

MINUTES OF A MEETING OF EAST
HERTS COUNCIL HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 16 APRIL
2008 AT 7.30 PM

PRESENT: Councillor A L Burlton (Chairman).
Councillors M R Alexander, D Andrews,
W Ashley, P R Ballam, K A Barnes, R Beeching,
S A Bull, M G Carver, Mrs R Cheswright, D Clark,
N Clark, R N Copping, K Darby, A F Dearman,
J Demonti, A D Dodd, R Gilbert,
Mrs M H Goldspink, A M Graham, P Grethe,
L O Haysey, J Hedley, Mrs D L E Hollebon,
A P Jackson, G Lawrence, G McAndrew,
M P A McMullen, J Mayes, T Milner, R L Parker,
D A A Peek, M Pope, N C Poulton, W Quince,
J O Ranger, P A Ruffles, S Rutland-Barsby,
G D Scrivener, J J Taylor, R I Taylor, M J Tindale,
J P Warren, N Wilson, M Wood, C B Woodward.

OFFICERS IN ATTENDANCE:

Anne Freimanis	- Chief Executive
Simon Drinkwater	- Director of Neighbourhood Services
Tony Hall	- Interim Head of Business Support Services
Philip Hamberger	- Director of Internal Services
Jeff Hughes	- Head of Democratic and Legal Support Services
Martin Ibrahim	- Senior Democratic Services Officer
George A Robertson	- Director of Customer and Community Services

Lois Prior

- Head of Strategic
Direction (shared)
and Communications
Manager

627 MINUTES

RESOLVED - that the Minutes of the Council meeting held on 4 March 2008 and the Extraordinary Council meeting held on 25 March 2008, be approved as correct records and signed by the Chairman.

628 CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked everyone for their help in making the civic dinner such a success. In particular, he congratulated the musicians from Simon Balle School for their musical contribution to the evening.

Finally, the Chairman expressed his appreciation for everyone's help and support during his time as Chairman.

629 DECLARATIONS OF INTEREST

Councillor N Clark declared a personal interest in the matter referred to at Minute 604 – Corporate Strategic Plan 2008-11, as it contained references to the Stop Harlow North Campaign, of which he was the Secretary.

630 MEMBERS' QUESTIONS

Councillor A D Dodd referred to recent reports in the national press that planning laws were due to be changed in the coming months. One issue of considerable concern was that the Government was going to remove planning appeals by the Planning Inspectorate, an independent government organisation, and have appeals settled by a local member review body, that is, a group of councillors. He asked the Executive Member for Planning Policy and Transport if he

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was aware of this proposed planning change relating to the hearing of appeals and when District Councillors could anticipate receiving details of this and other proposed planning changes. He also asked if there would be an opportunity for the District Council to offer their comments and concerns on these proposed changes.

Councillor Dodd also asked whether the Executive Member accepted that, although the District Council did not always agree with the decision of the Planning Appeals Directorate, it was a better system than what was now proposed, where it appeared that the District Council would, in future, be judge and jury on both planning applications and the appeal system. He suggested that this must be unacceptable to the Planning Authority and the general public at large.

In response, the Executive Member for Planning Policy and Transport confirmed that he was aware of the proposed changes and had discussed its implications with Officers. There were various proposals that had been outlined in the Planning White Paper, issued in May 2007, which had been subject of reports to Members. He reminded Council of the Member briefings held in August 2007.

The Executive Member referred to other proposals as well, such as permitted development rights and fees and charges. It was unclear at this stage, when more detailed proposals would come forward for consultation. He understood that the Government's proposals would only impact on a small proportion of minor applications, but as yet, it was unclear what the Government had defined as minor. It appeared that, as the Government intended to alter the provisions around permitted development rights, there would be fewer minor applications.

The Executive Member referred to the significant debate within the local government community on the proposed local member review bodies and the impact on local authorities. He commented on the proposed fee structure and suggested that more flexibility was needed. He reminded Members of other Government initiatives that had

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not been fully funded.

