

Public Document Pack

EAST HERTFORDSHIRE DISTRICT COUNCIL

NOTICE IS HEREBY GIVEN that a meeting of East Hertfordshire District Council will be held in the Council Chamber, Wallfields, Hertford on Wednesday 17th February, 2016 at 7.00 pm, for the purpose of transacting the business set out in the Agenda below, and you are hereby summoned to attend.

Dated this 5th day of February 2016

Jeff Hughes
Head of Democratic and
Legal Support Services

Note: Prayers will be said before the meeting commences. Those Members who do not wish to participate will be invited to enter the Chamber at their conclusion

AGENDA

1. Chairman's Announcements

To receive any announcements.

2. Minutes (Pages 7 - 12)

To approve as a correct record and authorise the Chairman to sign the Minutes of the Council meeting held on 27 January 2016.

3. Declarations of Interest

To receive any Members' declarations of interest.

4. Petitions

To receive any petitions.

5. Public Questions

To receive any public questions.

6. Members' questions

To receive any Members' questions.

7. Executive Report - 2 February 2016 (Pages 13 - 22)

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

(A) Budget Report and MTFP 2016/17 – 2019/20

Minute 538 refers

(B) Treasury Management Strategy and Annual Investment Strategy 2016/17

Minute 539 refers

(C) Great Amwell Conservation Area Appraisal and Management Plan

Minute 540 refers

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

8. Development Management Committee: Minutes - 3 February 2016

Chairman: Councillor D Andrews (to follow)

9. Joint Meeting of Scrutiny Committees: Minutes - 9 February 2016

Report (to follow) - to consider recommendations on the matter below:

(A) Corporate Strategic Plan 2016/17 - 2019/20

10. Members' Allowances Scheme - Report of the Independent Remuneration Panel

To consider a report (to follow) of the Head of Democratic and Legal

Support Services.

11. Motion of Censure

To consider a report (to follow) of the Monitoring Officer.

12. Motions on Notice

To receive Motions on Notice.

DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.

2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.

3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.

4. It is a criminal offence to:

- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
- participate in any discussion or vote on a matter in which a Member has a DPI;
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

Audio/Visual Recording of meetings

Everyone is welcome to record meetings of the Council and its Committees using whatever, non-disruptive, methods you think are suitable, which may include social media of any kind, such as tweeting, blogging or Facebook. However, oral reporting or commentary is prohibited. If you have any questions about this please contact Democratic Services (members of the press should contact the Press Office). Please note that the Chairman of the meeting has the discretion to halt any recording for a number of reasons, including disruption caused by the filming or the nature of the business being conducted. Anyone filming a meeting should focus only on those actively participating and be sensitive to the rights of minors, vulnerable adults and those members of the public who have not consented to being filmed.

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MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 27 JANUARY 2016, AT 7.00
PM

PRESENT: Councillor P Moore (Chairman).
Councillors D Abbott, A Alder, M Allen,
D Andrews, P Ballam, R Brunton, K Brush,
E Buckmaster, S Bull, J Cartwright, M Casey,
Mrs R Cheswright, B Deering, I Devonshire,
H Drake, J Goodeve, B Harris-Quinney,
L Haysey, R Henson, Mrs D Hollebon,
A Jackson, G Jones, J Jones, G McAndrew,
M McMullen, W Mortimer, T Page, P Phillips,
M Pope, S Reed, P Ruffles, S Rutland-
Barsby, Snowdon, S Stainsby, R Standley,
M Stevenson, N Symonds, J Taylor,
K Warnell, G Williamson and J Wyllie.

OFFICERS IN ATTENDANCE:

Jeff Hughes	- Head of Democratic and Legal Support Services
Martin Ibrahim	- Democratic Services Team Leader
Adele Taylor	- Director of Finance and Support Services
Liz Watts	- Chief Executive

527 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Members to the meeting and reminded everyone that the meeting was being webcast.

The Chairman advised with regret that former Councillor Mary Sapsford had passed away earlier this month. She had

served on the Council from 1991 – 2003 representing Ware Trinity ward. As a mark of respect, Members stood and observed a minute's silence.

