could be heard on the webcast.

The Chairman thanked Members for wearing festive clothing to the meeting to raise money for his chosen charity Community Alliance.

The Chairman told Members he had attended a number of events since the last Council meeting, including the Remembrance Day services in Bishop's Stortford and Sawbridgeworth. He said the services were very moving and served to commemorate those who had lost their lives in conflicts around the world. He thanked the Deputy Chairman for laying wreaths at services in Ware and Hertford and to Councillor Woollcombe who laid a wreath in Buntingford.

The Chairman said he had also attended the Lights of Love service arranged by the Isabel Hospice in Bishop's Stortford which gave bereaved families the opportunity to remember loved ones. He reminded Members to fill in the webform should they have any events in their ward that they'd like the Chairman or Deputy Chairman to attend.

250 LEADER'S ANNOUNCEMENTS

The Leader of the Council thanked all Members on behalf on him and the Executive for their hard work this year. He said that many new Members had had to learn new skills and adapt quickly whilst continuing to deliver services. He said, on behalf of all Members, that he would like to thank the council's staff who had worked tirelessly through significant changes to do the best for Members and for residents. He wished them a well-deserved and relaxing Christmas break.

251 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Bull, Hollebbon, Parsad-Wyatt, Smith, Wilson and Woollcombe.

252 MINUTES - 18 OCTOBER 2023

Councillor Goldspink proposed, and Councillor Daar seconded a motion that the Minutes of the meeting held on 18 October 2023 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 18 October 2023 be approved as a correct record and signed by the Chairman.

253 DECLARATIONS OF INTEREST

Councillor Goldspink declared a non-pecuniary interest in Item 13b, 'Hotels for Asylum Seekers' motion as she was a coordinator for refugees in Bishop's Stortford.

254 PETITIONS

Two petitions were submitted to the meeting.

255 PROTECT BENGEO FIELD LANDSCAPE AND RETURN IT TO GREEN BELT

Heston Attwell presented the 'Protect Bengo Field landscape and return it to Green Belt' petition.

The Executive Member for Planning and Growth responded to the petition.

"Thank you for the opportunity to respond to this petition. I appreciate the strength of feeling that the community has about the part of Bengo Field which forms the second phase of the HERT4 District Plan site allocation and your strong wish to return it to Green Belt.

As you know, the site was taken out of the Green Belt and allocated for development when the District Plan was adopted in 2018. National Planning Policy sets out that Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of Local – or in this case – District Plans, Neighbourhood Plans or similar.

At the time, the District Plan Inspector considered whether exceptional circumstances existed to justify the proposed revisions to the Green Belt boundary. They concluded that all options for locating

development had been explored: brownfield land had been assessed and prioritised; significantly higher densities in urban areas had been discounted because of the harm to local character; and a much larger range of smaller sites in the Green Belt was also discounted because they could not bring forward the infrastructure necessary to support the quality of development required in our district.

The Inspector concluded that the studies carried out were comprehensive and demonstrated that, in the absence of any reasonable alternative, the release of Green Belt land for development was needed for the District Plan period and beyond to provide land for homes.

Housing need was, and continues to be, acute in EH and the supply and suitability of land outside the Green Belt is constrained. Without the release of land from the Green Belt, there would simply not be enough available to provide sufficient homes to meet the needs of people within East Herts. As such, the Inspector was satisfied that exceptional circumstances did exist to justify the District Plan strategy for delivering homes, including the release of land from the Green Belt.

In respect of the housing allocations in Hertford, including part of Bengeo Field, the Inspector concluded the sites were better located than the reasonable alternatives in terms of protecting the historic character of the town, access to facilities and deliverability. So she considered them to be sustainable options for housing.

The Inspector did, however, make a modification to Policy HERT4 to require a defined and recognisable boundary to the landscape, necessary to mitigate impacts on the Green Belt in accordance with the National Planning Policy Framework.

Of course, at that time, the outcome of the minerals planning application (PL\0776\16) was not known, as the District Plan was adopted in October 2018 and the Secretary of State did not dismiss the planning application appeal until 4th April 2019. It should also be recognised that the HERT4 site allocation lay outside, and has never formed any part of, the minerals application/appeal site area and was not intended to do so.

Furthermore, it should be noted that paragraph 428 of the Inspector's Report to the minerals application Public Inquiry stated that "There is no convincing evidence that the implementation of the appeal scheme is necessary to enable future housing to comply with HERT4", so they were not questioning the appropriateness of the allocation itself.

Significant community participation and stakeholder engagement was involved in the production of the District Plan. The Council consulted extensively at each stage of the District Plan's preparation, and so it is not correct to say that the Green Belt designation was changed without any public consultation. The Council takes the views of the community very seriously, but at the same time is committed to meeting its housing need within the district. This has meant that some difficult decisions have had to be made.

The Council is duty bound to consider all planning applications that are submitted to it and if a decision is not forthcoming, then the applicant could appeal against non-determination. This would then take the decision out of the Local Planning Authority's hands and straight to the Planning Inspectorate. Therefore, to maintain local democracy decisions on planning the Council should not delay the determination of any planning application by putting it on hold.

