

## **COUNCIL**

**30 January 2018**

Present: Councillor J Dhindsa (Chairman)  
Councillor R Martins (Vice-Chair)  
Councillors D Thornhill, D Barks, S Bashir, N Bell, S Bolton,  
S Cavinder, K Collett, J Connal, K Crout, A Dychton, J Fahmy,  
A Grimston, K Hastrick, M Hofman, P Jeffree, J Johnson,  
S Johnson, P Kent, Ahsan Khan, Asif Khan, R Laird, B Mauthoor,  
M Mills, M Parker, G Saffery, D Scudder, N Shah, I Sharpe,  
R Smith, N Steele, P Taylor, M Turmaine, D Walford, M Watkin  
and T Williams

Also present: Mavis Tyrwhitt, Norman Tyrwhitt and County Councillor  
Stephen Giles-Medhurst

Officers: Managing Director  
Head of Democracy and Governance  
Deputy Managing Director and Director of Place Shaping and  
Corporate Performance  
Shared Director of Finance  
Head of Community and Environmental Services  
Head of Corporate Strategy and Communications  
Head of Finance (Shared Services)  
Communications and Engagement Manager  
Democratic Services Manager  
Member Development and Civic Officer  
Committee and Scrutiny Officer

### **45 Apologies for Absence**

There were no apologies for absence.

### **46 Disclosure of Interests**

Council was informed that, under the Council's Code of Conduct, all councillors had been given a dispensation by the Monitoring Officer to consider and vote on minute numbers 53 and 54 as all members had pecuniary interests in those items.

47 **Minutes**

The minutes of the meeting held on 17 October 2017 were submitted and signed.

48 **Official Announcements**

**Chairman's Christmas Card**

The Chairman stated that Chater School had provided some great designs for his Christmas card competition. He attended an Assembly at the school and presented the prizes to the winners.

**Chairman's Charity Quiz**

The Chairman announced that he would be holding his Charity Quiz and raffle on Wednesday 14 March at the Colosseum. Teams of eight were invited. The cost was £12 per person, including a fish and chip supper. The proceeds would go to Watford Foodbank and Watford Mencap. He asked councillors to contact the Member Development and Civic Officer to register their team.

**Fairtrade in Watford**

The Chairman reminded councillors that Watford was a Fairtrade Town and would be supporting Fairtrade Fortnight from 26 February to 11 March 2018. There were a number of events taking place and the details could be found on the council's website or by contacting Councillor Martins.

49 **Mayor's Report**

A report of the Mayor had been circulated with the agenda.

The Chairman invited Members to indicate whether they wished to ask a question of the Mayor. Councillors Bell, Shah, Martins, Bashir and Turmaine indicated that they wished to ask questions.

- a) Councillor Bell said that his question was about the Metropolitan Line Extension. He asked the Mayor whether she agreed that this was important for the town and should be above party politics. He also questioned whether she agreed that as the Mayor of London had never said he was against the scheme, and that the £73 million was still available, that Government ministers should cover the risk. It was understandable that the Mayor of London would not want to go alone on the risk and the

Government had the overall responsibility for the area beyond the Mayor's Greater London boundary.

The Mayor agreed that the Metropolitan Line Extension was an important issue for the town. The Mayor of London would not be expected to take all the risk, however he expected the other partners to accept responsibility for any risks. Transport for London (TfL) had already designed the scheme and would build it, but they expected the partners to bear all the risk whilst TfL bore none. It was the equivalent of giving someone a blank cheque.

The Mayor said that like most people she had been shocked and disappointed following the Mayor of London's announcement that TfL was withdrawing from building the Metropolitan Line Extension. It had been completely unexpected as the council and its partners, including the MP, Hertfordshire County Council, the Local Enterprise Partnership, the Department for Transport and their officers had been working with TfL. It was believed that if the 'funding gap' of £73 million could be raised, which was the estimated difference in the building costs that the partnership and TfL considered correct, then the scheme would go ahead. The sum included a generous amount to cover any risks and overspends. Previously she had said that she had been hopeful the funds would be found and then the 'green light' for the scheme would be given. She had been pleased when Richard Harrington MP had advised that all efforts had worked and the Government had said that the money was available. To then be told in the last couple of days that an additional £40 million was required to fully cover the risk that TfL thought might have occurred during the last 11 months; this was incredulous. This was for five miles of track on a disused railway and all the preparatory works had been done.

