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Your contact: Martin Ibrahim
Ext: 2173
Date: 13 February
2013

Chairman and Members of the
Council

cc. All other recipients of the Council
agenda

Dear Councillor

COUNCIL - 20 FEBRUARY 2013: SUPPLEMENTARY AGENDA NO 1

Please find attached the following reports which were marked "to follow" on the agenda for the above meeting:

7. Executive Report - 5 February 2013 (Pages 3 - 10)

To receive a report from the Leader of the Council and to consider recommendations on the matters below:

- (A) Treasury Management Statement and Annual Investment Strategy
Minute 575 refers
- (B) Capital Programme 2012/13 (revised) - 2015/16
Minute 576 refers
- (C) Fees and Charges 2013/14
Minute 577 refers
- (D) Service Estimates - Probable Outturn for 2012/13, Revenue Budget
2013/14
Minute 578 refers

(E) Consolidated Budget Report and 2013/14 – 2016/17 Medium Term Financial Strategy
Minute 579 refers

Note – Members are asked to bring their copy of the Executive agenda to the meeting.

8. Development Control Committee: Minutes - 6 February 2013 (Pages 11 - 22)

Chairman: Councillor S Rutland-Barsby

Please bring these papers with you to the meeting next Wednesday.

Yours faithfully

Martin Ibrahim
Democratic Services Team Leader
Democratic Services
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MEETING : COUNCIL
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 20 FEBRUARY 2013
TIME : 7.00 PM

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 5 FEBRUARY 2013, AT 7.00 PM

PRESENT: Councillor A Jackson (Chairman/Leader)
Councillors M Alexander, M Carver,
L Haysey, P Phillips and M Tindale.

ALSO PRESENT:

Councillors D Andrews, W Ashley,
E Buckmaster, G McAndrew, M McMullen,
P Moore, M Newman, T Page, M Pope,
J Ranger, C Rowley, P Ruffles and
N Symonds.

OFFICERS IN ATTENDANCE:

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| Simon Drinkwater | - Director of Neighbourhood Services |
| Martin Ibrahim | - Democratic Services Team Leader |
| George A Robertson | - Chief Executive and Director of Customer and Community Services |
| Adele Taylor | - Director of Finance and Support Services |

575 **TREASURY MANAGEMENT STATEMENT AND ANNUAL
INVESTMENT STRATEGY**

**The Executive Member for Finance submitted a report
setting out the 2013/14 Treasury Management Strategy
Statement and Minimum Revenue Provision Policy**

Statement together with the proposed Prudential Indicators. He highlighted the main changes in the Council's investment decisions over the previous year, namely the liquidation of the Scottish Widows (SWIP) funds and their reinvestment internally.

The Executive noted that the Audit Committee, at its meeting held on 23 January 2013, had received the report.

The Executive commended the proposals as now detailed.

RECOMMENDED – that (A) the 2013/14 Treasury Management Strategy Statement and Annual Investment Strategy and Prudential Indicators for East Herts Council be approved; and

(B) the Policy on Minimum Revenue Provision (MRP) be approved.

576 **CAPITAL PROGRAMME 2012/13 (REVISED) - 2015/16**

The Executive Member for Finance submitted a report setting out proposals for the Council's Capital Programme for 2012/13 (Revised) – 2015/16. The joint meeting of Scrutiny Committees, at their meeting held on 15 January 2013, had supported the proposals.

In referring to the proposed new schemes, the Executive Member highlighted the provisional IT investment item and advised that this would be subject to the submission of a business case later in the year.

The Executive commended the proposals as now detailed.

RECOMMENDED – that (A) the comments of the Joint Scrutiny Committees of 15 January 2013, be received; and

(B) the new Capital Programme for the period

2012/13 (revised) to 2015/16 as now submitted, be approved.

577 **FEES AND CHARGES 2013/14**

The Executive Member for Finance submitted a report setting out proposed fees and charges for 2013/14. The joint meeting of Scrutiny Committees, at their meeting held on 15 January 2013, had supported the proposals now detailed. The Executive Member advised Members that parking charges would be the subject of a separate report at the next Executive meeting.

Councillor N Symonds referred to the proposed 3% increase in bed and breakfast charges and the hardship this would cause to clients. The Executive Member undertook to discuss this further with Officers, and if necessary, revise the proposal at the next Council meeting.

The Executive commended the proposals as now detailed.

