

HERTSMERE BOROUGH COUNCIL

MEETING OF THE COUNCIL
HELD IN THE COUNCIL CHAMBER
CIVIC OFFICES, ELSTREE WAY, BOREHAMWOOD

18 September 2019

Present:

Councillors Plancey (Mayor), Barker (Deputy Mayor), Bright, Briski, Brown, RZ Butler, R Butler, Carter, Choudhury, Clapper, Dr Cohen, Eni, Evans, Graham, Gray, Heywood, P Hodgson-Jones, S Hodgson-Jones, Jaffer, Lambert, Lyon, Melville, Morris, Mortimer, Myers, Newmark, Quilty, Reeve, Richards, Rutledge, A Sachdev, M Sachdev, Selby, Silver, Spencer, Susman, Swerling, Turner and Vince.

Officers:

S Bijle	Interim Managing Director
J Fear	Head of Human Resources & Customer Services
C Hayes	Principal Lawyer
M Greenburgh	External Legal Advisor

209. **COMMUNICATIONS AND APOLOGIES FOR ABSENCE**

There were no apologies for absence.

To manage the agenda items as efficiently as possible, the Mayor proposed and Councillor Bright seconded that, under Procedure Rule 13c, agenda item 22 be taken immediately after agenda item 6 as they were related and that agenda item 18 be dealt with immediately after the Decision Reports as its recommendations were time-critical and Officers' workloads contingent upon its consideration.

The motion was put to the vote and AGREED.

210. **DECLARATIONS OF INTEREST (IF ANY)**

Councillor Bright declared an Other Pecuniary Interest as a Council-appointed Non-Executive Director and Chair of Elstree Film Studios Board in any Studios-related item.

211. **MINUTES**

RESOLVED that the minutes of the Council meeting held on 4 September 2019 be approved and signed as a correct record.

212. **ANNOUNCEMENTS BY THE MAYOR**

The Mayor informed the Chamber that the High Sheriff had visited Hertsmere on 11 September 2019. It had been a fruitful visit, which informed the High Sheriff of the positive work underway in neighbourhood policing and the impressive work done by Hertsmere's voluntary and academic sectors.

The Mayor reminded the Chamber to email the Mayor's Secretary to confirm attendance at the Civic Service.

Under Procedure Rule 2.1(iv), the Mayor invited Councillor Morris to make an announcement. Councillor Morris apologised for an erroneous statement he made at the 4 September 2019 Full Council meeting when he had stated that Councillor Gray had sent an email to the Authority's Corporate Director. He confirmed that Councillor Gray had not sent such an email and apologised to him for the momentary lapse in memory.

213. **QUESTIONS FROM MEMBERS OF THE PUBLIC**

Five questions had been received from members of the public.

[PQ2019-23] Mr Baron of Borehamwood had submitted a question regarding anti-semitism issues in the national Labour Party. The Leader replied that it was not for him to speak on behalf of the Labour Party. In a supplementary question, Mr Baron asked that all Councillors should take action against anti-semitism. The Leader confirmed that all Councillors did work together to tackle anti-semitism.

Under Procedure Rule 10.7, Councillor Newmark moved and Councillor R Butler seconded that the matter raised by the question be referred to the Executive. It was put to the vote and **AGREED**.

[PQ2019-24] Mr Perkins of Radlett had submitted a question regarding the remuneration for the directors of Hertsmere Development Limited. The Leader stated that no remuneration had been paid. In a supplementary question, Mr Perkins asked if the company's board had discussed the matter in light of the recent audit report on the Studios Board. The Leader responded that there had been no discussions and should remuneration ever be considered it would be done via the Independent Remuneration Panel as was the case for all Councillor Allowances.

[PQ2019-25] Dr Ozarow of Borehamwood had submitted a question regarding modular homes. The Finance and Property Portfolioholder responded that he considered the modular homes scheme in Crown Road a success as it would provide 28 much needed homes for short term accommodation for local people in urgent housing need and provide safe homes in a location close to schools, amenities and

family/support networks. In a supplementary question, Dr Ozarow asked why money was being spent on such scheme given the criticism that modular homes had recently received in some national quarters. The Portfolioholder responded that the scheme was not a waste of resources as would be seen once they were in use.

[PQ2019-26] Ms Wilson of Borehamwood had submitted a question regarding the impact of the Crown Road modular homes on local residents. The Finance & Property Portfolioholder responded that the new homes had been through the planning process and work had been done to minimise and mitigate the impact of the development on neighbouring properties beyond the requirements of the planning conditions. The site has been designed to ensure no units were directly underneath power lines and the roof of unit 4 was within the clearance requirements set out by UK Power Network. There were no windows on the flank elevation adjacent to Ms Wilson's garden or on the south end of the first floor unit and the boundary fence was also increased to further reduce any potential for overlooking. In a supplementary question, Ms Wilson queried why she had received no responses to her email to the Portfolioholder and the Leader. The Portfolioholder responded that he would be undertaking a site visit to identify any outstanding issues and would meet with Ms Wilson.