The Mayor felt the scheme was paying the price for two political decisions. The first was that the Transport Minister had decided to withdraw £700 million of funding from TfL over a period of two to three years. Secondly the Mayor had pledged not to increase fares. She had been reliably told these had halted the project. She understood that this was politics, but she did not feel this made the decision about the Metropolitan Line Extension right morally or economically. The Mayor acknowledged that TfL had difficulties financially, however the partnership was funding the project and TfL was building and delivering it. It was fully funded with a comfortable risk package, however there was now haggling about an extra risk that had not been evidenced or quantified. The Mayor believed that TfL should allow the scheme to go out to the market and to find out if someone could build the five miles of track for the budgeted amount. Considering the amount of public money already put into the scheme and the backing and

support from businesses, surely it was still possible to take the next step, so that the exact level of risk was known.

The Mayor said her challenge to Councillor Bell was that as the Mayor of London was a member of Labour, what leverage Labour had got to make the Mayor see sense. She asked him if he would stand with her and the Liberal Democrats and the MP to make a final cross-party plea.

The Chairman allowed Councillor Bell to respond to the Mayor's direct question to him.

Councillor Bell said that he was in favour of the Metropolitan Line Extension and supported it. They had talked to the Mayor of London's office. His group was in favour of negotiation; however the overall risk should be taken by the Government and possibly the County Council. The Government was responsible for the area beyond London. The group supported it and that negotiations should carry on with the Mayor's office.

The Mayor added that TfL would receive all profits from the scheme and had been given the air rights and other things that would make it quite lucrative.

- b) Councillor Shah referred to the Cabinet decision to increase the Fixed Penalty Notice charges for fly tipping. There was no mention of the introduction of CCTV especially in some of the worst black spots, such as West Watford. She asked how this would reassure residents that the council was working to fix this serious issue. They felt that the council was not doing enough.

The Mayor took issue with the statement that nothing was being done. If the statement referred to a failure in service, then the Mayor assumed this had been reported to Councillor Taylor, as it was the responsibility of Veolia. Fly tipping should not be blighting neighbourhoods as the council had a policy with Veolia to remove fly tipping very quickly. On the issue of fines, it had been agreed to increase them. It was not believed this was a complete deterrent. However the real issue for her was the idea that CCTV on every bin would suddenly stop fly tipping. The United Kingdom was one of the most surveyed countries in Europe.

The Mayor informed Council that there were very strict powers regarding CCTV, known as RIPA (Regulation of Investigatory Powers Act). The council's previous powers had been clawed back. CCTV could not be installed for what the 'powers that be' would consider to be minor issues. If there was a serious endemic issue with fly tipping in a particular place on

a large scale, this was on a completely different scale. There would be a full operation for that. If CCTV was put in place, signs needed to put up informing people. She did not feel this would reduce fly tipping, as people would go elsewhere. However if councillors were able to provide evidence that CCTV in a local neighbourhood reduced the amount of fly tipping, and the council had the powers to do that, it could be reviewed. It was not believed the council had the power to do it under the RIPA legislation. The council would continue to fine and prosecute people and clear the mess as quickly as possible.

- c) Councillor Martins thanked the Chairman for mentioning Fairtrade Fortnight. He added that on 6 March there would be a cheese and wine event at West Herts College.

Councillor Martins said that his question related to the article in the Watford Observer about the number of empty homes in Watford. He was surprised that Councillor Dhindsa had quoted a figure of 1,000. He could not believe this figure was correct.

The Mayor informed Council that there were 39,000 properties in Watford and currently there were only 48 long term empty, which was over two years. This was 0.1% of the entire housing stock. 24 of those properties were not paying Council Tax. She advised that a home owner was under no obligation to tell the council when the property was empty, as there was no incentive for them. The council had removed any Council Tax discount for empty homes. The council therefore would be unaware that properties were empty. Any figures relied on self-reporting. Of the 24 the council was currently looking at if it was possible to put a charge on the property and put pressure on the home owner. There could be genuine reasons why properties remained empty, for example probate took a long time, a person could be in a care home and the family did not want to sell the home or someone with a bridging loan as they moved between properties. There were many genuine reasons. The council had introduced a premium tax of 150% for those properties unoccupied for more than two years. This often generated a reaction. The council then put pressure on the owner to sell the property.

The Mayor commented that this would do little to solve the housing crisis. Compulsory Purchase Orders and EDMOs (Empty Dwelling Management Orders) took years. The council had got to court and the judge had felt sorry for the owner and then the order was not granted. She assured councillors that the council took action where there were environmental concerns or the property was a blight on the neighbourhood. She advised

that she was unaware where the councillor had obtained his information, but it had probably included empty commercial properties.