Similarly, the Council cannot consider amending designations by reinstating the Green Belt outside of a District Plan-making process, and whilst the Council has agreed that the District Plan should be updated, this will take several years and in the meantime planning applications will continue to be decided in line with the District Plan 2018.

Thank you again for the opportunity to respond to your concerns but, as I have set out, the decision to remove the site from the Green Belt was consulted upon by EHDC and fully considered by the District Plan Inspector so the Council is not in a position to pause or suspend planning decisions on the part of Bengo Field included in the HERT4 allocation. It will therefore be up to the Council's Development Management Committee to consider the current application in line with both national and local planning policies."

As the local ward councillor, Councillor Daar spoke in response to the petition. She said that this area of Bengo was her favourite area and the views were amazing. She said that when the quarry was proposed on this land, Bengo residents fought hard to overturn

the decision but the land was still taken out of the green belt. She said that the unique nature of Bengoe would be destroyed if housing was built on the land and felt that if the landowner had consulted residents before putting the land forward for development, a compromise could have been found. She said there was a strong argument for returning the land back to green belt.

256 PREVENT THE CLOSURE OF OUR LOCAL SWIMMING POOL IN BUNTINGFORD

Philip Wylie presented the 'Prevent the closure of our local swimming pool in Buntingford' petition.

The Executive Member for Wellbeing responded to the petition.

"Thank you for sharing this petition. I have been keeping an eye on it myself, and I've seen just how important Ward Freman pool is to the community. In the comments underneath, people have shared experiences of learning to swim at the pool when they were younger, of how it helped with their recovery from injury, of how it's enabled them to keep active, and about how important it is that children learn to swim. It's also clear from the petition how valued the pool is as a community asset not just to Buntingford but also to surrounding villages. Outside the petition, I've also had many emails and conversations with people about how much the pool means, and I absolutely understand and agree with the many benefits of swimming, the value it brings, and its role in

maintaining health and wellbeing.

The reason Ward Freman pool is closing at the end of term is for health and safety, as the filtration system is well beyond its expected shelf-life. Damaged pipework in the filtration system has resulted in a low flow rate and poor circulation. There have also been cracks in other areas, and the pool plant requires replacement. For some time now, additional microbiology testing has been taking place to ensure the water is still safe, but concerns about the equipment continued to grow, and it has reached a point where Everyone Active (our contractor) no longer feels comfortable with the level of potential risk. To continue knowingly operating with equipment that is no longer compliant puts not just the users, but the providers at significant risk, including risk of prosecution. As a council, safety has to also be a priority, and we do not want to risk anyone becoming sick as a result of contaminated water. However, underlying this closure is of course the costs involved in fixing the filtration system, which, due to very old pipework, necessitates draining the pool, itself in poor condition.

While on paper, the cost of fixing the filtration system is around £550,000, the reality is that this is not the only problem with the pool. The boiler is on the point of failing and the pool tank itself is very likely cracked and in need of replacement. With the age of the facility, draining the pool to fix the filtration system brings with it the risk of the sides then collapsing, which would then add further significantly to the costs.

Responsibility for Ward Freman pool is shared with

Hertfordshire County Council, and capital works needs agreement from both parties. In 2017, Ward Freman was identified to receive investment and improvements. Whilst money for these upgrades was set aside in 2020, the repairs did not happen, as agreement between the two then- Conservative led councils could not be reached. Money moved to 2021, and then to 2022, but again, repairs did not happen. At the last budget setting prior to our administration, spend for Ward Freman was removed from the committed budget entirely. The spend became 'approved but not committed' and was moved to the year 2025/26,

The Green/Lib-Dem administration inherited an extremely challenging financial situation, and extensive costly investment commitments. We are required to save £6m over the next four years, and County has to save £10m this year alone. As upsetting as it is, we have looked extensively at the current finances, and there simply isn't the money available to fund in full these repairs, which now much more severe than when identified all those years ago. Whilst little comfort, Buntingford is not the only town to feel they have missed out on capital spend, with many residents from other towns also feeling angered at seeing expensive projects in the two larger towns, yet little coming their way. I'm also aware that people have asked about the Swimming Pool Support Fund, money from Section 106, and the money received by Fakenham.

To respond in turn:

- The swimming pool support fund had strict

eligibility criteria, published clearly on their website. Specifically, it was necessary that the pool was able to remain open, and that the funding was not to be used for repairs. Unfortunately, we could not provide the assurances required to meet the eligibility criteria for this pot of funding.

- In terms of Section 106, as a joint-use facility, East Herts Council cannot use its portion of section 106 money for the pool under the present arrangement. Potentially this could change were arrangements with the facility itself to change, but as it stands, criteria for East Herts share of S106 money prohibits it being used for the pool.

- Many people have asked why money was spent on a new cycle path, rather than fixing the pool. To answer, the cycle path was a County Council project with money from Active Travel fund. This money was ringfenced, and could therefore only ever have been used for Active Travel.

