

MINUTES OF A MEETING OF THE  
EXECUTIVE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD  
ON TUESDAY 26 APRIL 2005 AT 4.00  
PM

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PRESENT: Councillor M G Carver (Chairman/Leader).  
Councillors M R Alexander, N Burdett, D Clark,  
A P Jackson, T Milner, R L Parker, N C Poulton.

ALSO IN ATTENDANCE:

Councillors W Ashley, J Demonti, R Gilbert,  
A M Graham, M P A McMullen, D E Mayes,  
J P Warren.

OFFICERS IN ATTENDANCE:

Miranda Steward	- Executive Director
Rachel Stopard	- Executive Director
Simon Drinkwater	- Assistant Director (Law and Control)
Declan Hoare	- Interim Assistant Director (Direct and Contract Services)
Neal Hodgson	- Assistant Director (Regulatory Services)
Martin Ibrahim	- Senior Democratic Services Officer
Lorraine Kirk	- Senior Communications Officer
Mary Orton	- Assistant Director (Policy and Performance)
Bernard Perry	- Assistant Director (Human Resources)
Bryan Thomsett	- Head of Environmental Planning
David Tweedie	- Assistant Director (Financial Services)

730 APOLOGY

An apology for absence was submitted on behalf of Councillor H G S Banks.

731 LEADER'S ANNOUNCEMENT

The Leader extended the Executive's best wishes to Councillors T K H Robertson and P A Ruffles for speedy recoveries.

The Leader referred to the two additional reports circulated on the supplementary agenda, which he had agreed to accept onto the agenda as urgent matters in order to allow the expeditious conduct of business, in respect of an application for discretionary rate relief and the entering of an indemnity for the Council's bank (see Minutes 745 - 746 below).

732 DECLARATION OF INTERESTS

Councillor T Milner declared a personal and prejudicial interest in the matter referred to at Minute 739 – Housing Options Service Nominations Agreements, in that he was a Board Member of Riversmead Housing Association. He left the chamber whilst this matter was considered.

733 EXCLUSION OF PRESS AND PUBLIC

The Executive passed a resolution pursuant to Section 100(A)(4) of the Local Government Act 1972 to exclude the press and public during consideration of the business referred to in Minutes 747 – 750 on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 7 - 9 of Part 1 of Schedule 12A of the said Act.

**RECOMMENDED ITEMS****ACTION****734 BEST VALUE REVIEW OF DEVELOPMENT CONTROL**

The Executive Member for Corporate Facilities submitted a report presenting the final report and action plan for the Best Value Review of Development Control.

The Review had examined a number of issues including:

- Operation of the service;
- Enforcement;
- Public perception;
- Relationships with other Council departments;  
and
- Development Control Committee.

The Executive Member detailed the key findings of the Review for each of these areas.

Also, the Executive Member drew attention to the significant step change in performance since the Review was completed. Details of the improvement in the best value indicators were set out in the report now submitted.

The Executive Member for Finance suggested that some of the dates for completion of actions in the operational action plan detailed at Appendix 'C5' of the report now submitted, should be made firmer. It was also commented that those actions that had been completed could be removed as part of future monitoring reports to Performance Scrutiny Committee. Officers undertook to review these as part

ACTION

of the monitoring process.

The Leader drew attention to the various elements of the action plan that were dependent on funding via planning delivery grant. It was important for the significance of this funding stream to be acknowledged.

The Executive agreed to recommend that the strategic and operational action plan as now submitted be approved.

**RECOMMENDED** - that the findings from the Best Value Review of Development Control be noted and the strategic and operational action plan contained in Appendix 'B5' and 'C5' of the report now submitted, be approved.

ED(RO)

**735 BEST VALUE REVIEW – HEALTH AND LIVING SUPPORT**

The Deputy Leader and the Executive Member for Community submitted a joint report presenting the key findings from the final report of the Best Value Review of Health and Living Support.

The Executive recalled that the scope of the Review had included the following areas:

- Meals on Wheels
- Effectiveness of referral systems procedures and information for elderly and vulnerable people
- Health Promotion (including Leisure and Fitness concessions to older people and GP Referral schemes)
- Transport

ACTION

The Executive Member detailed the key findings of the Review for each of these areas.

