

MINUTES OF THE ANNUAL MEETING  
 OF EAST HERTS COUNCIL HELD IN  
 THE COUNCIL CHAMBER,  
 WALLFIELDS, HERTFORD ON  
 WEDNESDAY 13 MAY 2009 AT  
 7.30 PM

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PRESENT: Councillor S A Bull (Chairman).  
 Councillors M R Alexander, D Andrews,  
 W Ashley, P R Ballam, K A Barnes, A L Burlton,  
 Mrs R Cheswright, D Clark, N Clark,  
 R N Copping, J Demonti, A D Dodd, R Gilbert,  
 A M Graham, P Grethe, L O Haysey, J Hedley,  
 Mrs D L E Hollebon, Mrs D M Hone, 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, R Radford, J O Ranger,  
 P A Ruffles, S Rutland-Barsby, G D Scrivener,  
 J J Taylor, R I Taylor, M J Tindale, A L Warman,  
 J P Warren, N Wilson, M Wood, C Woodward,  
 B Wrangles.

OFFICERS IN ATTENDANCE:

Anne Freimanis	- Chief Executive
Simon Drinkwater	- Director of Neighbourhood Services
Philip Hamberger	- Programme Director of Change
Jeff Hughes	- Head of Democratic and Legal Support Services
Martin Ibrahim	- Senior Democratic Services Officer
Lorraine Kirk	- Senior Communications Officer
Alan Madin	- Director of Internal Services
George A Robertson	- Director of Customer and Community Services

## 1 CHAIRMAN'S REMARKS

The Chairman (Councillor Mrs D L E Hollebon) opened the meeting by referring to the recent sad news that Catherine Whitbourn had passed away. Members stood and observed a minute's silence in her memory.

The Chairman advised of her activities since the previous meeting. These included the outstanding achievements of young people in the YOPEY awards and the "Dance it Up" competition. She highlighted the "Bring a £1 to work" day and urged Members to support this worthy cause.

She referred to the Chairman's Celebration Dinner held at Paradise Wildlife park and advised that approximately £5,000 had been raised in support of Isobel Hospice. Overall for the year, she advised that, subject to finalising the exact figure, over £10,500 had been raised.

The Chairman referred to the highlights of her year as Chairman, in which she had had the pleasure of meeting people from all walks of life. In particular, she reminded Members of her Civic Dinner, Service and Awards, the Pop Luck competition and her afternoon tea with the Town Mayors. She had attended over 150 events throughout the year and thanked the Vice-Chairman and the Honorary Aldermen for their support. In particular, she thanked Honorary Alderman John Sartin for his valuable support in representing the District.

Finally, the Chairman thanked Officers for their support, in particular, Pam Archer and Francesca Dust, and the Reverend Anne Donaldson.

Councillors A P Jackson, M Wood and K A Barnes each paid tribute to the Chairman.

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Councillor A P Jackson thanked the Chairman for her dedication and hard work in her role. He referred to the pleasure that the Chairman had taken from the various activities she had undertaken, especially in those involving young people.

Councillor M Wood referred to colleagues in other Authorities who had informed him of the enthusiasm that the Chairman had displayed in flying the flag for East Herts and raising its profile.

Councillor K A Barnes echoed these sentiments and thanked the Chairman for her hard work throughout the year.

Finally, Councillor S A Bull thanked the Chairman for her support to him as Vice-Chairman and presented her with a bouquet of flowers and a small gift for her husband.

## 2 ELECTION OF CHAIRMAN OF THE COUNCIL

It was moved by Councillor M R Alexander and seconded by Councillor A P Jackson that Councillor S A Bull be elected Chairman of the Council to hold office for the civic year 2009/10.

After being put to the meeting and a vote taken, Councillor S A Bull was elected Chairman of the Council for the civic year 2009/10.

RESOLVED - that Councillor S A Bull be elected Chairman of the Council and hold office for the civic year 2009/10.

The Chairman made the statutory Declaration of Acceptance of Office, and took the Chair.

ACTION3 APPOINTMENT OF VICE-CHAIRMAN OF THE COUNCIL

It was moved by Councillor W Ashley and seconded by Councillor M R Alexander that Councillor A D Dodd be appointed Vice-Chairman of the Council to hold office for the civic year 2009/10.

After being put to the meeting and a vote taken, Councillor A D Dodd was elected Vice-Chairman of the Council for the civic year 2009/10.

RESOLVED - that Councillor A D Dodd be appointed Vice-Chairman of the Council and hold office for the civic year 2009/10.

The Vice-Chairman made the statutory Declaration of Acceptance of Office. He thanked Members and spoke of the honour in supporting Councillor S A Bull.