In response to a supplementary question, the Executive Member stated that there were too many ill-defined variables to be able to determine the costs at this stage. He reassured Members that changes would not be accepted without full funding being provided.

Councillor J O Ranger asked the Executive Member for Resources and Internal Support for an update on the current position with the review of working arrangements.

In reply, the Executive Member for Resources and Internal Support stated that the project group had considered Paragon's findings, which had included the outcome of the staff survey. The findings had revealed that 40% of desks were unoccupied at any given time. The project group had accepted two fundamental principles for the progress of the review. Firstly, the provision of one desk for one member of staff was unsustainable. Secondly, the opportunities for remote and home working should be explored further.

The Executive Member referred to the ongoing discussions with the leaseholder of The Causeway offices and stated that a surrender of the lease for redevelopment was a possibility. He reiterated the commitment to maintain a customer facing presence and civic space in Bishop's Stortford.

Councillor D Clark referred to a previous question she had asked on 9 January 2008, concerning plans to recruit a Head of Service for Human Resources, when the Leader had said yes. On 20 February 2008, she had asked when the Leader expected to have a permanent Head in post. The Leader then responded that an announcement to Members was imminent. However, by 14 April 2008, when this question was submitted, no such announcement had been made. She asked the Leader when Members could expect to have a permanent Head of People and Organisational Services in post.

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In reply, the Leader stated 6 May 2008.

Councillor D Clark asked a supplementary question on whether the Leader, given the lengthy period that part time cover arrangements had been in place, believed that these arrangements had been appropriate.

In reply, the Leader stated that he had been satisfied by the Chief Executive that suitable arrangements had been put in place.

Councillor N Clark referred to the Council's withdrawal, on 12 February 2008, of the enforcement notices relating to the Esbies site in Sawbridgeworth after the public inquiry had started. This had been a significant setback for the Sawbridgeworth community, which had petitioned for this enforcement action. He asked the Leader what the approximate total cost incurred by the Council had been in preparing for and holding this inquiry, including legal fees. He also asked whether the Council would be expected to reimburse costs incurred by other parties and if so, how much.

The Leader referred the question to the Executive Member for Community Safety and Protection. The Executive Member stated that this was a complex matter on which the Council had engaged planning consultants for this specialised area. These costs, which would have been met anyhow, together with the barrister that had been engaged, totalled £7,500.

In respect of the other parties' costs, one claim of £3,000 had been settled. Others had yet to be submitted, but when they were, these would be examined robustly. The Executive Member stated that the budget allocation had not been exceeded.

In response to a supplementary question, the Executive Member could not comment on when new enforcement notices would be served, but confirmed that they would.

ACTION631 REPORT OF THE EXECUTIVE

The Leader of the Council reported on the work of the Executive and presented the Minutes of the Executive meetings held on 25 March and 1 April 2008.

In respect of Minute 603 – East Herts Council Public Health Strategy, Councillor Mrs M H Goldspink moved, and Councillor A M Graham seconded, an amendment with the addition of the following recommendation:

“The Public Health Strategy 2008 – 13 be amended to include the topic of alcohol abuse.”

Councillor M H Goldspink expressed support for the Strategy, but believed that the important area of alcohol abuse should be included in the Strategy. She referred to relevant sections of the Strategy that dealt with healthy diet and the educational role the Council could play.

The Executive Member for Housing and Health opposed the amendment. He referred to the partnership approach in the Strategy and the role of the Council, which was primarily an educational one. Extensive consultation had been undertaken with partners in developing the Strategy, which had been highlighted as a model for other Authorities to follow.

The Leader believed that nobody would oppose the sentiment of the amendment. However, there were other ways in which this area was being dealt with. He cited the Community Safety Strategy, the role of the Local Strategic Partnership, the Alcohol free zone in Hertford and the work of the Licensing Committee in addressing alcohol abuse issues. It was not appropriate for the Council to undertake front end prevention work in this area. The Executive Member for Community Development, Leisure and Culture also referred to specific actions on alcohol harm in the Children and Young People’s Plan.

