

COUNCIL

11 October 2016

Present: Councillor D Walford (Chairman)
Mayor Dorothy Thornill
Councillors D Barks, S Bashir, N Bell, S Bolton, S Cavinder,
K Collett, J Connal, K Crout, J Dhindsa, A Dychton, J Fahmy,
A Grimston, K Hastrick, J Johnson, S Johnson, A Joynes, P Kent,
Ahsan Khan, Asif Khan, J Maestas, R Martins, B Mauthoor,
M Mills, A Rindl, G Saffery, I Sharpe, N Steele, P Taylor,
M Turmaine, M Watkin and T Williams

Also present: Mavis Tyrwhitt and Norman Tyrwhitt, Freemen of the
Borough

Officers: Managing Director
Head of Democracy and Governance
Shared Director of Finance
Head of Community and Customer Services
Communications and Engagement Section Head
Environmental Health and Licensing Section Head
Environmental Health Manager (E)
Strategic Project Officer
Democratic Services Manager
Mayor's Political Assistant
Committee and Scrutiny Officer

32 **Apologies for Absence**

Apologies for absence were received from Councillors Hofman, Laird, Scudder and Shah.

33 **Disclosure of Interests**

There were no disclosures of interest.

34 **Minutes**

The minutes of the meeting held on 5 July 2016 were submitted and signed.

Official Announcements

Audentior Awards

The Chairman informed Council that the Audentior Awards had taken place on Friday. He thanked everyone who had attended and advised that over £1,500 had been raised for his nominated charities.

Battle of Britain wreath

The Chairman informed Council that on 18 September he had attended a service at St Paul's Church in Langleybury. He had laid a wreath on behalf of the council in remembrance of the Battle of Britain.

Councillor Jackie Connal

The Chairman advised that Councillor Connal, following the death of her husband wished to say a few words.

Councillor Connal said that she wished to thank everyone for their kind words and cards. She would never forget her husband sitting in the public gallery watching the proceedings and someone asking who the gentleman was sitting there. She again thanked everyone as it had meant the world to her.

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 Bashir, Turmaine, Martins, Mauthoor, Bell and Fahmy indicated that they wished to ask questions. Councillor Mills had initially indicated she wished to ask a question but later withdrew the request.

- a) Councillor Bashir noted that on 2 September the Watford Observer contained a report about Jimmy's World going into liquidation, having £639,000 in debts, of which £101,000 was owed to Watford Borough Council in unpaid business rates. He presumed this had accrued over a number of years. However, local families might miss one payment and then council officers vigorously pursued them and threatened them with legal action. He asked if it was incompetence or reckless neglect by the department. He asked the Mayor for assurances that this situation would not happen again.

The Mayor questioned whether the councillor had spoken to the department about collection arrangements. He had not found out the lengths staff went to in order to collect unpaid business rates. She informed council that there were people and companies out there who would exploit any loopholes. It happened across the country. She had decided that she wanted to take this issue up at a national level. In the future the council would be more dependent on its business rates income and it would be imperative the council collected as much as possible.

The Mayor commented that the service was gentler with residents. If residents missed one payment the service would send a reminder. It could happen to anyone. The reminder helped to ensure residents did not get behind. Officers tried to resolve any outstanding payments with residents, up to and beyond bailiffs being employed. Residents needed to speak to the office and make an arrangement, however little they could afford to pay. Business rates and Council Tax were two separate systems, but it was more favourable for residents. The council was as hard as it could be with businesses. If a company was declared bankrupt, then the council would receive nothing towards the debt. The council had to keep pursuing the debt.

The Mayor suggested that the Labour group should speak to Revenues and Benefits. Councillors would realise the council had a high collection rate and it was a good service.

- b) Councillor Turmaine referred to Watford Junction and the Southern Rail service. He asked whether she had tweeted her support for the RMT or Southern Rail or discussed the situation with Mick Cash, who was a Watford resident and Chair of the RMT, about the behaviour of Southern Rail against its workers, who were trying to protect passenger safety.