- d) Councillor Bashir said that the taxi trade in Watford felt extremely aggrieved by the council's policies. It had decimated their trade. They felt alienated. Most recently they had been moved out of visible spots in the Town Centre to the back of Wellstones. The rank was not particularly well used. There had been meetings with senior officers who had done their best to try and address the situation. He had spoken to the chair of the taxi trade who was very concerned about the impact on their trade, particularly regarding the relocation of the rank to the back of Wellstones. He asked the Mayor what assurances she was able to give that this was an issue that needed to be addressed quickly to enable people to earn a decent living.

The Mayor questioned why they were all driving taxis if the trade had been decimated. They had to be earning a living or they would do something else. It was easy to say that the council had decimated the trade. The council's role was to licence them, train the drivers and make sure that everything was legal and above board and safe. The councillor appeared to be asking the council to have policies that gave preferential treatment to a certain group of businessmen within the town. Previously the Labour group had brought forward a motion suggesting they should be compensated by the Watford Council taxpayers. Another motion had asked for Uber to be banned. It appeared that taxi drivers were going through a difficult time for a variety of reasons.

The Mayor confirmed that the taxi drivers had been moved out of the Town Centre and councillors were aware of the reason for that. Another taxi rank had been provided, which it was hoped the drivers would use. The attention drawn to the taxi service gave the public the signal that it was an unreliable service. There was signage to the new taxi rank; people went there and there were no taxis waiting so people got the Uber app or phoned someone else.

- e) Councillor Turmaine said that he wanted to return to the issue of fly tipping and the problem in West Watford. Previously, with Councillor Mills, he had brought a motion suggesting the use of mobile CCTV. At the time he had been told it could not be done. Recently he had noticed large signage on the junction of the A405 and the M25, which showed it could be done. He questioned why this council would not consider it. It would be fine it was tested but then found it did not work. It had not been suggested that CCTV cameras should be put on every bin. It was clear that CCTV could be done as had been shown just across the border.

The Mayor responded that she would ask the Head of Legal to look into the issue. The Mayor had understood that for low level problems it was not possible to use the RIPA powers. If she were to be advised that it would be possible to use it for low level incidents in a particular area, then an extensive review would probably have to be carried out. However she still remained to be convinced that it would make any difference other than moving the problem to another place. The location on the A405 was probably where there had been heavy industrial dumping. She assured the councillors that she did not want West Watford to have problems with fly tipping. The current contract with Veolia had a high level regarding picking up fly tipping and the removal of graffiti. She genuinely did not believe that CCTV would solve the problem. She had already had a legal response, however she would ask again and if the response was different then the matter would be reviewed to show that everything was being done for the residents. The Portfolio Holder had advised that there was a new hot spot project starting in West Watford.

50 **Questions by Members of the Council under Council Procedure Rule 10.0**

No questions had been received.

51 **Petitions presented under Council Procedure Rule 12.0**

No petitions had been received.

52 **Business especially brought forward by the Chairman or the Head of Paid Service which in the opinion of the Chairman should be considered as a matter of urgency.**

There was no urgent business.

53 **Watford Borough Council's Scheme of Remuneration 2018-22**

Council received a report of the Democratic Services Manager incorporating the Independent Members Remuneration Panel's report and the recommendations for the 2018-2022 Scheme of Remuneration.

Councillor Bell moved the following amendment, which was seconded by Councillor Asif Khan –

“that the Mayoral salary be reduced by 50%.”

On being put to Council the motion was **LOST**.

Councillor Watkin moved the Independent Members Remuneration Panel's recommendations contained in the report, which was seconded by Councillor Scudder.

On being put to Council the recommendations were **CARRIED**.

RESOLVED –

1. that a scheme for members remuneration for 2018-22 as set out in 2 to 12 below be agreed subject to the council being able to request an interim review before the end of the four year period. It was also noted that there may also be a need for a brief referral to the Panel after May if a new Mayor proposes changes to the political structure that is not provided within the approved scheme.
2. that the Elected Mayor's salary shall remain unchanged for the period 2018/19. From April 2019 it shall be linked to local government pay settlements and be increased accordingly.
3. that there shall be a contribution for pension payments added to the Elected Mayor's salary equivalent to the employer's pension contributions made in the local government pension scheme. It shall be shown there is a pension contribution as part of the salary in the allowance scheme.
4. that in respect of the current Elected Mayor there shall be back pay of pension contributions from October 2015 to May 2018 (the period since the council stopped contributing to the Elected Mayor's pension) at the prevailing employer pension's contribution rate during this period.
5. that the travel allowance for the Elected Mayor shall remain unchanged.
6. that there shall be no increase in the basic allowance for 2018/19, from April 2019 it shall be linked to local government pay settlements and be increased accordingly.
7. that there shall be no increase to the Special Responsibility Allowance for 2018/19 and that from April 2019 it shall be linked to local government pay settlements and increased accordingly.
8. that the Chairman's allowance be increased to £4,000 and the Vice Chairman's be increased to £2,000 and that mention of tax reimbursement be removed.
9. that the cap on the Group Leaders Allowance be removed.