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He suggested that rather than amend the recommendations, the Executive Member for Housing and Health could be requested to discuss the practicalities with Officers.

Councillor A M Graham suggested that the Strategy could have included cross references to these other Strategies and actions.

Councillors Mrs M H Goldspink and A M Graham agreed to withdraw the amendment.

Council noted that the word “report” should be inserted before the word “now” in recommendation (A).

In respect of Minute 604 – Corporate Strategic Plan 2008 - 11, Councillor D Clark referred to the recent Direction of Travel Statement, which had indicated that sickness absence levels had risen and had raised concerns about capacity issues in human resources, audit and finance. She also referred to the latest risk assessment to be reported to the Audit Committee, which had indicated inadequate workforce planning. She asked the Leader what steps had been taken to improve workforce planning in order to meet the aspirations set out in the Corporate Plan.

In response, the Leader expressed his confidence in the aspirations set out in the Plan and the ensuing changes that would bring significant service improvements. He referred to the recent recruitment process for the Head of Organisational Development post and the calibre of the candidates involved. This had resulted from a joint procurement exercise with Hertfordshire County Council as part of the Pathfinder project.

In response to an additional question from Councillor D Clark, the Leader confirmed that the appointment of the Head of Organisational Development was on a full time basis and that the aspirations in the Corporate Plan were realistic.

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Councillor N Clark queried whether the Plan was a complete document as the Executive had recommended a version that contained some gaps, such as the procurement section.

In reply, the Leader stated that the procurement element was not significant and that, should Members approve the Plan, authority to make final non-material amendments would be delegated to the Chief Executive in consultation with the Leader.

In respect of Minute 606 – Issues arising from Scrutiny, Councillor R Taylor queried why the report to the Executive had not included reference to the Corporate Healthcheck, in which the Corporate Business Scrutiny Committee had supported restoration of the moat at Castle Gardens.

The Chairman of the Corporate Business Scrutiny Committee advised that this matter was scheduled to be reported to the next Executive meeting.

In response to Minute 607 – Castle Hall – St Andrews Street Car Park Pedestrian Bridges Improvements, Councillor N Clark sought clarification on when the Executive Member for Resources and Internal Support had become aware of the requirement for additional funds, given that the capital programme had only been agreed in February 2008.

In reply, the Executive Member confirmed that he had not been aware of this matter at the time that the capital programme had been agreed in February 2008.

Councillor N Clark asked whether the Executive Member had attended an Asset Management Sub-Group meeting on 28 January 2008. In reply, the Executive Member stated that, offhand, he could not recall.

In respect of Minute 608 – Operational and Strategic Risk Monitoring, the Leader, in response to a question from Councillor D Clark, confirmed that in relation to Operational Risk OR43 – Facilities Management, he had requested

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Officers to attend to this matter.

RESOLVED – that the Minutes of the Executive meetings held on 25 March and 1 April 2008, be received, and the recommendations contained therein, be adopted.

632 MINUTES OF COMMITTEES

(A) DEVELOPMENT CONTROL COMMITTEE
– 13 FEBRUARY 2008

RESOLVED – that the Minutes of the Development Control Committee meeting held on 13 February 2008, be received.

(B) ENVIRONMENT SCRUTINY COMMITTEE
– 26 FEBRUARY 2008

RESOLVED – that the Minutes of the Environment Scrutiny Committee meeting held on 26 February 2008, be received.

(C) DEVELOPMENT CONTROL COMMITTEE
– 12 MARCH 2008

Council noted that the Committee had since approved an amendment to the narrative of Minute 574 – Application 3/07/2674/FP.

RESOLVED – that the Minutes of the Development Control Committee meeting held on 12 March 2008, be received.

(D) CORPORATE BUSINESS SCRUTINY
COMMITTEE – 18 MARCH 2008

In respect of Minute 592 - Corporate Healthcheck Monitoring, Council noted that the moat was at The Castle Gardens and not Grounds.

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RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 18 March 2008, be received.

The meeting closed at 8.19 pm

Chairman
Date

Nps\Council\Minutes 16 Apr 2008