The Mayor responded that she read Mick Cash's emails. She had not seen him for some time. She stated that she could appreciate the workforce's view but she could also appreciate the other side's views. However, she did have issues with Southern Rail and felt that it was badly managed. She advised that she did not tweet gratuitously, particularly when it would not have much impact. Instead she would try to meet people to discuss and put pressure on appropriately. She had contacted the MP to discuss the situation, particularly the franchise and long term changes.

- c) Councillor Martins informed council that he had attended a meeting of the national Mental Health champions. He explained that mental health continued to be a big problem; one in four people was likely to be affected in their life time. Suicide, by people affected by mental health, was the

highest cause of death in the 20 to 49 years old age range. Finally housing related problems could put significant stress on residents. He asked the Mayor if she would host an urgent meeting with all the relevant agencies in the town, enabling them to look at the situation, to see what could be done and thereby convince everyone the council was doing everything it could within its powers.

The Mayor thanked Councillor Martins for being the council's mental health champion. It was important that someone stepped up to that role. Even though it was not the council's responsibility it did not mean that the council did not care. Mental health was one of the health 'spikes' in the town, which was due to the range of services provided in Watford.

The Mayor said that she was very proud that Norman Lamb MP was leading on this subject nationally.

The Mayor added that it was only necessary to spend a day in the mayor's office to realise the number of calls the team received which had mental health issues behind them. It was a pervasive illness and affected people in many different ways. With regard to 'supporting people' she noted Councillor Martins had spoken about housing. There was concern about some of the cuts that were coming affecting supporting people. The county council was concerned about the specialist housing provision that it may be able to provide in the future.

The Mayor advised that she regularly met with the Mental Health Trust and had a good relationship with them. If it was felt that a meeting needed to be arranged, she was of the opinion it should be informed by all the councillors. She was aware that councillors all came across this issue in their casework. She felt it needed some focus. She asked councillors to send her information, whether it was about the hospital, the police or people with mental health. This would provide a strong focus to the meeting. However she assured councillors that she did this already. In her view people who got into the service were well looked after, but it was getting harder to get into the service.

- d) Councillor Mauthoor agreed with the Mayor about raising awareness of mental health in the borough and would like to take part in the meeting.

Councillor Mauthoor said that with all the construction and developments happening in the High Street, which aimed to improve access to the town by public transport and bicycle, she asked if the council could give assurance that Watford taxi drivers would be given sufficient allocated spaces and ranks that are visible and accessible to members of the public.

She added that if this was not a borough issue, would the council ensure that Herts County Council would take all the necessary precautions to ensure that Watford taxi drivers were equally important and valued in the redevelopment projects in the High Street.

The Mayor responded that every Chair of Licensing tried to make sure that there were as many ranks as possible for the trade. There are occasions when spaces are allocated but not used. More spaces have been brought back into use, for example the bay outside Barclays Bank can legally be used. The council needed to balance all available spaces for all competing users. For example blue badge holders could no longer park on the double yellow lines. The Mayor added that the council regularly met the chair of the hackney trade. She was not aware the trade had asked for ranks where the council had completely refused, unless there were valid reasons for the refusal. However, she advised that if Councillor Mauthoor was aware of any specific issues she should let her know.

- e) Councillor Bell noted that a NHS report published the previous week confirmed that there was no new money for a new hospital. He asked the Mayor whether she would agree that she had failed to get vital money for the hospital. In addition he questioned why she was not demanding that the MP for Watford and the Conservative Government urgently prioritise funding for West Herts Health Trust. Winter was nearly here and a crisis was looming. The Labour Government had a plan in place and then the Coalition Government got rid of it. The current Conservative Government was starving the service of much needed financial support at a critical time.