4 MINUTES

Councillor D Clark referred to Minute 661 and the element that related to Implications of the Changing the Way We Work Programme (Options for The Causeway Offices Site). She proposed an amendment to the 9<sup>th</sup> paragraph as follows:

1<sup>st</sup> bullet point – add after “costs”, “and whether it was reasonable for Council to make a decision without this information”

Add 6<sup>th</sup> bullet point – “the need to make a rapid decision, without any significant scrutiny.”

Councillor D Clark reminded Members that she had tabled 12 questions in writing.

The Executive Member for Resources and Internal Support did not dispute that these questions were asked, but commented that the purpose of the Minutes was to provide a

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summary of the meeting and not to be a verbatim record of everything that was said.

After being put to the meeting, and a vote taken, the proposed amendment was declared LOST.

Council approved the Minutes of the meeting held on 25 March 2009 as a correct record.

RESOLVED – that the Minutes of the Council meeting held on 25 March 2009, be approved as a correct record and signed by the Chairman.

(Note – Councillor D Clark and N Clark asked that their dissent from this decision be recorded.)

5 CHAIRMAN'S ANNOUNCEMENTS

The Chairman (Councillor S A Bull) thanked Members for electing him and undertook not to let anybody down.

He paid tribute to the outgoing Committee Chairmen and congratulated the new Members who were scheduled to be appointed. In particular, he paid tribute to Councillor R Gilbert, who had chaired the Development Control Committee for 7 years.

He advised that Isobel Hospice would be his chosen charity and asked Members to support the forthcoming garden party organised by Councillor L O Haysey.

The Chairman invited Councillor L O Haysey to comment on the Hertfordshire Youth Games. She was delighted to advise Council of East Herts youngsters' success in winning the overall prize. The girls were overall winners and the boys came second.

The Chairman commented on those Members who had not returned their Related Party Transactions form for 2008/09. He reminded those Members to complete and return the

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form to Officers as soon as possible.

Finally, the Chairman invited Members and Officers to join him for some light refreshment after the meeting.

## 6 MEMBERS' QUESTIONS

Councillor N Clark stated that in March 2008, Councillor Jackson had told Council that a review of members' allowances "would be undertaken shortly." In February 2009, the Leader had stated at Full Council that the Independent Remuneration Panel (IRP) was scheduled to meet on 19 March 2009. After that Council meeting, it became apparent that there were not enough members on the Panel to meet the statutory requirements and no firm meeting date had been set. On 25 March 2009, a paper to appoint new members to the IRP was withdrawn at the last minute. People were fed up of delays and excuses from politicians trying to maintain their generous allowances from the public purse. He asked the Leader if he could give Council and, more importantly, residents a firm deadline for addressing members' allowances.

In response, the Leader advised that Officers were expecting to complete the second round of interviews by 18 May, after which there would be a clearer idea of the timetable for the review to take place.

Councillor N Clark asked a supplementary question on whether the Leader would be making his representations to the IRP available to the public.

In reply, the Leader stated that the IRP would be convened and would receive a number of representations, on which it would draw its own conclusions.

Councillor D Clark referred to the Constitution Member/Officer Protocols Working Group (which had comprised two Conservative members and one Liberal Democrat, with officer support), where serious consideration had been given to a proposal that, with the exception of the

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Leader of the largest opposition group, Members should be limited to asking only one question at Council. Having had the benefit of notice, allowing him time to make enquiries, she asked the Leader if he could tell Council whether this proposal had been first suggested by an Officer or a Member.

In reply, the Leader referred the question to the Executive Member for Resources and Internal Support.

The Executive Member for Resources and Internal Support stated that the suggestion had come from a Member.

Councillor D Clark asked a supplementary question on whether the Administration was embarrassed or scared to answer the questions she had asked on The Causeway offices' proposals at the previous meeting.

In reply, the Executive Member commented that this had nothing to do with the original question. In respect of this, he believed that, as the responsible portfolio holder, it was justifiable for the group to consider the issue of questions. He had noted that at the last 7 Council meetings, 2 Members had asked 21 questions between them, which had been more than the rest of Council put together. He suggested that this had been excessive.

## 7 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 21 April and 5 May 2009.

The Leader referred to this meeting representing the mid point of this Council's four year cycle and as such, provided an opportunity to reflect on the achievements of the previous two years and to look forward to the remainder of the term.

He commented that the world was a different place from two years ago and referred to the context in which the Council now operated, that was, a reducing level of Revenue

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Support Grant, the need for increasing efficiencies and the threat of capping. Against this background, the Council had achieved efficiency savings which had enabled only moderate Council Tax increases in a worsening economic climate.