In response to a question from a Member, the Executive Member requested that officers review the possibility of extending the Dial-A-Ride service for hospital appointments at Lister Hospital, to other villages not currently included in the scheme.

The Executive Member for Finance referred to the improvement plan attached at Appendix 'A6' of the report now submitted, and highlighted the cost implications of some of the actions. In order that the Council's usual budgetary processes were applied, he suggested that the improvement plan be supported 'subject to future budgetary constraints'. The Executive supported this suggestion.

The Executive agreed to recommend that the improvement plan, as now submitted, be supported, subject to future budgetary constraints.

**RECOMMENDED** - that the final report and improvement plan for the Best Value Review of Health and Living Support, be approved.

736 **RESIDENTIAL LAND AVAILABILITY MONITORING STATEMENT 2003-04**

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The Leader of the Council submitted a report seeking the Executive's support for the East Hertfordshire District Council Residential Land Availability (RLA) Monitoring Statement for 2003-2004.

The Executive recalled that the last RLA Monitoring Report was published in January 2004 with a base date of 31 March 2003. The new statement, as now submitted, updated all tables and schedules to a base date of 31 March 2004.

ACTION

The updated RLA Monitoring Statement, attached at Appendix 'A8' of the report now submitted, included information on the numbers of dwellings provided; the proportion provided on previously developed land; the number built on windfall sites and the provision of affordable dwellings. Information regarding the variety of types and mix of sizes of housing; density of new development; and, car parking provision was not included.

The Leader stated that this would be the last RLA Monitoring Statement in this format. RLA monitoring would in future be subsumed into the East Herts Annual Monitoring Report (AMR). The publication of a District-wide AMR was a statutory requirement of the Planning and Compulsory Purchase Act 2004. The AMR would form part of the new Local Development Framework (LDF), and would monitor planning policies and related information, including residential land availability, together with assessing the implementation of the East Herts Local Development Scheme (LDS).

The Leader concluded that the Monitoring Statement showed that the District had the equivalent of almost six years available residential land; was meeting and indeed, exceeding the Structure Plan requirement for the provision of housing in the District; and, was providing a substantial percentage of new housing on previously developed land and windfall sites.

The Executive supported the publication of the Monitoring Statement as now detailed.

**RECOMMENDED** - that (A) in accordance with paragraph 4.1.11 of the East Hertfordshire Local Plan Adopted December 1999 and paragraph 3.9A.1 of the East Hertfordshire Local Plan Second Review Re-Deposit Version November 2004, the Residential Land Availability Monitoring Statement, as detailed at Appendix

**APP**

ACTION

**'A8' to the report now submitted, be approved and published, and**

**(B) the updated Housing Programme Schedule and associated Tables contained within the 2003-2004 Residential Land Availability Statement replace the 2002-2003 Statement and the Housing Programme Schedule and associated Tables contained at Appendix III to the East Hertfordshire Local Plan Adopted December 1999 and be used for planning policy and development control purposes, as detailed in the Housing Section of the Local Plan.**

**APP**

**737 REVIEW OF PLAYSCHMES IN 2004 AND RECOMMENDATIONS FOR THE DEVELOPMENT OF THE SERVICE IN 2005 AND BEYOND**

**The Executive Member for Community submitted a report on the development of the playscheme service through 2005 and beyond, based on a review and evaluation of the operation of the East Herts Council playscheme service that had been provided throughout the summer of 2004.**

**The Executive Member detailed a number of proposals for implementation in 2005/06, in respect of:**

- The development of a Play Policy – the need to ensure continuity of provision for children and young people by expanding the existing Play Strategy, contained within the Cultural Strategy, in order that it dovetails with the existing Youth Strategy and the County Council's statutory provision for under 5's.**
- Age range – the current schemes offered opportunities for children between the ages of 5 – 14 years. This appeared to offer a large duplication and overlap of other services targeted**

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at children aged 11+ years within the Youth Strategy. Whilst some overlap was desirable, it was considered appropriate that the age range be amended to 5 – 12 years. However the Play Officer's discretion would be applied for siblings of younger children and children with specific needs to be included up to the age of 14 years.