The Mayor responded by asking the Labour group whether they had any proof that the former Labour Government had any plans for financial support for Watford. She said that there was none. The rules under the former Labour Government for hospitals to apply for funding were that they needed to have Foundation Trust status. The local health trust was in such a mess it was nowhere near getting close to obtaining Foundation Trust status. Every meeting she attended she was told that the Trust was getting closer. The rules set out by the former Labour Government were sensible as it meant a hospital trust had to be in a reasonable financial and managerial state before they could apply for considerable borrowing. The Mayor advised that each successive Chief Executive had confirmed to her that there were no plans. She asked the councillors to stop repeating the same story as it was not true.

The Mayor then referred to the question of whether she had failed in her role. She commented that if it had been left to the Labour group there would not be a hospital in Watford. The group had opposed all decisions

relating to the site including the allotments and the road. She stated that she knew the outcome as she read information and met people. The Mayor said that her role was to make sure that when the plans had been finalised, the council had done nothing to jeopardise the acute hospital and acute services remaining in Watford.

- f) Councillor Fahmy said that he had attended his first Housing Policy Advisory Group in September. He had been impressed by the work the housing team was doing and looking at innovative ways to resolve the housing problem in Watford. He asked the Mayor to pass on his thanks for the service's work. He asked the Mayor if she would reaffirm her commitment to the council finding these new and innovative ways to deal with housing issues in this difficult time.

The Mayor said that she was sure that all councillors in the chamber had some concerns about this matter. The situation in housing was changing remarkably fast. The staff had to not only keep their skills up to date but also have regard to changing legislation. The Mayor referred to the Homelessness Reduction Bill, which was a private members' bill currently progressing through Parliament. If the private members' bill was not passed, some of the details would be included in other legislation. On the surface it would seem difficult not to agree with the bill. The Government wanted local authorities to stop assessing people for priority and non-priority need. The council would be required to take a longer period of time to work with people. No one would disagree with it until the real impact was considered. There would be additional people to those already eligible for support. She knew that there was no available accommodation for them. She reminded councillors that the council was looking to build further temporary accommodation. All local authorities were struggling with this issue. The impact of the legislation would mean that there would be more people after the same amount of accommodation available at present. Alongside this was the decrease in social housing, which was a real problem. The Mayor suggested that there should be a Members' workshop to ensure that all councillors understood there was no grant for social housing. Developers were saying they could not afford to include affordable housing within their schemes. The Government had made it increasingly easy for developers not to provide social or affordable housing.

The Mayor said that it was important that there was a clear narrative about housing. The administration was clear about it, but the ability to do something about social housing was limited. She suggested that all councillors should work with their political parties to divert the worst of the impacts. However the answer was that the council needed to provide more

social housing, but the current government did not believe in social housing.

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

A question had been received from Councillor Turmaine. The question and answer are attached as Appendix 1 to these minutes.

38 **Questions by Members of the Public under Council Procedure Rule 11.0**

No questions had been received.

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

No petitions had been received.

40 **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.

41 **Four year funding settlement**

Council received a report that had been considered at Cabinet on 10 October 2016. The Cabinet minutes were circulated to councillors. The report asked members to consider whether the council should accept the Government's offer of a four-year financial settlement and the requirement to publish an Efficiency Plan.

RESOLVED –

1. that council accepts the Government's offer of a four-year financial settlement.
2. that the Efficiency Plan, attached as Appendix 1 to the report, be approved.

42 **Annual Report of Overview and Scrutiny in Watford Borough Council 2015/16**

Council received a report of the Committee and Scrutiny Officer and the Annual Report of Overview and Scrutiny in Watford Borough Council 2015/16.

RESOLVED –

that the Annual Report of Overview and Scrutiny in Watford Borough Council for 2015/16 be noted.

43 **Adoption of the Public Health Act 1925 by Watford Borough Council for Street Naming and Numbering Purposes**

Council received a report of the Head of Democracy and Governance seeking adoption of Sections 17 to 19 of the Public Health Act 1925. These sections related to street naming and authority to place the necessary notices advertising the adoption.