In helping local residents to deal with the recession, the Council had pursued many initiatives involving the Benefits, Economic Development and Housing Options teams. These included encouraging local businesses, e.g. Shop Local campaign. The Council had also introduced discounted Smartcards to assist car park users.

The Leader reminded Council of its community leadership role and the importance of engaging with partners, which had been clearly demonstrated in the development of the Rhodes Arts Complex. He referred to various partnership arrangements and the achievements and progress that had been made in:

- leisure provision;
- health;
- recycling;
- Bishop's Stortford 2020;
- The Causeway offices site;
- community safety; and
- preventing post office closures.

The Leader commented on the achievements of young people in the District at the Youth Games and the Pop Luck and Dance It Up competitions and referred to the importance of engaging with young people.

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He believed that despite the hardships endured by some people in the current economic climate and the need to remain vigilant, East Herts was better placed than others. The Leader looked forward to ongoing initiatives and future developments and highlighted the further work that would be undertaken over the next two years.

The Leader commented on how others viewed the Council and referred to the outcome of the Direction of Travel Statement, the Use of Resources score, the Investors in People assessment and the Staff Survey. These had produced positive outcomes and had demonstrated the progress the Council was making.

Finally, the Leader thanked staff for their continued commitment to further service improvements.

In response, Councillor M Wood, on behalf of his Group, expressed his belief that whilst there had been some good achievements, there had also been some negatives. He commented that the Council's best efforts to minimise Council Tax levels had not been helped by other precepting Authorities, such as the Police Authority.

He welcomed the forthcoming recycling developments and expressed regret that they could not have commenced earlier. In respect of the decisions taken on The Causeway offices, he believed that this had gone down badly with residents and that Bishop's Stortford was being marginalised.

Councillor M Wood hoped that the success of the Rhodes Arts Complex could be repeated with any planned developments for Castle Hall. In respect of the leisure developments at Grange Paddocks and Hartham, he thanked the Executive for taking on board the input made by his Group. Councillor Wood concluded by thanking also staff for their continued efforts.

Councillor K A Barnes, on behalf of his Group, shared

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Councillor M Wood's view that there had been some positives and negatives. He commented that his Group had received much positive feedback from residents. He also thanked staff for their hard work.

In respect of Minute 735 – East Herts Asset Management Strategy and Asset Management Plan 2008-12, Councillor N Clark commented that he had not received any answers to the questions he had raised on this matter. He quoted the report to the Executive which stated that the property investment and disinvestment decisions for the C3W programme had been the subject of a full options appraisal by external consultants in 2008. He requested that the record should reflect his view that the headline figures provided to the Executive in July 2008 could not constitute a full options appraisal by external consultants on the decision to invest in Wallfields as the Council's main office base and that a detailed business case to support the investment in Wallfields and the financial benefits of C3W was still awaited.

Councillor N Clark also referred to the recent investment in leisure facilities and commented that these had not been subject to a full options appraisal by independent external consultants as required by the Asset Management policy.

RESOLVED – that the Minutes of the Executive meetings held on 21 April and 5 May 2009, be received, and the recommendations contained therein, be adopted.

8 ANNUAL REPORT OF THE SCRUTINY CHAIRMEN

Councillor J O Ranger presented the Annual report of the Scrutiny Chairmen and asked Members to receive the report.

Councillor N Clark commented that the Annual report showed some good work had been done and thanked the Scrutiny Officer for her efforts. However, he believed that serious failures in the process had undermined any progress

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that might have been made following the decisions not to scrutinise the final award of the leisure contract and the options for The Causeway site.

Council agreed to receive the report.

RESOLVED – that the Annual report of the Scrutiny Chairmen be received.

9 MINUTES OF COMMITTEES

(A) AUDIT COMMITTEE – 31 MARCH 2009

The Committee Chairman thanked Members and Officers, in particular, Lorraine Blackburn, for their support.

RESOLVED – that the Minutes of the Audit Committee meeting held on 31 March 2009, be received.

(B) STANDARDS COMMITTEE – 1 APRIL 2009

RESOLVED – that the Minutes of the Standards Committee meeting held on 1 April 2009, be received.

(C) COMMUNITY SCRUTINY COMMITTEE  
– 7 APRIL 2009

The Committee Chairman thanked Members and Officers for their support.

RESOLVED – that the Minutes of the Community Scrutiny Committee meeting held on 7 April 2009, be received.

(D) DEVELOPMENT CONTROL COMMITTEE  
– 8 APRIL 2009

The Committee Chairman thanked Members for their support.