- Finally, the Fakenham leisure centre received funding upgrades following an application made to round two of the UK Levelling Up Fund, which had a deadline of August 2022. East Herts council at the time did some fairly extensive work to pull together an application for the Levelling Up Fund, however several components would have been carried out by Hertfordshire County Council, and at the time they were not able to support the bid.

With all that said, while the councils jointly are not in a position to fund these costs, it is very clear how much

this facility means. I, like you, feel it is crucial that we do whatever possible to try and salvage the pool. I've been looking into a range of options outside of council funding that could help secure future funding. I, along with Buntingford ward councillors and residents of Buntingford are now working closely to see what other options might be available. It has been heartwarming to see so many offers of help and support from residents keen to bring this facility back into use. There are many grant pots that local authorities are not eligible to apply to, but charities and community groups are. A survey is now in development to help understand what might improve revenue should the pool reopen. In addition to this, whilst not able to fully fund the costs, East Herts council officers and councillors are keen to see what is possible in terms of financially supporting the upgrades and the project itself if it is able to open in future.

I am of course, under no illusion that this will be a challenging project, and that on further surveying of the building, problems could well emerge that render the site unviable. However, we want to ensure that we have explored every avenue. This petition clearly shows the value of the pool, and all the comments will not go to waste, as they are key to demonstrating a case for funding when developing grant applications. The petition also speaks to the wider issue of swimming pools nationally, and the urgent need nationally to protect these vital assets. We also have an email list for people who would like to be kept up-to-date, and I would be happy to add anyone else to the list."

As the local ward member, Councillor Burt spoke on the petition. She understood the anger from residents that the town was growing but losing facilities. She said was pleased and grateful for the support and suggestions from the community to ensure that a swimming pool remained in Buntingford. She thanked those who had supported the petition and thanked Councillor Hopewell for her hard work in trying to find a solution.

257 PUBLIC QUESTIONS

The full responses to the submitted Public Questions can be found in the supplementary [here](#).

The supplementary questions from the public are provided below.

Question 5, Philip Wylie supplementary question.

Mr Wylie asked if the report on the swimming pool could be made public.

Response from Cllr Sarah Hopewell

Councillor Hopewell said that in its current format, some information was commercially sensitive that would need to be redacted before publishing. She hoped that the report could be published soon.

258 MEMBERS' QUESTIONS

The full responses to the submitted Members' Questions can be found in the supplementary [here](#).

The supplementary questions from Members are provided below.

Question 1, Councillor Devonshire supplementary question.

Councillor Devonshire said that in the same time period, North Herts Council had eight Development Management Committees compared to two at East Herts Council. He asked if it was possible that applications would be going to the inspector and approved due to non-determination.

Councillor Glover-Ward responded and said that in 2022/23, there were six DMC meetings and in 2020/21, there were five meetings. She said the first DMC meeting was ten days after the election which was understandably cancelled and other meetings have not gone ahead because applications had not been ready.

Question 2, Councillor E Buckmaster supplementary question.

Councillor Buckmaster said that the residents in Sawbridgeworth wanted something done and said the service was viable with the gym and pool and use was higher than pre-pandemic, he asked if the administration would confirm their support to encourage use of the pool and gym to maintain the health and wellbeing of residents.

Councillor Glover-Ward said that she understood the question but felt it should be directed to the Executive

Member for Wellbeing. She said she could not comment on the leisure strategy but would seek a written answer from Councillor Hopewell on that point.

There was no supplementary question for Question 3.

Question 4, Councillor Wyllie supplementary question.

Councillor Wyllie said he thanked the Executive Member for Environmental Sustainability for his initial proposal and asked if the Executive Member regretted that the decision was paused.

Councillor Hoskin said that he felt he had come up with a fairer proposal and hoped Councillor Wyllie would be able to contribute to the debate later in the meeting.

259 EXECUTIVE REPORT - 28 NOVEMBER 2023

The Leader of the Council presented a report setting out recommendations to the Council made by the Executive at its meeting on 28 November 2023.

259 CONSIDERATION OF MANDATING CARD PAYMENT FACILITIES IN LICENSED VEHICLES

The Executive Member for Planning and Growth presented the report on the mandating of card payment facilities in licensed vehicles. She said that the key purpose of the council's licensing regimes was to ensure public safety and the proposed policy would help ensure people had more payment options when getting a taxi and confirmed that cash would still be

accepted. She said that the taxi trade in East Herts were formally consulted and 96% of responses were positive with 94% already having card payment facilities in their vehicles. She said that policy compliance would be required from 1 April 2024 and there would be a three-month transition period for drivers to source a card payment machine from 1 January 2024.

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

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 policy to introduce a requirement to provide card payment facilities in all vehicles licensed by East Herts Council be approved.

259 WATTON-AT-STONE NEIGHBOURHOOD PLAN

The Executive Member for Planning and Growth presented the report for the Watton-at-Stone Neighbourhood Plan. She said that the plan showed how engaged residents were in the district and the Parish Council had taken a proactive approach to meeting the District Plan's housing requirements for the village. This was the first Neighbourhood Plan that had released land from the green belt with the allocation of two strategic sites which met and

exceeded the required growth thereby delivering significant community benefits.