RESOLVED –

1. that sections 17 to 19 of the Public Health Act 1925 be adopted.
2. that the Head of Democracy and Governance be authorised to place the necessary notices to advertise the adoption.

44 **Amendment to the Council Scheme of Delegation**

Council received a report of the Head of Democracy and Governance seeking approval to amend the council's Scheme of Delegation following the deletion of the role of Head of Regeneration and Development. It also requested approval for new delegations following the introduction of the Community Infrastructure Levy to enable efficient collection and enforcement.

RESOLVED –

1. that the responsibility for Council Functions A2-A14 and A26-A34 relating to Town and Country Planning and Development Control be amended to delete the Head of Regeneration and Development and to insert the Development Management Team Leader.
2. that the responsibility for Council Functions A15-A25, A35, B39, B40, B41 and I15 be amended to delete the Head of Regeneration and Development.
3. that a new A37 be added to the Scheme to provide for the administration and enforcement of the collection of the community infrastructure levy under the Community Infrastructure Levy Regulations 2010 as amended and that this be delegated to the Development Management Section Head and the Development Management Team Leader.

Changes to the Constitution

Council received a report of the Democratic Services Manager which provided details of changes recommended by Constitution Working Party following its meeting on 22 September 2016.

RESOLVED –

1. that the updated Contract Procedure Rules (attached as Appendix A to the report) to take account of the changes due to the enactment of the Public Contracts Regulations 2015 be adopted.
2. that the constitution be amended to state that the mover of a motion may not exceed 7 minutes with the right of reply speech not exceeding 3 minutes. The remaining speech times shall stay at 5 minutes and there should be no changes to the length of budget speeches.
3. that in the case of a busy agenda it should be at the chair's discretion whether to put a time limit on the length of debate for motions whilst still allowing for a balanced debate.
4. that the Chair of Community Safety Partnership Task Group be appointed by the Overview and Scrutiny Committee when determining the Group's membership.

Appointments Committee

Council received a report of the Democratic Services Manager which sought approval for a revised membership of the Appointments Committee to that which was agreed at Annual Council.

RESOLVED –

that the following members be appointed to the Appointments Committee –

Councillors Peter Taylor (Chair), Keith Crout, Jagtar Singh Dhindsa, Stephen Johnson and Mark Watkin

Motions submitted under Council Procedure Rule 13.0

Council was informed that three motions had been received.

- 1) The following motion was proposed by Councillor Sohail Bashir and seconded by Councillor Ahsan Khan

“Council notes that in the Callowland Ward there has been a continuous and constant problem of street littering and flytipping with which residents of the ward have become increasingly concerned.

The Council also notes that firm action needs to be taken to significantly reduce the current levels of littering and flytipping in the ward.

We call upon this Council to increase the frequency of litter picking and street cleaning within Callowland. Furthermore, on behalf of residents, we call for a more proactive approach from this Council to deal with the chronic problems of flytipping in the Callowland Ward.”

Members debated the motion.

On being put to Council the motion was LOST.

- 2) The following motion was proposed by Councillor Asif Khan and seconded by Councillor Sohail Bashir

“The council notes that the Kashmir issue has been ongoing for over 69 years.

Watford has strong ties with Kashmir as thousands of Watfordians have a Kashmiri heritage and links to the region.

The council is shocked and deeply concerned by the killing of over 150 people and hundreds of civilians blinded including children by the use of pellet guns by the Indian security forces since July 2016.

The council also believes in a diplomatic solution to this issue and once resolved it will bring peace and stability to the region.

We call upon the council to write to the Indian High Commissioner calling for the immediate cessation of the use of pellet guns on civilians, investigate human rights abuses and to engage in meaningful peace talks.

We call upon the council to write to the Watford MP, to raise with the foreign office to work harder for the implementation of UN resolutions on Kashmir and to push for a diplomatic solution.”

Councillor Peter Taylor moved the following amendment, seconded by Councillor Rabi Martins

“The council notes that the Kashmir issue has been ongoing for over 69 years.