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RESOLVED – that the Minutes of the Development Control Committee meeting held on 8 April 2009, be received.

(E) CORPORATE BUSINESS SCRUTINY  
COMMITTEE – 14 APRIL 2009

The Committee Chairman thanked Members for their support.

RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 14 April 2009, be received.

(F) HUMAN RESOURCES COMMITTEE –  
15 APRIL 2009

The Committee Chairman thanked Members and Officers for their support.

RESOLVED – that the Minutes of the Human Resources Committee meeting held on 15 April 2009, be received.

(G) DEVELOPMENT CONTROL COMMITTEE  
– 6 MAY 2009

RESOLVED – that the Minutes of the Development Control Committee meeting held on 6 May 2009, be received.

10 REVIEW OF THE COUNCIL'S DECISION-MAKING  
STRUCTURE

The Head of Democratic and Legal Support Services submitted a report reviewing the Council's decision-making structure.

He advised that the position in respect of Committees and political groups had changed since the previous review, in

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that a vacancy had arisen following the resignation of Councillor W Quince.

Council noted the nominations of each political group to the seats on main committees as detailed in the papers tabled at the meeting.

Councillor D Clark objected to the allocation of two committee seats to a vacancy.

Council approved the recommendations as now detailed.

RESOLVED - that (A) the following Scrutiny Committees, Regulatory Committees and Joint Member Panel be appointed, with the number of voting Members stated:

Community Scrutiny	10
Corporate Business Scrutiny	10
Environment Scrutiny	10
Development Control	16
Licensing	15
Human Resources	7
Audit	7
Highways Joint Member Panel (6 from Hertfordshire County Council 6 from East Herts Council)	12

(B) the allocation of seats on the Committees and Panel in (A) above, be as follows:

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<u>Committee</u>	<u>Seats</u>	<u>Cons</u>	<u>Lib Dems</u>	<u>Ind</u>	<u>JW</u>	<u>Vacancy</u>	<u>Total</u>
Community Scrutiny	10	8	1	1	0	0	10
Corporate Business Scrutiny	10	8	1	0	1	0	10
Environment Scrutiny	10	8	1	1	0	0	10
Development Control	16	13	1	1	0	1	16
Licensing	15	13	1	1	0	0	15
Human Resources	7	5	1	0	0	1	7
Audit	7	6	0	0	1	0	7
Total	75	61	6	4	2	2	75

(C) the allocation of seats on the Highways Joint Member Panel (6) to political groups be as follows:

Cons            5

Lib Dem        1

(D) the membership of Scrutiny Committees, Regulatory Committees and the Highways Joint Member Panel be as set out in the papers tabled at the meeting, with Members being appointed in accordance with the wishes of the political groups to whom the seats on these bodies have been allocated;

(E) the number of Executive Members to be appointed to the Executive be 6, plus the Leader;

(F) the Council's Standards Committee be appointed for the ensuing civic year consisting of four

ACTION

independent members, four District Councillors (of whom one should be from each political party with four or more Members), one Town Council Member, two Parish Council Members and the following District Councillors be appointed:

Councillors R L Parker, P A Ruffles, J P Warren and M Wood

(G) the programme of Council meetings, as detailed at paragraph 8.1 of the report submitted, be approved;

(H) the Director of Internal Services be authorised to make changes in the standing membership of committees and panels in (A) above, in accordance with the wishes of the political groups to whom seats on these bodies have been allocated; and

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(I) the action to be taken by the Director of Internal Services, in consultation with the Leader, under delegated authority, concerning the appointment of representatives to outside bodies, be noted.

## 11 AMENDMENTS TO CONSTITUTION

The Monitoring Officer submitted a report reviewing the Constitution in the light of:

- the introduction of powers under the Local Government and Public Involvement in Health Act 2007 and in particular, the “Councillor Call for Action” (CCfA) provisions;
- the implications of regulations relating to the Police and Justice Act 2006; and
- proposed amendments relating to officer delegations on human resources matters.

ACTION

Council noted the implications of the new legislation and approved the amendments detailed in the report now submitted.

RESOLVED – that (A) the implications of the Local Government and Public Involvement in Health Act 2007 and the Police and Justice Act 2006, as now detailed, be noted;

(B) the protocol for Councillor Call for Action (CCfA), as detailed at Appendix ‘A14’, be approved for inclusion within the Council’s Constitution; MO

(C) the proposed amendments to the Officer delegations relating to human resources be approved; and MO

(D) the Monitoring Officer be authorised to amend the Constitution as necessary. MO

The meeting closed at 8.50 pm

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