RECOMMENDED – that (A) the comments of the Joint Scrutiny Committees of 15 January 2013, be received; and

(B) the increases in fees and charges as detailed in Essential Reference Paper ‘B’ of the report submitted, be approved.

578 **SERVICE ESTIMATES - REVENUE BUDGET PROBABLE 2012/13 - ESTIMATE 2013/14**

The Executive Member for Finance submitted a report on the service estimates. The joint meeting of Scrutiny Committees, at their meeting held on 15 January 2013, had supported the proposals and also commented that the use of capital salaries should be reviewed in light of the changing balance between capital and revenue budgets. The Executive Member commented that

discussions with Officers on this matter were ongoing and that further opportunities would be reviewed.

The Executive Member advised of an error in the capital financing figures quoted in paragraph 2.14 of the report submitted, in that they were millions and not thousands.

In response to comments by the Executive Member for Health, Housing and Community Support on the valuable work of volunteers, the Executive Member for Finance proposed an amendment to the 2013/14 estimate for budget code CCC8 – Revenue Contributions & Grants to Voluntary Bodies, by increasing the amount from £10,040 to £20,000.

The Executive supported the proposals now detailed.

RECOMMENDED – that (A) the comments of the Joint Scrutiny Committees of 15 January 2013 be received;

(B) the probable Revenue Estimates for 2011/12 and the draft Revenue Estimates for 2012/13, as now submitted, be approved, subject to the amendment of budget code CCC8, as now detailed; and

(C) further consideration be given to reviewing the use of capital salaries in light of the changing balance between capital and revenue budgets.

579 **CONSOLIDATED BUDGET REPORT AND 2013/14 –
2016/17 MEDIUM TERM FINANCIAL STRATEGY**

The Executive Member for Finance submitted a report recommending the revenue budget for 2013/14. The joint meeting of Scrutiny Committees, at their meeting held on 15 January 2013, had supported the proposals now detailed.

The Executive Member referred to further changes that

had been made to the Medium Term Financial Plan (MTFP) since the joint meeting of Scrutiny Committees. These were detailed at paragraph 2.11 of the report now submitted. He detailed amendments to the budget summary at paragraph 2.21 of the report relating to Efficiency savings and the Planning contingency. He also reminded the Executive that the figures would need further amending to take account of the proposal on Grants to Voluntary Bodies agreed earlier (Minute 578 refers).

In respect of earmarked Reserves, the Executive Member made three specific proposals:

- the projected £165k underspend on staff turnover be earmarked to the Cost of Change reserve;
- any underspend on the New Homes Bonus (NHB) Priority spend be earmarked into a new and separate NHB reserve; and
- the projected £300k underspend on Recycling be earmarked into a new and separate Recycling reserve for potential capital and/or revenue spend on improvements to the service in 2013/14.

In response to a question by Councillor T Page on the use of reserves to meet the funding gap on council tax support, the Leader reminded Members of the need to be mindful that the Council's policy on this impacted on Hertfordshire County Council's funding as well. The Executive Member for Finance added that the Council had sought to spread the burden as widely as possible.

The Executive supported the proposals as now detailed.

RECOMMENDED - that (A) the comments and proposals of the joint meeting of Scrutiny Committees of 15 January 2013, be received;

(B) the probable outturn for 2012/13 be approved

and it be agreed that any variation at outturn showing an improved position against the under spending now reported, be put to the cost of change reserve;

(C) additional earmarked reserves, as now detailed, be approved;

(D) the revenue budget for 2013/14, as now detailed, be approved;

(E) the Medium Term Financial Plan to 2016/17, as now submitted, be approved; and

(F) there to be no increase in council tax for 2013/14 and 2014/15.

580 MINUTES

RESOLVED – that the Minutes of the Executive meeting held on 8 January 2013, be approved and signed by the Leader as a correct record.

581 ISSUES ARISING FROM SCRUTINY

The Executive received a report detailing those issues referred to it by the Scrutiny Committees. Issues relating to specific reports for the Executive were considered and detailed at the relevant report of the Executive Member.

RESOLVED – that the report be received.

582 MONTHLY CORPORATE HEALTHCHECK - DECEMBER 2012

The Leader of the Council submitted an exception report on finance and performance monitoring for December 2012.