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

Councillor Crystall congratulated the team behind the Neighbourhood Plan and thanked them for their hard work.

Councillor Thomas echoed Councillor Crystall's comments and said this had been an eight-year process. He said that the Neighbourhood Plan group had been able to bring the community along with them in the process and said there could be lessons to learn for the council from this process.

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 Watton-at-Stone Neighbourhood Area Plan 2017-2033 be adopted.

259 WARE NEIGHBOURHOOD PLAN

The Executive Member for Planning and Growth presented the report on the adoption of the Ware Neighbourhood Plan. She said that the plan designated local green spaces and contained policies that would preserve the heritage of the town. The plan also sought to provide sustainable development

opportunities within the context to maintain the distinctive historical character of Ware.

The Executive Member for Planning and Growth said that the Examiner's report praised an excellent Neighbourhood Plan for its presentation and the supporting text underpinning the policies. She said the plan went to a referendum in September 2023 and 91% voted in favour of the plan.

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

Councillor Hart asked what the turnout was for the referendum.

Councillor Glover-Ward said it was a low turnout, she thought it was about 16% but would confirm outside of the meeting.

Councillor Hart said she felt that the Neighbourhood Plan was not well advertised and felt it was important to get the message out to a wider group.

Councillor Glover-Ward said she would feed back to the Neighbourhood Plan Steering Group.

Councillor Crystall said that most of the previous Neighbourhood Plans that have come forward were for ward sized areas. The Neighbourhood Plan for large areas like Ware were going to be a challenge to reach all residents and this might reflect the lower turnout. He said the team behind the Ware

Neighbourhood Plan deserved credit for this achievement.

Councillor Daar added that the turnout for Neighbourhood Plans was affected by whether there were other elections scheduled for the same day.

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 Ware Neighbourhood Area Plan 2021-2033 be adopted.

259 LAND AT WALKERN ROAD (WAS3) MASTERPLANNING FRAMEWORK

The Executive Member for Planning and Growth presented the recommendation in the report. She said that the WAS3 site had been allocated for 60 homes within the Watton-at-Stone Neighbourhood Plan and was the first plan site that met the requirement in the District Plan to prepare a masterplan.

The Executive Member for Planning and Growth said that there was a strong vision for the site developed by the steering group established to shape the masterplan including council officers, members, and the developer. She said there was a framework for sustainable, low carbon, landscape led development and a strong emphasis on enhancing active travel.

Councillor Glover-Ward proposed that the

recommendation in the report be supported.
Councillor Thomas seconded the proposal.

Councillor Estop said she welcomed the masterplan and said they were helpful and proactive. She said that she had one concern that the plan was described as a collaborative masterplan between the Parish Council and the steering group but the document is headed as Fairview Homes. She felt that masterplans should have a section to say who was involved in the preparation of the document. She said the developer being involved and working with the community was a good thing.

Councillor Crystall said that was a good point and he had chaired the masterplanning sessions and said he had been impressed by the collaboration between the teams from the community and developer. He said this was a good model of how these things can work 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 Land at Walkern Road Masterplan Framework Document, for the Watton-at-Stone Neighbourhood Plan site allocation known as WAS3 be agreed as a material consideration for Development Management purposes.

260 POLITICAL BALANCE AND COMMITTEE MEMBERSHIP OF THE COUNCIL UPDATE

The Head of Legal and Democratic Services presented the Political Balance and Committee Membership of the Council update. He said there was a slight error in recommendation (b) where it refers to "Appendix B", it should in fact read "Appendix A". He said that in line with paragraph 3.3(i) and (k) of the Constitution, Council was required to approve its political balance and allocation of seats and the political balance of the Council has changed since this was last done in May 2023 as there had been changes to the number of councillors within the Green Group.

The Head of Legal and Democratic Services said that the new political balance was at paragraph 2.3 of the report, along with the revised allocation of committee seats. The report ensured that the Council complied with its statutory obligations under the Local Government and Housing Act 1989 and associated Regulations.

Councillor Goldspink proposed the recommendations in the report be supported. Councillor Crystall seconded the proposal.

Councillor Deering referred to paragraph 2.3 of the report and said that the two independent members had been put into a group. He questioned whether they had come together to form a group and whether the group had a leader.

The Head of Legal and Democratic Services said that they had been combined in the table for ease of reference and they were not a group. He said the independent members were entitled to have seats on

the council's committees.

Councillor E Buckmaster said he first joined the Council in 2010 as an independent member alongside four others and he said that they formed an independent group. He said it was possible but up to the individual members.

Councillor Nicholls said that the list at Appendix A showed her as a substitute member on the Development Management Committee and this was incorrect.

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 (A) the revised political balance of the Council at paragraph 2.3 be agreed; and

(B) the member of Scrutiny Committees, Regulatory Committees and Joint Committees be as set out in Appendix A be agreed, with Members being appointed in accordance with the wishes of the political group to whom the seats on these bodies have been allocated.