The Chairman informed Members that invitations for the Civic Dinner on 19 March 2016, would be issued shortly. She also updated Members on the preparations for the "East Herts Got Talent" event and asked Members to provide whatever support they could.

Finally, the Chairman invited Chief Inspector Gerry McDonald to make a brief statement on the recent police operation relating to drug offences. The Chief Inspector provided an update on a recent operation that had resulted in 20 arrests for various drug offences. He outlined the extensive work involved in the operation and the positive impact this had had on crime statistics in the East Herts area. He thanked the Council for their continued support and work in partnership with the police.

The Leader thanked the Chief Inspector and his staff for their contribution to making East Herts an exceptionally safe place to live and work in.

528 MINUTES

RESOLVED – that the Minutes of the Council meeting held on 16 December 2015, be approved as a correct record and signed by the Chairman.

529 EXECUTIVE REPORT - 5 JANUARY 2016

RESOLVED – that the Minutes of the Executive meeting held on 5 January 2016 be received.

(see also Minutes 530 – 532)

530 COMMUNITY INFRASTRUCTURE LEVY (CIL)

RESOLVED – that (A) the information contained in the report on the Community Infrastructure Levy be noted; and

(B) further analysis of CIL issues be undertaken, using additional resources if required.

(see also Minute 529)

531 VILLAGE HIERARCHY STUDY (DECEMBER 2015)

The Leader reminded Members that any errors noted in the Interim Study should be referred to the Planning Policy team by 29 January 2016 at latest.

RESOLVED – that the Interim Village Hierarchy Study be noted, with a decision on the final Study deferred until further consultation with relevant Parish Councils has taken place.

(see also Minute 529)

532 AUTHORITY MONITORING REPORT (AMR) 2014/15

RESOLVED – that the Authority Monitoring Report (AMR) 2014/2015 contained at Essential Reference Paper 'B' and 'C' to the report submitted, be agreed for publication.

(see also Minute 529)

533 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES - 6 JANUARY 2016

RESOLVED – that the Minutes of the Development Management Committee meeting held on 6 January 2016, be received.

534 HUMAN RESOURCES COMMITTEE: MINUTES - 13 JANUARY 2016

RESOLVED – that the Minutes of the Human Resources Committee meeting held on 13 January 2016, be received.

535 JOINT MEETING OF SCRUTINY COMMITTEES: MINUTES -
19 JANUARY 2016

RESOLVED – that the Minutes of the joint meeting of Scrutiny Committees held on 19 January 2016, be received.

536 AUDIT COMMITTEE: MINUTES - 20 JANUARY 2016

RESOLVED – that the Minutes of the Audit Committee meeting held on 20 January 2016, be received.

537 NATIONAL NON DOMESTIC RATES CALCULATION
2016/17

Council considered a report recommending the calculation of the National Non Domestic Rates Budget 2016/17. Under the provisions of the Non-Domestic Rating (Rates Retention) Regulations 2013, by a direction under paragraph 43 of schedule 7B of the Local Government Finance Act 1988, local authorities were required on or before 31st January to estimate and then notify the Secretary of State and any relevant precepting authorities of the amounts of each relevant precepting authority's share of its non-domestic rating income for the relevant year.

The Executive Member for Finance and Support Services detailed the calculations, which Council approved, as now detailed.

RESOLVED – that (A) in accordance with the Non-Domestic Rating (Rates Retention) Regulations 2013, the amount calculated by East Herts Council for the year 2016/17 shall be £44,466,980 (Non domestic rating income from rates retention scheme);

(B) the estimated Collection Fund Deficit for 2015/16 of £5,675,972 be allocated to the constituent bodies as detailed at paragraph 2.18 of the report submitted; and

(C) the Council's share of the estimated 2015/16

NDR Collection Fund deficit be funded from the
Collection Fund Reserve.

The meeting closed at 7.25 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 2 FEBRUARY 2016, AT 7.00 PM

PRESENT: Councillor L Haysey (Chairman/Leader)
Councillors E Buckmaster, A Jackson,
G Jones, G McAndrew, S Rutland-Barsby
and G Williamson.