RESOLVED – that (A) the budgetary variances set out in paragraph 2.1 of the report be noted;

(B) £5000 in respect of a “web front page template” to be funded from an underspend in the external customer services security budget, as detailed at paragraph 2.5 of the report submitted, be approved;

(C) £34,750 of the Local Strategic Capital Grants budget be re-profiled from 2013/14 into 2012/13, as detailed at paragraph 2.23 of the report submitted;

(D) £45,020 of the Footbridge over the River Stort capital budget be re-profiled from 2012/13 into 2013/14, as detailed at paragraph 2.24 of the report submitted; and

(E) £15,480 of the North Drive-reconstruct road and drainage capital budget be re-profiled from 2012/13 into 2013/14; as detailed at paragraph 2.25 of the report submitted.

The meeting closed at 7.48 pm

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| Chairman | |
| Date | |

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MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 6 FEBRUARY 2013, AT 7.00
PM

PRESENT: Councillor S Rutland-Barsby (Chairman).
Councillors M Alexander, D Andrews, S Bull,
A Burlton, Mrs R Cheswright, G Jones,
G Lawrence, P Moore, M Newman,
N Symonds and B Wrangles.

ALSO PRESENT:

Councillors W Ashley, P Ruffles and
G Williamson.

OFFICERS IN ATTENDANCE:

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| Tom Ayres | - Senior Planning Officer |
| Nicola Beyer | - Senior Planning Officer |
| Glyn Day | - Principal Planning Enforcement Officer |
| Simon Drinkwater | - Director of Neighbourhood Services |
| Peter Mannings | - Democratic Services Officer |
| Kevin Steptoe | - Head of Planning and Building Control Services |
| Alison Young | - Development Control Manager |

583 APOLOGIES

Apologies for absence were submitted on behalf of Councillors E Bedford and T Page. It was noted that Councillors N Symonds and B Wrangles were in attendance as substitutes for Councillors T Page and E Bedford respectively.

584 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded Members of the importance of attending the next scheduled training session on 27 February 2013, at 5.15 pm, in Room 27, Wallfields, Hertford. Officers would be providing Members with a number of important updates to legislation.

585 DECLARATIONS OF INTEREST

Councillors M Alexander and P Moore declared disclosable pecuniary interests in application 3/12/1632/FO, in that they were Board Members for Riversmead Housing Association and this housing association was likely to have an interest in part of the site. They left the room whilst this matter was considered.

Councillors D Andrews and S Bull declared disclosable pecuniary interests in application 3/12/1860/FP, in that they were Board Members for South Anglia Housing Association. They left the room whilst this matter was considered.

586 MINUTES – 9 JANUARY 2013

RESOLVED – that the Minutes of the meeting held on 9 January 2013 be confirmed as a correct record and signed by the Chairman.

587 3/12/1934/OP – RETIREMENT COMMUNITY COMPRISING OF: SHARED COMMUNAL FACILITIES INCLUDING SWIMMING POOL, GYMNASIUM, DAY CENTRE, THERAPY ROOMS AND RESTAURANT LOCATED IN A CENTRAL PURPOSE DESIGNED CARE AND MANAGEMENT FACILITY. SHARED EXTERNAL COMMUNAL FACILITIES INCLUDING TENNIS COURTS, BOWLING GREEN, BOULES, GARDENING AREA AND WOODLAND WALKING AREA. UP TO 144 C2 EXTRA CARE/ASSISTED LIVING UNITS. PUBLIC WOODLAND RECREATION AREA AND NEW ACCESS AT FORMER BRICKFIELDS, OFF COLE GREEN WAY, HERTFORD FOR MR L J ELMERMANN

Edward Wischhusen addressed the Committee against the application. Guy Wheatcroft spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/12/1934/OP, outline planning permission be refused for the reasons now detailed.

The Director referred Members to the comments detailed in the additional representations schedule. Members were referred in particular, to additional information regarding the highways issues on the site.

The Director advised that Officers had passed the additional information to Hertfordshire Highways for their consideration. Members were advised that Officers had felt there was no need to change the recommendation or the reasons for refusal.

The Chairman, as the local ward Member, stated that she had lived close to this site for 43 years and this site had been woodland and undulating grassland during that entire time. She emphasised that the site had gone back to nature and this situation was recognised in the National Planning Policy Framework (NPPF). Finally, she referred to the comprehensive planning reasons for refusal detailed in the very good report presented by Officers.

The Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/12/1934/OP, outline planning permission be refused for the reasons detailed in the report now submitted.