261 MINOR CHANGES TO THE CONSTITUTION

The Head of Legal and Democratic Services presented the report on the minor changes to the Constitution. He said that at the Executive meeting on 28 November 2023, the Executive agreed to the creation of an

Executive Joint Committee for the Harlow and Gilston Garden Town project, along with the other four partner authorities to that project. Paragraph 2.6.3(b) of the Council's Constitution permits the Monitoring Officer to make changes to the Constitution so as to put into effect any decision of the Council, its Committees or, as in this case, the Executive.

The Head of Legal and Democratic Services added that paragraph 2.6.5 of the Constitution said that where any such minor changes the Constitution are made, then the Monitoring Officer must notify Members of those changes at the next meeting of the Full Council and the changes were at Appendix A.

The Head of Legal and Democratic Services said a change to the Policy Framework was also being proposed as set out in paragraph 2.7 of the report, that is, to remove the words "(and Harlow and Gilston Garden Town project)" from paragraph 3.2.1 (n). In accordance with paragraph 13.2.13 of the Constitution, any changes made to the Policy Framework were reserved to Council. He said that the reference to a specific project in the policy framework was anomalous and placed East Herts out of sync with the other partnership authorities. He stressed that its removal did not take away any plan/policy/planning application decisions relating to the Harlow and Gilston Garden Town project which will be retained by East Herts Council for those areas within the district.

Councillor Crystall proposed that the recommendations in the report be supported. Councillor Goldspink seconded the proposals.

Councillor Williamson said that he had previously been involved with the review of the constitution and said it was important to keep it up to date and reflect the needs of the council. He said that he was happy to support the recommendations.

Councillor Dunlop said he did not support of the recommendations. He said that the joint committee had no mechanism for a veto other than not turning up. He said he had received multiple assurances that Officers would not ask the committee to make decisions on items that had no agreement but said this was not written into the agreement. He felt that the terms of the group needed to be renegotiated.

Councillor Goldspink said she was in favour of the recommendations and said the new joint committee would mean that they could make decisions quickly.

The Head of Legal and Democratic Services clarified that the points raised by Councillor Dunlop were about the mechanics of the committee itself. The committee was set up by the Executive at its meeting on 28 November 2023. This report was asking the Council to note the changes that had been made to the Constitution following this decision.

Councillor E Buckmaster said he understood what Councillor Dunlop was saying but the decision had been made to form the joint committee. He said that the council would need to make sure decisions were progressed in the right way. He said the councils could veto by not attending the meeting as it would need to

be quorate to go ahead. He added that this committee would be held in public and said Members should reserve judgement and keep on top of its decisions to ensure they were made in the interests of residents and the council as a whole.

Councillor Estop said that she supported the set up of the joint committee but said that was not the decision that the council were being asked to make. She said that she had three concerns; firstly, she felt that it was premature to change the Constitution because the inter-authority agreement was still in progress. Secondly, she queried the wording of the change and the purpose of the committee. She said that the suggested wording sounded like a developer's purpose not the council's and suggested it should be changed so that the committee's remit was to coordinate the strategies of the garden town and facilitate the infrastructure. Thirdly, she said that although the Development Management Committee would not be compromised, the council did not have its own planning policy committee.

The Head of Legal and Democratic Services said questions around the details of the joint committee would have been better addressed to the Executive at its meeting on 28 November 2023. Council were being asked to note the changes made to the Constitution.

Councillor Cox said that he had a concern about the area of East Herts that the committee would be making decisions on. He questioned who would be looking after it and restoring it.

Councillor Dumont said the joint administration had made it clear that they were a listening council and urged Members to attend the Executive meetings to ask questions and provide comments.

Councillor Crystall thanked Members for their comments. He said that there was a process for decision making in the joint committee which was based around agreement.

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 (A) the minor change to the Constitution in Appendix A be noted which is required to be made to put into effect the decision of the Executive dated 28th November 2023 which delegated authority to the Head of Legal and Democratic Services to make consequential amendments to the Constitution to facilitate the establishment of the Harlow and Gilston Garden Town Joint Committee; and

(B) the Policy Framework at paragraph 3.2.1 (n) be amended as set out in paragraph 2.7 of this report.

262 CAR PARK FEES - BISHOP'S STORTFORD

The Chairman said that there was a minor change to recommendation A in the report. The recommendation should read 'climate change' not 'climate charge'.

The Executive Member for Environmental Sustainability presented the recommendations in the report. He said that all car parking charges would be increased in April 2024 in line with the annual CPI uplift which was agreed by the Executive in October 2022. He explained that the administration wished to use tools at its disposal to address the priorities of climate change and one such tool was car parking tariffs.

The Executive Member for Environmental Sustainability said that the differential parking charges proposed would encourage modal shift therefore reducing unnecessary journeys, idling, and extra distance travelled searching for a parking space. He said that the promotion of long stay parking in Northgate End would free up spaces for shoppers in the other car parks in Bishop's Stortford. The financial pressures of the council meant that the scheme had to ensure there was no loss of income and the scheme would be kept under review to see if the tariffs have an effect on behaviour.