Watford has strong ties with Kashmir as thousands of Watfordians have a Kashmiri heritage and links to the region.

The council is shocked and deeply concerned by the killing of over 150 people and hundreds of civilians blinded including children by the use of pellet guns by the Indian security forces since July 2016.

The council also believes in a diplomatic solution to this issue and once resolved it will bring peace and stability to the region.

Delete:

We call upon the council to write to the Indian High Commissioner calling for the immediate cessation of the use of pellet guns on civilians, investigate human rights abuses and to engage in meaningful peace talks.

Replace with:

We call upon the council to write to the High Commissioners of both India and Pakistan demanding:

- **the immediate cessation of violence including the use of pellet guns on civilians**
- **the immediate lifting of the curfew and restrictions on free speech**
- **the investigation of human rights abuses in the region**
- **the restarting of diplomatic talks to resolve the situation peacefully**
- **immediate help and support for those who have been injured**

We call upon the council to write to the Watford MP, to raise with the foreign office to work harder for the implementation of UN resolutions on Kashmir and to push for a diplomatic solution.”

Following a discussion it was agreed that the proposed amendment would be altered to show that the High Commissioner for Pakistan would be written to regarding the immediate cessation of violence as well as the last two bullet points and not regarding the use of pellet guns or the second and third bullet point.

Members discussed the substantive motion.

On being put to council the substantive motion was AGREED.

RESOLVED –

The council notes that the Kashmir issue has been ongoing for over 69 years.

Watford has strong ties with Kashmir as thousands of Watfordians have a Kashmiri heritage and links to the region.

The council is shocked and deeply concerned by the killing of over 150 people and hundreds of civilians blinded including children by the use of pellet guns by the Indian security forces since July 2016.

The council also believes in a diplomatic solution to this issue and once resolved it will bring peace and stability to the region.

We call upon the council to write to the High Commissioner of India demanding:

- the immediate cessation of violence including the use of pellet guns on civilians
- the immediate lifting of the curfew and restrictions on free speech
- the investigation of human rights abuses in the region

We call upon the council to write to the High Commissioner of Pakistan demanding:

- the immediate cessation of violence

We call upon the council to write to the High Commissioners of both India and Pakistan demanding:

- the restarting of diplomatic talks to resolve the situation peacefully
- immediate help and support for those who have been injured

We call upon the council to write to the Watford MP, to raise with the foreign office to work harder for the implementation of UN resolutions on Kashmir and to push for a diplomatic solution.

- 3) The following motion was proposed by Councillor Matt Turmaine and seconded by Councillor Bilqees Mauthoor

“This council recognises that technological innovation is driving change in the taxi trade, with particular reference to companies like Uber.

Rider sharing drivers (e.g. Uber drivers) are operating in Watford already. It is important that they are brought within the council framework rules to ensure passenger safety and a thriving local taxi trade.

This council resolves that:

- Drivers of such vehicles are subject to the same licensing regulations as existing private hire taxi cab drivers (e.g. licensed, regulated, trained, subject to inspection).
- The conduct of rider sharing services is monitored to ensure that practices outside of permitted private hire are not engaged in, e.g. ranking and that perpetrators are fined/prosecuted.
- The council should investigate offering compensation to existing licence plate holders for the negative pricing effect on their plate ownership, as numbers of Uber taxi drivers in Watford increases.
- The council should establish/maintain a dialogue with relevant organisations in relation to the debate on a minimum wage and workplace rights impacting this business sector.”

Members debated the motion.

On being put to council the motion was LOST.

Chair

The Meeting started at 7.30 pm
and finished at 10.00 pm

Appendix 1

Questions by Members of the Council under Procedure Rule 10.0

Council – 11 October 2016

**Question from Councillor Turmaine
Received on 05.10.16**

Question: How much money is currently held in the council reserves and what restrictions are in operation around the use of them?

Answer

Under section 25 of the Local Government Act 2003 there is a duty on the Chief Finance Officer to report on the adequacy of reserves when considering the budget requirement.