- 588 3/12/1632/FO – DEMOLITION OF EXISTING POLICE STATION BUILDINGS AND CONSTRUCTION OF 90 RESIDENTIAL FLATS AND 36 HOUSES, 80 BED HOTEL, 60 BED NURSING HOME, 2 RETAIL UNITS TOGETHER WITH UNDERGROUND AND OFF STREET PARKING (VARIATION OF APPROVED CONDITIONS OF CONSENTED APPLICATION 3/09/1728/FP TO ALLOW AMENDED LAYOUT) AT HERTFORD POLICE STATION, WARE ROAD, HERTFORD, SG13 7HD FOR BARRATT HOMES NORTH LONDON
-

The Director of Neighbourhood Services recommended that, subject to a deed of variation in respect of the unilateral undertaking dated 19 August 2011 to ensure that its requirements were properly related to this proposal, in respect of application 3/12/1632/FO, planning permission be granted subject to the conditions now detailed.

The Director referred Members to the comments detailed in the additional representations schedule. Members were reminded that this was a section 73 application to vary a condition on a planning application that had already been approved under reference 3/09/1728/FP.

Councillor B Wrangles expressed concerns in relation to the capacity of the local roads in the vicinity of this site. She also referred to the proximity of the site to Wheatcroft Junior School. Councillor Wrangles stated that both her and her fellow ward Councillor remained concerned in respect of the hotel element of the application.

In response to a query from Councillor A Burlton, the

Director confirmed that the previously approved requirements of the section 106 planning obligation agreement would still apply.

Councillor B Wrangles referred to policy ENV11 of the East Herts Local Plan Second Review April 2007, in relation to the protection of existing hedgerows and trees. She stated that there was a hedgerow that had been removed from the site.

The Director commented that this situation depended on whether the hedgerow was detailed on the plans as due for removal from the site. Members were advised that Officers would look into this and see what could be done if a hedgerow had been removed.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that, subject to a deed of variation in respect of the unilateral undertaking dated 19 August 2011 to ensure that its requirements were properly related to this proposal, in respect of application 3/12/1632/FO, planning permission be granted subject to the conditions detailed in the report now submitted.

589 3/12/1551/FP – CHANGE OF USE OF LAND FOR THE GRAZING OF HORSES AND THE ERECTION OF THREE STABLES INCORPORATING TACK STORE AND HAY/ FEED STORE ON A CONCRETE BASE AT LAND OFF BOURNE LANE, MUCH HADHAM, SG10 6ET FOR MRS C BETTS

Caroline Betts addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/12/1551/FP, planning permission be refused for the reasons now detailed.

The Chairman read out the comments of the local ward Member, Councillor M Carver. Councillor Carver had referred to the comments of Much Hadham Parish Council as well as the Officer's report, which he believed to be well balanced.

Councillor Carver was of the view that the location of the proposed development was the key issue for this application. Councillor Carver considered that the application would have a detrimental impact on this area of Much Hadham and the application should be refused.

Councillor D Andrews stated that, of the considerations which Officers has been asked to investigate further by Members, the only one that was relevant was the impact of the application on the character and appearance of the area. He stated that he continued to be supportive of this application and the scheme would not have a significant impact on the surrounding area.

Councillor Mrs R Cheswright referred to the previous concerns raised by Members on this application and believed that all of these had been resolved, in particular, the highways considerations and the provision of water.

Councillor D Andrews proposed and Councillor Mrs R Cheswright seconded, a motion that application 3/12/1551/FP be granted subject to conditions being delegated to Officers in consultation with the local ward Member.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee rejected the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/12/1551/FP, planning permission be granted subject to conditions being delegated to Officers in consultation with the local ward Member.

- 590 3/12/1906/FO – VARIATION OF CONDITION 14 OF PLANNING PERMISSION 3/04/0082/FP TO ALLOW THE REMOVAL OF 12 WOODEN POSTS ORIGINALLY ERECTED FOR LANDSCAPING PURPOSES AT FUSION COURT, BROADMEADS, WARE, SG12 9HS FOR FUSION MANAGEMENT CO (WARE) LTD
-

The Director of Neighbourhood Services recommended that, in respect of application 3/12/1906/FO, planning permission be granted subject to the conditions detailed in the report now submitted.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/12/1906/FO, planning permission be granted subject to the conditions detailed in the report now submitted.