- **Location** – playschemes should be operated in schools where facilities were already tailored for children. This would also attract external funding from the School Lets Fund. Two of the existing schemes had already been relocated to school sites.
- **Structure of Schemes** – it was proposed that the Playscheme Plus provision be removed following their less than successful operation in 2004. Instead, the hours of operation be extended to six hours per day with a choice of a morning or afternoon only session at £1 or £3 for the full day. Each site should accommodate children from the ages of 5 – 12 years with two sub groups (under eights and over eights) being operated within each scheme. The National Day Care Standards would be used as a framework to provide a quality play service, with staff working on a ratio of 1:8 for under 8's and 1:10 for over 8's, ensuring safe levels of supervision.
- **Specific needs** - East Herts Council would offer an integrated service for children with specific needs in line with statutory requirements under the Disability Discrimination Act. Families and children should have the option of accessing the site of their choice, with reasonable action being taken to include disabled children. Where a site could not be made suitable or where the child's needs could only be met by specially trained staff, the children should be referred to the nearest suitable site where East Herts Council



ACTION

would make these services available.

- **Children's Integrated Playschemes (CHIPS)** – following a review of this service for children with disabilities and their siblings, a new service level agreement (SLA) had needed to be negotiated to enable the continuation of funding. CHIPS had been requested to make a grant application for the funding required. As there was significant demand for Council grant funding, it was recommended that approval be given to a budget virement of up to £14,700 to meet any shortfall in the funding requirement for the CHIPS scheme. The SLA improvements that have been achieved were detailed in the report submitted.
- **Partnership working** - East Herts Council had been approached by the County Council to offer hands on assistance and advice in the planning, organisation and delivery of a Summer Playscheme specifically for the children of the County Council's workforce. All costs incurred would be met by the County Council. This was a valuable partnership opportunity and recognised the progress East Herts had made in terms of the quality of Playscheme provision it was now able to make. Details on this progress were set out at Appendix 'B11' of the report now submitted.

The Leader also detailed various proposals for 2005/06 and beyond.

In response to a Member's question on the potential impact of charges on attendance amongst less well-off families, the Executive Member for Community stated his belief that the schemes represented good value for money. Also, parents had not raised the issue of charges in the feedback given.

The Executive supported the proposals as now

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detailed:

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| <b><u>RECOMMENDED</u> - That (A) the existing Play Strategy contained within the Cultural Strategy be expanded in order that it dovetailed with the existing East Herts Council Youth Strategy and the statutory provision made by Hertfordshire County Council for the under 5's;</b> | <b>ACS</b> |
| <b>(B) the oldest age eligible to attend playschemes be reduced to 12 years old subject to discretion for siblings and children with specific needs;</b>   | <b>ACS</b> |
| <b>(C) playschemes be relocated to school premises where possible within existing budgets;</b>   | <b>ACS</b> |
| <b>(D) the "Playscheme Plus" service be withdrawn and all existing schemes extend their hours of operation to provide a day scheme with the choice of sessions;</b>  | <b>ACS</b> |
| <b>(E) a new charge of £3 be applied for a full day Playscheme for 2005;</b>   | <b>ACS</b> |
| <b>(F) the National Day Care Standards be used as a framework to provide a quality play service, with staff working on a ratio of 1:8 for under 8's and 1:10 for over 8's, ensuring safe levels of supervision;</b>  | <b>ACS</b> |
| <b>(G) subject to a grant application being unsuccessful, a budget virement of up to £14,700 to meet any shortfall in the funding requirement for the CHIPS play schemes be approved; and</b>  | <b>ACS</b> |
| <b>(H) an additional Playscheme be provided at County Hall for Hertfordshire County Council employees' children, subject to all costs</b>  | <b>ACS</b> |

ACTION

**incurred being recharged to Hertfordshire County Council.**

RESOLVED ITEMS738 MINUTES

RESOLVED - that the Minutes of the Executive meeting held on 29 March 2005, be confirmed as a correct record and signed by the Chairman.

739 HOUSING OPTIONS SERVICE – NOMINATIONS AGREEMENTS

The Executive Member for Community submitted a report informing the Executive of the nomination rights arrangements agreed between the Council and registered social landlords, in respect of nominations from the Council's housing register and nominations to the Council's hostels and other temporary accommodation.