10. that the travel and subsistence allowances remain unchanged.
11. that the co-optees allowance remains unchanged.
12. that the Dependent Carer's Allowance scheme as appended to the report be approved.
13. that each Panel member be paid £800 and that the Chair be paid £1200 as a one off payment to cover the four year period 2018-22.

54

### **Financial Planning**

Council received a report of the Director of Finance including

- a report of the Cabinet meeting held on 22 January 2018
- Council Tax Resolution 2018/19 report
- Medium Term Financial Strategy 2017/18 to 2020/21
- Income Charging Policy 2018/19
- Treasury Management Strategy 2018/19
- Section Head Pay – proposal for an extended pay band
- Clarendon Road Improvements report

The reports were circulated separately to councillors.

The Mayor moved the budget report which was seconded by Councillor Watkin.

Councillor Bell moved an amendment to the budget report, which was seconded by Councillor Asif Khan. The amendment was as follows –

“that a balanced budget be put forward, increasing Council Tax by 2%. This includes –

- 50% cut to the Mayor's office costs
- Free bulky waste collection
- Freeze burial fees for residents and an increase cost to non-residents
- Set up an investment fund for North Watford St Albans Road
- £50,000 seed funding for community energy scheme
- £10,000 for a Private tenants' association
- Reinstatement of play workers, year 1 £150,000, year 2 £100,000 and year 3 £50,000”

Members debated the original motion and the amendment.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 the votes were recorded as follows –

The amendment was then put to the vote

**Those members voting in favour of the amendment**

The Chairman Councillor Dhindsa, Councillors Bashir, Bell, Connal, Ahsan Khan, Asif Khan, Mauthoor, Mills, Shah, Smith and Turmaine

**Those members voting against the amendment**

Mayor Thornhill, Councillors Barks, Bolton, Cavinder, Collett, Crout, Dychton, Fahmy, Grimston, Hastrick, Hofman, Jeffree, J Johnson, S Johnson, Kent, Laird, Martins, Parker, Saffery, Scudder, Sharpe, Steele, Taylor, Walford, Watkin and Williams

The amendment was **LOST** by 11 votes to 26. There were no abstentions.

The original motion was then put to Council.

**Those Members voting in favour of the original motion:**

Mayor Thornhill, Councillors Barks, Bolton, Cavinder, Collett, Crout, Dychton, Fahmy, Grimston, Hastrick, Hofman, Jeffree, J Johnson, S Johnson, Kent, Laird, Martins, Parker, Saffery, Scudder, Sharpe, Steele, Taylor, Walford, Watkin and Williams

**Those Members voting against the original motion:**

The Chairman Councillor Dhindsa, Councillors Bashir, Bell, Connal, Ahsan Khan, Asif Khan, Mauthoor, Mills, Shah, Smith and Turmaine

The original motion was **CARRIED** by 26 votes to 11. There were no abstentions.

RESOLVED –

1. that the proposals recommended by Cabinet on 22 January 2018 be agreed:
  - a) that the Council's net General Fund expenditure for 2018/19 shall be £13.520 million.

- b) that the continuation of the Local Council Tax Reduction Scheme for 2018/19 be approved.
- c) that the estimate of the surplus position on the Collection Fund be approved.
- d) that the budget as laid out in the report be approved, including:
  - the base budget for 2018/19
  - the growth and savings
  - the Capital Investment Programme 2017-21
- e) that the schedule of fees and charges be approved and that delegated authority be given to the Director of Finance in conjunction with the Managing Director and the Portfolio Holder (Resources) to implement any recommendations emanating from a full review of the Council's discretionary fees and charges.
- f) that the strategy for flexible use of capital receipts be approved.
- g) that the annual Council Tax for a Band D property be increased in 2018/19 by 2.99%. This will apply to all other bands.
- h) that the creation of an enhanced band 11 pay band for some of the section head posts within the council be approved.
- i) that delegated authority be approved for the Managing Director in consultation with the Director of Finance to provide parental guarantees for the Council's projects as required subject to those guarantees complying with an approved business plan.
- j) that the key risks be noted and their proposed mitigations be approved.
- k) that the advice provided by the Director of Finance on the robustness of estimates and the adequacy of reserves be noted.
- l) that the indicative budgets for 2019/20 and 2020/21 be noted.
- m) that the Treasury Management Strategy for 2018/19 be approved including:

- delegated authority to the Portfolio Holder, in consultation with the Director of Finance, to approve any variation to the Treasury Management Strategy during the year with the objective of maximising the Council's returns without significantly increasing risk. Any changes will be notified to Council at the earliest opportunity.
- the Council's Minimum Reserve Provision (MRP) Strategy and Policy Statement (paragraph 2.3 of the Treasury report).
- the Council's treasury prudential indicators (paragraph 3.3 of the Treasury report)
- the Annual Investment Strategy (paragraph 3.5 of the Treasury report) including the counterparty list contained in the Annex A to the report (Treasury Management Practices 1).
- the flexibility for the Property Investment Board to invest treasury funds within its scheme of delegation.

## 2. **Setting the amount of Council Tax for Watford Borough Council**

That Watford Borough Council's Council Tax Base for 2018/19 has been calculated at 32,393.9 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 made under Section 31B (1) of the Local Government Finance Act 1992, as amended.

## 3. That the following amounts be now calculated by the Council for the year 2018/19 in accordance with Sections 31A to 36 of the Local Government Finance Act 1992:

- |     |  |                    |
|-----|--|--------------------|
| (A) | <i>Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act.(Effectively the gross expenditure and transfers to reserves)</i>                            | <b>£71,626,746</b> |
| (B) | <i>Being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act.(Effectively the gross income and transfers from reserves)</i>                               | <b>£63,124,643</b> |
| (C) | <i>Being the amount by which the aggregate at (A) above exceeds the aggregate at (B) above calculated by the Council in accordance with Section 31A (4) of the Act as its Council Tax Requirement for the year</i> | <b>£8,502,103</b>  |

- (D) *Being the amount at (C) divided by amount at 2 above, calculated by the Council, in accordance with Section 33 (1) of the Act as the basic amount of its Council Tax for the year (at Band D)* **£262.46**

(E)

<b>Council Tax Valuation Bands</b>	<b>Conversion Factor to Band D</b>	<b>Watford's Share (£)</b>
A	6 / 9	174.97
B	7 / 9	204.14
C	8 / 9	233.30
<b>D</b>	<b>1</b>	<b>262.46</b>
E	11 / 9	320.78
F	13 / 9	379.11
G	15 / 9	437.43
H	2	524.92

*Being the amounts given by multiplying the amount at (D) above by the number which, in the proportion set out in Section 5 (1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36 (1) of the Act, as the amounts to be taken into account for the year 2018/19 in respect of categories of dwellings listed in different valuation bands*

4. that a report including precepts of both the Police and Crime Commissioner for Hertfordshire and Hertfordshire County Council be presented to the Functions Committee on 26 February 2018 to set the total Council Tax.
5. that the capital spend of £1,600,000 as front-funding for the improvement works to Clarendon Road as part of the Town centre improvement works be approved and Council notes and accepts the risks in the project.
6. Council notes that a LEP bid has been made for £2,000,000 and this sum will be placed back into capital financing to repay the sums set aside by the Council up front to cover the cost of the works should the Council be successful in the bidding process.

55 **Corporate Peer Challenge: Final Report**

Council received a report of the Cabinet meeting held on 4 December 2017, which included the Managing Director's report to Cabinet and the Corporate Peer Challenge Feedback Report.

RESOLVED –

that the Corporate Peer Challenge report be noted.

56 **Council Pay Policy Statement**

Council received a report of the Interim Head of Human Resources, including the Pay Policy Statement 2018 which provided the level and elements of remuneration for Chief Officers.

RESOLVED –

that the Council Pay Policy Statement be approved.

57 **Compulsory Training**

Council received a report of the Standards Committee, which met on 21 November 2017, proposing changes to the frequency of compulsory training for councillors sitting or substituting on scrutiny committees for Development Management and Licensing Committees. It also recommended compulsory training for councillors sitting or substituting on scrutiny committees, which should be renewed every two years.

RESOLVED –

1. that annual compulsory training for those councillors sitting or substituting on the Development Management and Licensing Committees be approved.
2. that compulsory training for those councillors sitting or substituting on scrutiny committees, which should be renewed every two years, be approved.

58 **Motions submitted under Council Procedure Rule 13.0**

Council was informed that no motions had been received.

Chair

The Meeting started at 7.30 pm  
and finished at 9.40 pm