- 591 3/12/1860/FP – DEMOLITION OF EXISTING TWO GARAGE BLOCKS AND ERECTION OF 2NO. TWO BEDROOM HOUSES TOGETHER WITH PRIVATE AMENITY SPACE AND CAR PARKING AT GARAGE SITE TO THE EAST OF FIRLANDS, BISHOP'S STORTFORD, CM23 3TA FOR SOUTH ANGLIA HOUSING
-

Keith Barnes, Linda Thomas and Jill Macklin addressed the Committee against the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/12/1860/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor N Symonds, as the local ward Member, referred to the resolution from Bishop's Stortford Town Council against this application. She referred to the sound condition of the existing garages on the site. She

also commented that, due to the existing parking problems at Firlands, refuse and emergency vehicles already experienced difficulties gaining access to this road.

Councillor Symonds emphasised that the application was out of keeping with the existing street scene and the Landscape and Conservation Officers had both recommended that the application should be refused.

Councillor A Burlton referred to the objections to the application from Bishop's Stortford Town Council and the Landscape and Conservation Officers. He referred to the parking problems in the vicinity of the site and stated that this application would exacerbate this problem for residents. He also stated the application should be refused.

Councillor P Moore stated that she was prepared to support this application for two new houses in this location. Councillor G Jones stated that the application would result in a loss of 15 car parking spaces in the form of garages and another 5 spaces would be lost in the form of on-street parking. He commented that this was unacceptable and the application should be refused.

Councillor M Newman referred to the logic behind the third condition detailed in the report. He stated this was to ensure that the number of vehicles that would be displaced onto the public highway was kept to a minimum in the interests of highway safety.

The Director advised that Officers had recommended approval on the basis that it continued to be an aspiration of the Authority to secure the provision of affordable housing in East Herts. The Director emphasised that unfortunately the parking problems that had been referred to were not uncommon in many areas across the District.

The Director advised that only part of the site was within the conservation area of Bishop's Stortford. Members

were advised that the parking surveys had indicated there was some capacity for additional on–street parking during the daytime and evenings.

The Director stressed that the reprovision of the garages ensured there would be no net loss of garage parking provision and Officers felt able to support this application. Members must now consider whether their concerns over the impact of the proposals in relation to parking provision were so significant as to justify a refusal of planning permission.

The Director advised that the Landscape Officer had not objected to the application on the basis of a loss of trees. The Officer had been more concerned in respect of frontage treatment and the retention of grass verges.

Councillor G Jones proposed and Councillor A Burlton seconded, a motion that application 3/12/1860/FP be refused on the grounds that the proposed development was contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework in respect of the loss of existing parking provision, which would increase the demand for on-street parking in an area where there was already significant demand and limited capacity. The application would therefore be harmful to the amenities of existing residents.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee rejected the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/12/1860/FP, planning permission be refused for the following reasons:

1. The proposed development would result in the loss of existing parking provision and thereby increase the demand for on-street parking in

an area where there is already significant demand and limited capacity. As a result the proposal would be harmful to the amenities of existing residents, contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007 and the National Planning Policy Framework.

Summary of Reasons of Decision

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012, East Herts Council has considered, in a positive and proactive manner, whether the planning objections to this proposal could be satisfactorily resolved within the statutory period for determining the application. However, for the reasons set out in this decision notice, the proposal is not considered to achieve an acceptable and sustainable development in accordance with the Development Plan and the National Planning Policy Framework.

592 E/12/0094/B – UNAUTHORISED ENGINEERING WORKS TO FORM A HARD STANDING AT WOODHILL FARM, STANSTEAD ROAD, GREAT AMWELL, SG12 9RN

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/12/0094/B, enforcement action be authorised on the basis now detailed.

Councillor M Newman commented on whether the appellant should have an opportunity to rectify the situation on this site prior to any enforcement action being taken. The Director advised that Officers had recommended a compliance period of two months before any enforcement action would be taken.

After being put to the meeting and a vote taken, the Committee accepted the Director's recommendation for

enforcement action to be authorised in respect of the site relating to E/12/0094/B on the basis now detailed.

RESOLVED – that in respect of E/12/0094/B, the Director of Neighbourhood Services, in conjunction with the Director of Finance and Support Services, be authorised to take enforcement action on the basis now detailed.

593 ITEMS FOR REPORTING AND NOTING

RESOLVED – that the following reports be noted:

- (A) Appeals against refusal of planning permission / non determination;
- (B) Planning Appeals lodged;
- (C) Planning Appeals: Inquiry and Informal Hearing dates; and
- (D) Planning Statistics.

The meeting closed at 8.07 pm

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| Chairman |
| Date |

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