The Council holds 3 types of reserves;

- Capital
- Revenue
- General Fund Working Balance

The capital & revenue reserves are termed as 'earmarked' as they represent amounts that are generally built up over a period of time which are earmarked for specific items of expenditure to meet known or anticipated liabilities or projects.

The General Fund balance is a general reserve providing a working balance to cushion the impact of uneven cash flows, avoid unnecessary temporary borrowing and provide a contingency to meet unexpected events and emergencies.

The attached spreadsheet details the current balance on each reserve and its purpose.

For more information please contact: Jo Wagstaffe, Shared Director of Finance

RESERVE BALANCES

Description	Balance £000	Purpose of Reserve
<u>CAPITAL RESERVES</u>		
Capital Fund	(650)	To provide funding for key projects
Development Sites Decontamination	(446)	To provide for costs associated with decontamination of development sites that the Council has responsibility for
New Homes Bonus	(4,069)	Government grant which supports the capital investment programme
Performance Reward Grant	(141)	Grant received from the Local Strategic Partnership to fund specific capital projects
Vehicle Replacement	(220)	To provide for the purchase of the replacement of waste services vehicles
Weekly Collection Support Grant	(158)	To provide for the purchase of the replacement of waste services plant & equipment
Total Capital Reserves	(5,684)	
<u>REVENUE RESERVES</u>		
<u>Earmarked</u>		
Budget Carry Forward	(118)	Unspent budgets from previous year which are rolled forward to support service expenditure in the current year
Business Rates	(4,661)	To fund the potential levy payment to Government
Car Parking Zones	(727)	To provide for controlled parking costs
Charter Place Tenants	(160)	To meet future major works
Climate Change	(57)	To fund adaptations and mitigation of climate change including biodiversity and sustainable energy initiatives
Homelessness Prevention	(113)	To assist with homelessness among young people
Leisure Structured Maintenance	(423)	To fund costs that are not covered in the existing leisure services contract which are the Councils responsibility
Le Marie Centre Repairs	(12)	To fund costs which are the Councils responsibility
Multi-Storey Car Park Repair	(181)	To provide funds towards major structural works
Parks, Waste & Street Strategy	(60)	To fund costs that are not covered in the existing waste services contract which are the Councils responsibility
Rent Deposit Guarantee Scheme	(100)	To assist in the provision in homelessness accommodation

Description	Balance £000	Purpose of Reserve
Area Based Grant	(85)	Used to encourage initiatives for preventing violent extremism and anti social behaviour
Crematorium	(50)	To provide funds towards repair works at the West Herts Crematorium
Economic Impact	(3,421)	To provide funds to offset the overspends on the Council's budget due to a downturn in the economy, reduced Government funding and legislative changes
High Street Innovation	(58)	To assist in the regeneration of the town centre
Housing Benefit Subsidy	(996)	To meet any subsidy clawback by the Department of Works & Pensions
Housing Planning Delivery Grant	(266)	To assist in funding the costs associated with the improved delivery of housing and planning outcomes
Invest to Save	(839)	To support projects that will produce long term savings
LA Business Growth Incentive (LABGI)	(524)	To support Local business growth i.e. Chamber of Commerce and Skill makers
Local Development Framework	(128)	To fund the costs of the Council's Local Development Plan
Pension Funding	(1,549)	To fund future deficits on the Council's pension fund
Performance Reward Grant	(29)	Grant received from the Local Strategic Partnership to fund specific capital projects
Project and Programme Management	(181)	To support the Councils major projects programme i.e. website enhancement, property review etc.
Weekly Collection Support Grant	(30)	To provide for the purchase of the replacement of waste services plant & equipment
Total Earmarked Reserves	(14,768)	
General Fund Working Balance	(1,350)	Provides a working balance to cushion the impact of uneven cash flows, avoid unnecessary temporary borrowing and provide a contingency to meet unexpected events and emergencies.
Total Revenue Reserves	(16,118)	
Total	(21,802)	