Councillor Hoskin proposed that the recommendations in the report be supported. Councillor Adams seconded the proposals.

Councillor Goldspink said that she supported the proposals and said the proposals were partly in response to the BID's request for 100 spaces for town centre workers in Northgate End and partly to encourage more people to use Northgate End. She said the scheme should free up short stay car parking elsewhere for shoppers to visit local businesses. She said that the proposals would deliver more than 400

reduced charge long stay spaces instead of the 100 originally requested. Councillor Goldspink said that the administration had inherited responsibility for running Northgate End car park but said it was not very user friendly and people were wary of using it. She hoped that encouraging people to park there would mean it would become safer.

Councillor Wyllie said he had read the report but felt there were good parts and bad parts. He said that he supported the previous scheme proposed but said he could not support the new proposed scheme. He said the pricing for Northgate End was sensible but this had impacted pricing in other car parks increasing them by up to 54% and he said he could not support these increases.

Councillor Jacobs said the administration had said that the previous scheme was unacceptable because a bespoke solution for Bishop's Stortford was not fair and a holistic solution was required across the whole district. He said that he was astonished to hear Councillor Goldspink say that people did not want to park in Northgate End for safety reasons but now wanted more people to park there. He also said that the administration claimed to be listening but there was no evidence in the proposal about any consultation. He said he was opposed to the policy as the money would be coming from residents already facing a cost of living crisis. He requested a recorded vote on the recommendations.

Councillor Deering said that he did not feel the proposals were an appropriate package as there had

been no wider consultation. He said the Conservative group would be abstaining.

Councillor E Buckmaster said that he felt the proposals were mixed up. He said he accepted the overall price increase in line with CPI but felt the rest of the policy needed more work.

Councillor Estop said there were three objectives of this policy; model shift, addressing climate change and improving air quality. She felt that model shift came with medium term measures such as cycle routes, improvements to bus services and additional street lighting. She said that the redistribution of long stay parking was right but the messages were blurred because all of the parking charges were increasing. She said she looked forward to the proposals for improving the Northgate End car park.

Councillor Brittain said that the CPI increase would come into effect in April 2024 so felt it was sensible to include the changes to differential parking at the same time. He said that after the last proposal, there was a demand to do something about parking in Bishop's Stortford and the administration have listened. He said that the status quo was not working and it was unknown as to whether this would change behaviour but the administration did not feel that the BID's proposals were right as it was only going to benefit 100 people and this proposals was fairer as it was available to everyone in Bishop's Stortford. He also thanked Officers who had worked on this proposal to meet a tight deadline.

Councillor Swainston said that she supported the recommendations. She felt it was worth trying and was pleased that an extra 400 people would get the chance to park cheaply. She hoped it would work so that there would be an increase in footfall in the town and reduce the number of workers parking all day.

Councillor Daar said that a few Members had mentioned the listening council and public consultation. She disputed those comments and said the Conservatives put forward a motion at the last Council meeting to go forward with the BID's proposal which would have offered cheaper parking to just 100 people. This policy would open the offer to all in Bishop's Stortford and it was a trial.

Councillor Hopewell said that there had been occasions in other towns and cities where there had been an adjustment to parking. She felt it was important to run the scheme as a trial and see if the concerns were valid or whether they improve the situation. She said there would be opportunities to make adjustments once the council had evidence and data to work with.

Councillor Copley said that Members should pull out the key facts from the report. she said that all car parking charges across East Herts were going up 6.7% which had been agreed by the previous administration but said in the largest car park, rates would be reduced. She felt that the rate increase was still the same across the district once prices had been averaged out and said there was no admin costs like with a permit scheme and no one was tied to a

particular car park.

Councillor Townsend said he hoped this would encourage more people to park in Northgate End to dispel any safety fears. He said he supported the idea of reducing some charges and said there were benefits of model shift.

Councillor Glover-Ward said that she had attended a couple of meetings with the BID and their targets were clear; cheaper all day parking for town centre workers and free up other car parks to encourage shoppers. She said that car park charges under five hours had not gone up by a significant amount and the only charge that had gone up significantly was the 12 hour tariff. She explained that the trial in Bishop's Stortford would be monitored and would be used to inform a wider roll out across the district.

Councillor Hoskin thanked Members for their comments. He said the council would watch and monitor the effect of the scheme. He said his intention was to provide a holistic approach as there were anomalies throughout the district in terms of car parking. He said the point about communication was important and said they had until April 2024 to explain the CPI increase and the differential increase to residents. He understood the points about the safety of the car park and its appearance.

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 (25)

Councillors Adams, Brittain, Burt, Butcher, Carter, Connolly, Copley, Cox, Crystall, Daar, Dumont, Dunlop, Glover-Ward, Goldspink, Hart, Hill, Hopewell, Hoskin, Marlow, Nicholls, Swainston, Thomas, Townsend, Watson and Williams

AGAINST (5)

Councillors Clements, Estop, Jacobs, Willcocks and Wyllie

ABSTAINED (12)

Councillors Andrews, Boylan, E Buckmaster, R Buckmaster, Deering, Deffley, Devonshire, Holt, Horner, Redfern, Stowe and Williamson.