The Executive recalled that the Council's new housing options service started on 1 April 2005. The service integrated housing advice, homelessness and housing register and nominations services previously delivered under contract by Stort Valley and Riversmead Housing Associations.

The Executive was invited to endorse the nomination arrangements negotiated by officers to secure tenancies to housing association stock in the area and to the Council's two hostels, as now detailed. A similar arrangement had been made in respect of nominations to temporary assured shorthold tenancies made available in the private sector by Frays housing association (part of the Paradigm housing group).

The Executive Member stated that the agreement with Paradigm Housing Association, as set out at Appendix 'B7' of the report now submitted, had yet to be endorsed formally by Paradigm, and as such, should only be

ACTION

endorsed, subject to Paradigm's approval. He asked that authority to approve the final agreement be delegated to the Assistant Director (Policy and Performance) in consultation with himself.

The Executive approved the proposals as amended and now detailed.

RESOLVED - that (A) the nominations agreement, as set out at Appendix 'A7' of the report now submitted, be endorsed; APP

(B) the nominations agreement, as set out at Appendix 'B7' of the report now submitted, be endorsed, subject to approval by Paradigm Housing Association; and APP

(C) authority to approve the final nominations agreement in (B) above, be delegated to the Assistant Director (Policy and Performance), in consultation with the Executive Member for Community. APP

740 HOUSING BENEFIT OVERPAYMENT  
RECOVERY POLICY

The Executive Member for Economic and Regional Development submitted a report seeking approval for minor amendments to the Council's Overpayment Recovery Policy, following a recent review of recovery procedures by consultants.

The Executive Member detailed the findings of the independent review and outlined the specific recommendations in the action plan, as now set out in the report submitted.

The Executive approved the Housing Benefit Overpayment Recovery Policy, as set out in the report now submitted.

ACTION

RESOLVED – that the Housing Benefit Overpayment Recovery Policy, as now submitted, be approved.

AFS

741 CHANGES TO STORT VALLEY HOUSING ASSOCIATION'S CONSTITUTION AND GOVERNANCE STRUCTURE AS PART OF ANGLIA HOUSING GROUP

The Executive Member for Community submitted a report seeking endorsement for proposed changes to Stort Valley Housing Association's constitution and governance arrangements, as a result of an efficiency review.

The Executive Member detailed the reasons for the change of structure and governance that would result in the incorporation of Stort Valley into a larger Southern Anglia Housing group. The driver for change was the need to achieve increased business efficiency, in the context of the Gershon agenda, and enhancement of local accountability. East Herts Council would be guaranteed continued representation on the new South Anglia Housing board (one nomination) and in addition, would have more informal representation on the new local neighbourhood management board for Stort Valley (two nominations). This compared with the present three nominations to the current Stort Valley board.

In order to achieve a more advantageous VAT position, as part of the efficiency review, the Anglia Group was also seeking charitable status. In addition, the Anglia Group was seeking to merge with Circle 33 Housing Association - a major housing association operating in the eastern region and London. The main driver for this change was the Housing Corporation's emerging policy of only funding the most efficient Registered Social Landlords and those able to offer the best economies of scale.

The Executive noted the discussions that had been held by the Executive Member and officers with Anglia Group. A special joint meeting of the Stort Valley Board and Council

ACTION

Members had been arranged for 10 May 2005.

In response to a Member's question, the Executive Member stated that he had received assurances from the Stort Valley Board that they were still on target for the five year Improvement Programme agreed as part of the stock transfer.

The Executive endorsed the changes now detailed.

RESOLVED - that Stort Valley Housing Association's adoption of charitable status and new governance arrangements, as set out in the report now submitted, be endorsed.

742 FORWARD PLAN: JUNE – SEPTEMBER 2005

The Executive Member for Corporate Facilities submitted a report seeking approval for the publication of the Forward Plan for the period June - September 2005.

The Executive agreed that the Forward Plan, as now detailed, be approved.

RESOLVED - that the Forward Plan for June - September 2005, as set out at Appendix 'A' to these Minutes, be approved for publication.