ALSO PRESENT:

Councillors D Andrews, P Ballam, R Brunton,
K Brush, M Casey, M Freeman, J Goodeve,
J Jones, P Moore, T Page, M Pope and
P Ruffles.

OFFICERS IN ATTENDANCE:

Philip Gregory	- Head of Strategic Finance
Martin Ibrahim	- Democratic Services Team Leader
Adele Taylor	- Director of Finance and Support Services
David Thorogood	- Environmental Co-Ordinator
Liz Watts	- Chief Executive

538 BUDGET REPORT AND MTFP 2016/17 – 2019/20

The Executive considered a report setting out the Council’s budget proposals for 2016/17, which included:

- **the 2015/16 Revenue Budget Forecast Outturn;**
- **the 2016/17 Revenue Budget;**
- **the 2016/17 Schedule of Charges;**
- **the 2015/16 (Revised) to 2019/20 Capital**

- Programme;
- the Medium Term Financial Plan (MTFP) 2016/17 – 2019/20 ; and
- the Council's Reserves.

The Executive Member for Finance and Support Services emphasised that he was proposing a balanced budget that did not require any cuts in service or increase in council tax. It was noted that the Scrutiny Committees, at their joint meeting held on 19 January 2016, had supported the proposals without making any specific comment.

The Executive supported the proposals now detailed.

RECOMMENDED – that (A) the comments of the joint meeting of Scrutiny Committees be received;

(B) the 2015/16 Forecast Outturn as set out in Section 4 of the report submitted, including the proposed contributions to and from Reserves, be approved;

(C) the forecast 2015/16 revenue underspend transfer to the Transformation Reserve, as now detailed at paragraph 4.11 of the report submitted, be approved;

(D) the 2016/17 Revenue Budget, including:

- Budget Growth set out in Section 6, paragraph 6.2 of the report submitted;
- Budget Savings set out in Section 6, paragraph 6.3 of the report submitted;
- Contingency budget set in Section 8, paragraph 8.3 of the report submitted;
- use of Earmarked Reserves, as set out in section 9 of the report submitted;
- consideration of the advice from the Director of Finance & Support Services on the levels of reserves and robustness of the forecasts in setting the budget as required by Section

**25 of the Local Government Act 2003
(section 15);**

be approved;

(E) the proposed 2016/17 Schedule of Charges, as detailed at section 7 of the report submitted, be approved;

(F) the East Herts Council element of the Council Tax Demand, as now detailed in paragraph 11.3 of the report submitted, be approved;

(G) the Capital Programme for the period 2015/16 (Revised) to 2019/20, the funding of the programme and the consequential revenue budget implications as set out in section 12 of the report submitted, be approved;

(H) the Medium Term Financial Plan covering 2015/16 (Revised) to 2019/20 as set out in section 13 of the report submitted, be approved; and

(I) the Reserves Policy as set out in Section 14 of the report submitted, be approved.

539

TREASURY MANAGEMENT STRATEGY AND ANNUAL INVESTMENT STRATEGY 2016/17

The Executive Member for Finance and Support Services submitted a report seeking approval for the Treasury Management Strategy and Annual Investment Strategy for 2016-17 including the 2016-17 Prudential Indicators.

The Executive noted that the Scrutiny Committees, at their joint meeting on 19 February 2016, and the Audit Committee, at its meeting held on 20 January 2016, had supported the proposals without making specific comments.

The Executive supported the recommendations now detailed.

RECOMMENDED – that (A) the comments of the joint meeting of Scrutiny Committees and the Audit Committee be received;

(B) the Treasury Management Strategy and Annual Investment Strategy, as now submitted, be approved;

(C) the Prudential Indicators, as now submitted, be approved; and

(D) the counterparty and approved countries listing , as now submitted, be approved.

540 **GREAT AMWELL CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN**

The Executive Member for Development Management and Council Support submitted a report on the Great Amwell Conservation Area Appraisal following public consultation. She detailed the outcome of the public consultation in the report now submitted.