RESOLVED - (A) To work towards climate change and air quality aspirations by amending car parking tariffs in Bishop's Stortford to influence parking behaviour by implementing the amended charges as set out in Appendix A, which also incorporates inflation uplifts; and

(B) To authorise the Head of Legal and Democratic Services to publish a Notice of Variation under the Road Traffic Regulation Act to give effect to the introduction of the new tariff structure.

The Chairman said that this item was not published on the original agenda and under Section 100B(4)(b) of the Local Government Act 1972, he had agreed to add this item to the agenda as a matter of urgency.

The Executive Member for Financial Sustainability presented the Council Tax Base 2024/25 report. He said that the tax base calculation was done 48 times, one for each parish and then aggregated to form the tax base for whole district. The calculation was set out in the regulations.

Councillor Brittain proposed that the recommendations in the report be supported. Councillor Crystall seconded the proposals.

Councillor Boylan said he had no objection to the paper but the tax years were wrong in the report and in the recommendations.

Councillor Brittain confirmed that the recommendation should read 2024/25.

Councillor Holt referred to table 1 and asked why Bengo Rural was missing.

The Head of Legal and Democratic Services said that Bengo Rural had not set a precept so was not in the table.

Councillor E Buckmaster said that Bengo Rural should be listed to complete the tax base.

The Head of Strategic Finance and Property said that the report did not list parishes that did not set a

precept. He said that in future years he would list parishes that did not set a precept.

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 (A) the calculation of the Council’s tax base for the whole district, and for the parish areas, for 2024/25 shall be approved; and
(B) Note that, pursuant to the report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012, the amount calculated by East Hertfordshire District Council as its council tax base for the whole area for 2024/25 shall be 64,809.9 and for the parish areas listed below for 2024/25 shall be as follows:

Table 1:

| | | | |
|---------------------------|---------|----------------------|---|
| Albury | 293.0 | High Wych | 3 |
| Anstey | 175.1 | Hormead | 3 |
| Ardeley | 214.2 | Hunsdon | 5 |
| Aspenden | 122.9 | Little Berkhampstead | 2 |
| Aston | 560.3 | Little Hadham | 5 |
| Bayford | 231.0 | Little Munden | 4 |
| Bengeo | 283.5 | Much Hadham | 9 |
| Bennington | 410.5 | Sacombe | |
| | 17,525. | Stanstead St. | |
| Bishop'S Stortford | 1 | Margarets | 7 |
| | | | 4 |
| Bramfield | 107.5 | Sawbridgeworth | |
| | | | 2 |
| Braughing | 671.0 | Standon | |
| Brent Pelham / Meesden | 150.5 | Stanstead Abbots | 7 |

| | | | |
|--------------------|---------|---------------------|--------|
| Brickendon | 358.3 | Stapleford | 269.3 |
| Buckland | 116.0 | Stocking Pelham | 84.3 |
| Buntingford | 3,238.6 | Tewin | 863.9 |
| Cottered | 322.6 | Thorley | 154.9 |
| Datchworth | 736.8 | Thundridge | 715.8 |
| Eastwick / Gilston | 444.1 | Walkern | 719.9 |
| Furneux Pelham | 275.5 | Wareside | 313.2 |
| | | | 7,582. |
| Great Amwell | 974.7 | Ware Town | 3 |
| | | | 1,066. |
| Great Munden | 142.8 | Watton - At - Stone | 3 |
| | 12,688. | | |
| Hertford | 0 | Westmill | 162.1 |
| Hertford Heath | 973.8 | Widford | 296.1 |
| Hertingfordbury | 332.4 | Wyddial | 76.9 |

264 MOTIONS ON NOTICE

Two motions on notice were submitted.

265 PROPORTIONAL REPRESENTATION

Councillor Swainston presented her motion on notice. Councillor Marlow seconded the motion and reserved his right to speak.

Councillor E Buckmaster felt this was a political motion and said it was often raised by the Liberal Democrat party who failed to breakthrough in national polls. He said there were many countries with proportional representation (PR) but said they were not all good examples of decision making and it often led to the rise of right and left populist parties. He said it had

been evident in the last local elections that residents were voting for specific candidates as they received more votes than the block party vote. He added that a PR system rarely enabled independents to be elected, like he had done. He said he opposed the motion.

Councillor Clements said he supported a lot of the motion but felt it was not clear what the council would be calling for. He said there were many electoral system under the PR heading and it was not clear in the motion if it was calling for a specific systems or just the general idea of PR.

Councillor Devonshire asked for clarification about the topic of the motion as he thought motions had to relate to the district.

The Head of Legal and Democratic Services said the motion did focus on this council and referenced the number of votes cast in the local elections and the Members sitting on the Council.