ALC

743 AWARD OF TENDER FOR GYPSY AND TRAVELLER ACCOMMODATION NEEDS SURVEY (1)

The Executive Member for Community submitted a report seeking the Executive's approval of the award of the tender for a Gypsy and Traveller Accommodation Needs Survey to a tenderer who did not submit the most financially favourable tender.

After undertaking the necessary tender processes, the Council received five tender submissions for the undertaking of the Survey. It was decided that three of the

ACTION

tender submissions failed to demonstrate the necessary experience in carrying out this type of specialist study. Experience in dealing with the Gypsy and Traveller community was considered by all of the Partners to be the most important factor in order to ensure successful and meaningful survey results. In order to determine the level of experience and competence of the two remaining tenderers, it was decided that interviews be held.

The Executive Member detailed the outcome of the interviews and the scoring system used by the panel comprising representatives of each of the partner authorities. Opinion Research Services (ORS) scored the highest of the two tenderers. Details of the Tenderers and tendered sums were contained in a separate exempt report (see Minute 749 below).

The Executive approved the award of the tender to Opinion Research Services.

RESOLVED - that approval be given for the award of the contract to Opinion Research Services, to undertake a Gypsy and Traveller Accommodation Needs Survey, at a cost of £20,790 plus VAT, on behalf of a Partnership sharing these costs, of the following six Hertfordshire Local Authorities: East Hertfordshire, North Hertfordshire, Welwyn Hatfield, Broxbourne, Stevenage and Hertfordshire County Council.

APP

744 BISHOP'S STORTFORD TRANSPORT STUDY (1)

The Leader of the Council submitted a report informing the Executive of the outcome of the tender process for the Bishop's Stortford Transport Study. Details of the tenderers and the tendered sums were set out in a separate exempt report (see Minute 750 below).

The Executive noted the report.

ACTION

RESOLVED - that the award of the contract for the Bishop's Stortford Transport Study to Steer Davies Gleave Limited, be noted.

745 NATIONAL NON-DOMESTIC RATE – APPLICATION FOR DISCRETIONARY RATE RELIEF FROM STANDON AND PUCKERIDGE ATHLETIC ASSOCIATION

The Executive Member for Finance submitted a report detailing an application for discretionary rate relief from Standon and Puckeridge Athletic Association. The request was for relief to be backdated to April 2004.

The Executive considered the evidence submitted by the Association in support of their application. After careful consideration, the Executive concluded that there were no extenuating circumstances applicable in this case, and that the application did not meet the Council's policy. Therefore, the application should be refused.

RESOLVED - that the application for discretionary rate relief from Standon and Puckeridge Athletic Association be refused.

AFS

746 BANK INDEMNITY FOR RECEIPT OF CHEQUES

The Executive Member for Finance submitted a report asking the Executive to consider entering into an indemnity for the Council's Bank whilst it was acting on behalf of the Council.

The Executive noted that the Bank had contacted the Council with regard to procedures relating to the receipt of cheques on behalf of the Council. The Bank was requesting that the Council indemnified the bank in relation to payments made into the Council's account that were deemed to be incorrect and subsequently needed adjusting. The indemnity was acceptable to Council officers and it was unlikely it would ever be needed.



ACTION

The Executive Member referred to advice received from Mills and Reeve, solicitors acting on behalf of the Council. Details were set out in the report now submitted.

The Executive approved the proposals as now detailed.

RESOLVED – that the indemnity attached as Appendix 'A15B' of the report now submitted, be agreed.

747 WRITE-OFF OF HOUSING BENEFIT OVERPAYMENT

The Executive Member for Finance submitted a report requesting the Executive to write-off irrecoverable overpayments of Housing Benefit.

Details of the overpayment were set out in the report now submitted.

The Executive approved the write-off now detailed in the report submitted.

RESOLVED - that the write-off of an overpayment of Housing Benefit of £3118.25 which was no longer recoverable due to the death of the clamant, be authorised. AFS

748 SUNDRY DEBTOR IRRECOVERABLE

The Executive Member for Finance submitted a report requesting the write-off of irrecoverable sundry debtor debts in accordance with financial regulations.

The Executive Member detailed the circumstances of the particular case in the report now submitted. In view of the growth of the debt in the timescale now detailed, the Executive Member undertook to review procedures with officers.