[PQ2019-27] Mr Garrett of Borehamwood had submitted a question regarding the overlooking of his property. The Finance and Property Portfolioholder responded that work had been done to mitigate the impact of the Crown Road development on neighbouring properties. The units on plots 3 & 4 adjacent to 135 Crown Road had been purposely reconfigured with widows on the first floor looking into the site to avoid any overlooking issues. In a supplementary question, Mr Garrett asked why an opening window was facing his property and none had visited him as promised. The Portfolioholder responded that he had gone on site to see the contractor and Mr Garrett but the latter could not meet. The Portfolioholder said he would come and try to see Mr Garrett again and see what outstanding issues remained.

The Corporate Director left the meeting for the following three items as they affected their interests.

214. **DECISION REPORT: UPDATE ON ORGANISATIONAL CHANGE**

The meeting considered report C/19/26 on the Chief Executive's post within the management structure.

It was moved by Councillor Choudhury and seconded by Councillor Rutledge that the recommendations set out in the report be agreed.

Following a debate and vote, the report recommendations were AGREED.

RESOLVED that

- 1.1 as recommended by the 5 September 2019 Personnel Committee [report PER/19/15], the Chief Executive's post be deleted from the management structure.
- 1.2 as recommended by the 5 September 2019 Personnel Committee [Part 2 report] the secondment of the Corporate Director into the role of the Interim Managing Director and Head of Paid Service for six months or pending the approval of a revised structure and associated implementation plan, whichever is the longer, be agreed.
- 1.3 authority be delegated to the Head of Legal and Democratic Services to amend the Constitution to apply the same protections to the Interim Managing Director as hitherto applied to the Chief Executive.

215. **EXCLUSION OF PRESS AND PUBLIC**

RESOLVED that under S100A(4) Local Government Act 1972, the Press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Part I, Schedule 12A to the said Act:

Part II Agenda Item	Paragraphs in Schedule 12A
22	1, 2 and 3

216. **UPDATE ON CONSULTATION RE ORGANISATIONAL CHANGE**

The meeting considered report C/19/31 on the Chief Executive's post within the management structure.

It was moved by Councillor Choudhury and seconded by Councillor Rutledge that the recommendations set out in the report be agreed.

An amendment was moved by Councillor P Hodgson-Jones and seconded by Councillor Graham as follows:

"1.3 That the Head of Finance & IT Services be appointed as Director of Hertsmere Homes Limited on an interim basis."

Following a debate and vote, the amendment was CARRIED.

Following a debate and vote, the report recommendations as amended were AGREED.

RESOLVED that

- 1.1 as recommended by the 5 September 2019 Personnel Committee [Part 2 report], the terms by which the employment of the Chief Executive is terminated by mutual agreement with effect from 19 September 2019 be agreed.

- 1.2 the proposed terms of the secondment of Sajida Bijle, the Corporate Director into the role of the Interim Managing Director and Head of Paid Service set out in paragraphs 4.1 to 4.4 of the report be agreed.
- 1.3 the Head of Finance & IT Services be appointed as Director of Hertsmere Homes Limited on an interim basis.

217. **DECISION REPORT: EXTENSION OF PROVISION FOR MOTIONS ON NOTICE**

The meeting considered report C/19/28 on Motions on Notice procedure rules.

It was moved by Councillor Bright and seconded by Councillor Melville that the recommendation set out in the report be agreed.

Following a debate and vote, the report recommendation was AGREED.

RESOLVED that the provision to submit Motions on Notice be extended to all Party Groups and the first sentence of Council Procedure Rule 12.1 be amended as follows:

“Each Party Group may each submit a single Motion on Notice for debate but there shall be no limit on the number of Cross-Party Motions on Notice that may be submitted.”

218. **DECISION REPORT: AMENDMENT TO THE POLLING DISTRICT AND POLLING PLACES SCHEME FEB 2019**

The meeting considered report C/19/25 on changes to the polling district scheme. The meeting was informed that the report contained two typographical errors, in that the Polling District reference listed as “EG” in the Appendices should read as “EF” and where the report referred to Aldenham East it should read as “West” as there were no changes affecting Aldenham East.

It was moved by Councillor Bright and seconded by Councillor Newmark that the recommendations set out in the report be agreed.

Following a debate and vote, the report recommendations were AGREED.

RESOLVED that the changes to the polling district scheme approved February 2019 (appendix 1 to the report) be approved by:

- a. moving the polling station in polling district JA from Parkside Primary School to Brookside Boys Club.
- b. in the absence of an alternate venue use Aldenham War Memorial Hall for electors in polling districts EE and EF (listed as EG in appendix 1 to the report) currently voting at ‘The Three Compasses’ public house and restaurant.

219. **DECISION REPORT: STATEMENT OF ACCOUNTS AND GENERAL FUND OUTTURN 2018/19**

The meeting considered report C/19/27 on the Statement of Accounts and Capital Programme. The meeting was informed that the report contained a typographical error at paragraph 2.1 which should read 30 July 2019 and not 2018.