Councillor Goldspink said that she had been very frustrated knowing her vote in a national election would not count. She strongly supported the motion and believed that PR would be a much better system.

Councillor Marlow said that PR would provide an opportunity for many more people to have a vote and he supported the motion.

Councillor Brittain said he supported the motion and said it was the right of an individual to have a meaningful vote in an election and it was estimated

that 70% of people did not have a meaningful vote under first past the post. He felt that the current electoral system caused a distortion of democracy and encouraged people to vote tactically which might mean voting for a party they did not support to stop another party being elected.

Councillor Williams said that the first past the post system created a negative democracy with people voting against what they did not believe in instead of voting for. He said this caused a build-up of resentment and disengagement.

Councillor Deering said he accepted that the motion was well intentioned but did not feel it was East Herts business and said his group would be voting against it.

Councillor Swainston summed up and said it was evident that first past the post did not deliver a strong and stable government. She accepted that her party might not do well out of PR but preferred to have a high level of resident and voter engagement in local politics.

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 - In Europe, only the UK and Belarus still use the archaic single-round First past the post (FPTP) for general elections. England also uses it for local elections. Internationally, Proportional Representation (PR) is used to elect the parliaments of more than 80 countries.

These countries tend to be more representative, more inclusive and greener.

PR ensures all votes count, have equal value and that seats won, match votes cast. Under PR, MPs and Parliaments better reflect the age, gender and characteristics of both local communities and of the nation.

PR would also end minority rule. In 2019, 43.6% of the vote produced a UK government with 56.2% of the seats and 100% of the power. In 2005 Labour was elected with 35.2% of the votes cast yet received a majority of the seats. PR would have prevented “wrong winner” elections such as occurred in 1951 and February 1974.

Locally on East Herts District Council the Conservatives won all 50 seats in 2015 with only just half the votes cast. In 2019 they won 80% of the seats with 46% of the vote. In 2023 the Greens won more seats on East Herts District Council with 5% less of the vote than the Conservatives.

PR is already used to elect the parliaments and assemblies of Scotland, Wales and Northern Ireland. It is also used for local elections in Scotland and Northern Ireland and is being introduced in Wales. Its use should now be extended to include Westminster and local elections in England.

This Council therefore resolves to write to H.M. Government calling for a change in our outdated electoral laws and to enable Proportional Representation to be used

for UK general elections and local elections in England.

266 HOTELS FOR ASYLUM SEEKERS

At this point in the meeting, 9:55 pm, Councillor Dumont proposed and Councillor Glover-Ward seconded, a motion that the meeting would continue beyond 10 pm and until the last agenda item had been heard.

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

RESOLVED – that the meeting continue beyond 10 pm and until the last agenda had been heard.

Councillor Goldspink presented her motion on notice. Councillor Townsend seconded the motion and reserved his right to speak.

Councillor Deering said that the motion was well intentioned but did not feel this was under the remit of East Herts Council. He said he would be abstaining from the vote.

Councillor Redfern believed it was a council matter as it is the duty of the local authority to care for homeless people and provides money for refugees.

Councillor Devonshire agreed with the comments from Councillor Deering that it was not council business. He said he would always support helping rough sleepers but this motion would not change anything.

Councillor Daar thanked Councillor Goldspink for submitting the motion and said she supported it. She felt that the council should be telling the government that it was unacceptable.

Councillor Townsend said he noticed an increase in the number of people sleeping rough and seeking somewhere for help.

Councillor Williams said that many councils flew the Ukrainian flag when Russia invaded them and it set a precedent that councils had a duty to decide whether or not to stand up for the same people.

Councillor Goldspink said she was pleased that the East Herts Housing team had assisted in housing refugees from Ukraine. She said that the LGA had highlighted that this was an issue being faced by local authorities and said that as East Herts Council was a member of the LGA, this motion was appropriate for discussion at the meeting. She said she wanted the district and the country to be hospitable and welcoming to refugees.

RESOLVED - This Council notes with concern that the Government and the Home Office are now planning to close 50 of the hotels which are currently housing Asylum Seekers on the 1st January 2024. It is also requiring that Asylum seekers who are now accepted as refugees should leave their hotels almost immediately.

This Council also notes that the Local

Government Association (LGA) has written to the Immigration Minister, Robert Jenrick, expressing its concerns about the challenges which those people who are having to leave the Hotels will face in finding long term affordable accommodation. Many of those who are now refugees will be at risk of homelessness and rough sleeping.

The LGA's Letter called for a joint and funded approach, nationally and locally, to manage the transition from asylum accommodation to independent. It also asked for a pause in asylum support cessations over the Christmas week and during extreme cold weather to reduce the risk of street homelessness.

East Herts has many Ukrainian Refugees who are looking for accommodation, and their chances of finding homes could be seriously affected by this sudden rise in the number of new refugee homeless and rough sleepers.

This Council therefore resolves to write to the Immigration Minister, Robert Jenrick, stating its full support for the letter which was sent by the LGA.

The meeting closed at 10.10 pm

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|----------------|
| Chairman |
| Date |