ACTION

The Executive approved the write-off now detailed in the report submitted.

RESOLVED – that the write-off of sundry debtor arrears totalling £56,177.18, as detailed in the schedule submitted, be authorised as irrecoverable.

AFS

749 AWARD OF TENDER FOR GYPSY AND TRAVELLER ACCOMMODATION NEEDS SURVEY (2)

The Executive Member for Community submitted a report informing the Executive of the tender details for the Gypsy and Traveller Needs Survey. A separate report on the agenda outlined the award of the contract (see Minute 743 above).

The Executive agreed to receive the report.

RESOLVED - that the report be received.

750 BISHOP'S STORTFORD TRANSPORT STUDY (2)

The Leader of the Council submitted a report informing the Executive of the tender details for the Bishop's Stortford Transport Study. A separate report on the agenda outlined the award of the contract (see Minute 744 above).

The Executive agreed to receive the report.

RESOLVED - that the report be received.

The meeting closed at 6.01 pm

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Chairman	.....
Date	.....



# Forward Plan

Published for June 2005

**FORWARD PLAN  
(Council and Executive)**

<b>No</b>	<b>Subject</b>	<b>Decision Maker (Date)</b>	<b>Consultation (who will be consulted and by what method)</b>	<b>Contact Executive Member</b>	<b>Contact Lead Officer</b>
1.	<b>Food Safety Service Plan</b>	Council – 29 June 2005 on recommendation from Executive – 21 June 2005		Executive Member for Corporate Facilities	Neal Hodgson
2.	<b>Best Value Performance Plan</b>	Council – 29 June 2005 on recommendation from Executive – 21 June 2005	Performance Scrutiny Committee – 25 May 2005	Executive Member for Finance	Mary Orton
3.	<b>Health and Safety Service Plan</b>	Council – 27 July 2005 on recommendation from Executive – 19 July 2005		Executive Member for Corporate Facilities	Neal Hodgson

No	Subject	Decision Maker (Date)	Consultation (who will be consulted and by what method)	Contact Executive Member	Contact Lead Officer
4.	<b>Statement of Accounts 2004/05</b> Approval of Annual Accounts	Executive – 19 July 2005	None	Executive Member for Finance	Dave Tweedie
5.	<b>General Fund Outturn 2004/05</b>	Executive – 19 July 2005	Internal consultation with Assistant Directors	Executive Member for Finance	Dave Tweedie
6.	<b>Capital Payments and Financing Outturn 2004/05</b>	Executive – 21 June 2005	Internal consultation with Assistant Directors and project control officers via Capital Strategy Group.	Executive Member for Finance	Dave Tweedie
7.	<b>Statement of Internal Control 2004/05</b>	Executive – 19 July 2005		Executive Member for Corporate Facilities	Miranda Steward

No	Subject	Decision Maker (Date)	Consultation (who will be consulted and by what method)	Contact Executive Member	Contact Lead Officer
8.	<b>Local Authority Expenditure Proposals and Budget Strategy 2006/07</b>	Council – 21 September 2005 on recommendation form Executive – 13 September 2005	Directors Board and Scrutiny	Executive Member for Finance	Dave Tweedie
9.	<b>Treasury Management Strategy 2004/05</b> Six monthly progress report	Executive – 13 September 2005	None	Executive Member for Finance	Dave Tweedie

## SCRUTINY WORK PROGRAMME

No.	Subject	Committee (Date)	Contact Member	Relevant Portfolio Holder	Support Officer
1.	<b>Pools and Gyms</b>	Performance Scrutiny – 27 September 2005	Cllr Diane Hollebon	Executive Member for Environment	Declan Hoare
2.	<b>Car Parking</b>	Performance Scrutiny – 27 September 2005	Cllr Diane Hollebon	Executive Member for Community	Declan Hoare
3.	<b>Refuse and Waste Collection</b>	Performance Scrutiny – 27 September 2005	Cllr Diane Hollebon	Executive Member for Environment	Declan Hoare
4.	<b>Grounds Maintenance</b>	Performance Scrutiny – 27 September 2005	Cllr Diane Hollebon	Executive Member for Environment	Declan Hoare