It was moved by Councillor A Sachdev and seconded by Councillor Graham that the recommendations set out in the report be agreed.

Following a debate and vote, the report recommendations were AGREED.

RESOLVED that

- 1.1 the audited Statement of Accounts 2018/19 (Appendix 1 to the report), which were approved by Audit Committee on 30 July 2019 be noted; the accounts were issued with an unqualified opinion by the Council's external auditors, Ernst & Young on 31 July 2019, and published on that date.
- 1.2 the Summary version of the accounts (Appendix 2) be noted.
- 1.3 the removal from the Capital Programme of two historical items, with committed funds of £1,233k, as recommended by the Executive (EX/19/33), be approved.

The meeting adjourned for ten minutes during the following item.

During the course of the following item the meeting agreed to not continue to 10.30pm and to defer outstanding business to the next Ordinary Council meeting.

220. **MOTIONS ON NOTICE**

Councillor Briski, seconded by Councillor Mortimer, moved a Motion on Notice concerning Climate Change:

"This Council acknowledges the scientific consensus on the effects of anthropogenic climate change and recognises this Authority's role in mitigating the impact of the impending climate disaster. This Council hereby declares a climate emergency in recognition of the catastrophic effect of changing weather patterns and this Motion will direct the policy of this Authority as follows:

1. This Council is committed to achieving net-zero carbon emissions in all its operations as soon as reasonably possible and no later than 2050. This commitment to reducing carbon emissions will be reflected in all future tenders and this Authority will engage with its supply chain to reduce the carbon emissions from its operations.

2. This Council recognises the irreversible damage already caused to global climate systems and the significant threat this poses to Hertsmere. As such, this Authority commits to resilience against a changing climate and the urgent need to remain conscious of this when considering matters relating to the long-term future of this Borough.

3. This Authority will explore innovative methods of reducing its carbon footprint and encourage the same when considering matters within this Authority's jurisdiction.

4. The Council approves the establishment of a cross-Party Member and Officer working group to explore initiatives to mitigate the negative impacts of climate change.

5. The Council approves the establishment of a £150,000 budget to fund climate change initiatives and the staffing resource for taking forward the climate change agenda.

6. The Council requests the Acting Chief Executive and her staff to submit a report and action plan to October 2019 Executive meeting setting out how this agenda will be taken forward."

Following a debate, a request for a recorded vote was made under Council Procedure Rule 17.4, and the voting was as follows:

For: (39 total) - Councillors Barker, Bright, Briski, Brown, R Butler, RZ Butler, Carter, Choudhury, Clapper, Cohen, Eni, Evans, Graham, Gray, Heywood, P Hodgson-Jones, S Hodgson-Jones, Jaffer, Lambert, Lyon, Melville, Morris, Mortimer, Myers, Newmark, Plancey, Quilty, Reeve, Richards, Rutledge, A Sachdev, M Sachdev, Selby, Silver, Spencer, Susman, Swerling, Turner and Vince.

Against: (0 total) – none.

Abstentions: (0 total) – none.

The Motion was CARRIED.

221. **OUTSTANDING BUSINESS FROM JULY 2019 FULL COUNCIL -
REPORT OF AUDIT COMMITTEE CHAIR**

This item was not reached before the meeting closed, so consideration of it was referred to the next ordinary meeting of the Full Council.

222. **OUTSTANDING BUSINESS FROM JULY 2019 FULL COUNCIL -
REPORT OF OPERATIONS REVIEW COMMITTEE**

This item was not reached before the meeting closed, so consideration of it was referred to the next ordinary meeting of the Full Council.

223. **OUTSTANDING BUSINESS FROM JULY 2019 FULL COUNCIL:
OUTSIDE BODIES UPDATES**

This item was not reached before the meeting closed, so consideration of it was referred to the next ordinary meeting of the Full Council.

224. **REPORT OF THE LEADER OF THE COUNCIL**

This item was not reached before the meeting closed, so consideration of it was referred to the next ordinary meeting of the Full Council.

225. **REPORTS OF COMMITTEE CHAIRS**

This item was not reached before the meeting closed, so consideration of it was referred to the next ordinary meeting of the Full Council.

226. **REPORT OF THE CHAIR OF THE OPERATIONS REVIEW
COMMITTEE**

This item was not reached before the meeting closed, so consideration of it was referred to the next ordinary meeting of the Full Council.

227. **UPDATES FROM OUTSIDE BODIES**

This item was not reached before the meeting closed, so consideration of it was referred to the next ordinary meeting of the Full Council.

228. **QUESTIONS FROM MEMBERS OF THE COUNCIL**

The questions were not reached within the time limit provided in the Council Procedure Rules and therefore fell.

229. **DATE OF NEXT MEETING**

The next meeting was scheduled for 20 November 2019.

CLOSURE: 10.10 pm

MAYOR