The Appraisal identified the special character of the Conservation Area together with the elements that should be retained or enhanced and those which detracted from the identified character. Once adopted by the Council, the Appraisal would become a ‘material consideration’ in the process of determining planning applications. It would also link into the development of neighbourhood planning.

The Executive Member also updated Members on the ongoing progress with other Conservation Area Appraisals and thanked Officers for their efforts.

The Executive supported the recommendations as now detailed.

RECOMMENDED – that (A) the responses to the public consultation be noted and the Officer

responses and proposed changes to the Great Amwell Conservation Area Appraisal be supported;

(B) authority be delegated to the Head of Planning and Building Control, in consultation with the Executive Member for Development Management and Council Support, to make any further minor and consequential changes to the Appraisal which may be necessary; and

(C) the Great Amwell Conservation Area Appraisal be adopted.

541 LEADER'S ANNOUNCEMENTS

The Leader welcomed Members and the public to the meeting and reminded everyone that the meeting was being webcast.

542 MINUTES

RESOLVED – that the Minutes of the Executive meeting held on 5 January 2016, be approved as correct record and signed by the Leader.

543 DECLARATIONS OF INTEREST

In respect of Minute 547 – Transfer of Freehold Interest of Waste Disposal site, Watermill Industrial Estate, Buntingford, Councillor G Williamson declared a disclosable pecuniary interest in that the matter involved his employer, Hertfordshire County Council. He left the chamber whilst the matter was considered.

544 ISSUES ARISING FROM SCRUTINY

The Executive received a report detailing those issues referred to it by the Scrutiny Committees, which were noted. 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.

545 FUEL POVERTY STRATEGY

The Executive Member for Health and Wellbeing submitted a report seeking the Executive's approval for a new Fuel Poverty Strategy. He advised of the publication in the previous year of the Fuel Poverty Strategy for England 2015, the guiding principles of which the proposed Strategy was based on. He detailed the potential range of local actions aimed at reducing fuel poverty within East Herts. The Executive Member highlighted that the Strategy was one of the first to be developed by a local authority following the publication of the new National Strategy.

The Environmental Strategy and Development Manager provided the latest update on the comments received in the consultation process. In response to various Members' comments and questions, the Environmental Strategy and Development Manager referred to advice on energy switching schemes and the Council's role in signposting residents to energy efficiency schemes, including grants for insulation works.

The Executive Member for Health and Wellbeing commented that, whilst the Council would continue to liaise with registered social landlords on their role in energy efficiency measures, most fuel poverty occurred in the private sector. Thus the Strategy was focused on this sector, where home insulation tended to be more inefficient.

In response to comments that the Strategy did not address the full extent of problems identified, the Leader reminded Members that this was one of the first such strategies to be developed by a local authority in the light of the publication of the Fuel Poverty Strategy for England 2015. As such, this would provide a platform to build on and develop further ideas. She suggested that the Strategy be monitored and reviewed by the Health and Wellbeing Scrutiny Committee in a year's time with any further actions identified being referred to the Executive for determination.

The Executive approved the recommendations now detailed.

RESOLVED - that (A) the draft Fuel Poverty Strategy for East Herts as appended to the report submitted, be approved;

(B) information on oil buying clubs as detailed in Challenge 6 action (d) of the draft Fuel Poverty Strategy be disseminated to all Parish Councils and local Members; and

(C) progress on the Fuel Poverty Strategy be considered by the Health and Wellbeing Scrutiny Committee in a year's time with any further required actions being reported to the Executive for determination.

546 REQUEST FOR AREA DESIGNATION FOR
NEIGHBOURHOOD PLANNING - HERTINGFORDBURY
PARISH

The Executive gave consideration to a report detailing an application by Hertingfordbury Parish Council for the designation of a Neighbourhood Area, as detailed on the plan attached to the report submitted.

The Executive considered the application and the consultation undertaken, including the comments on the proposed neighbourhood boundary that had been submitted. The report submitted detailed the main areas of consideration in determining the application in accordance with Schedule 9 of the Localism Act 2011.

The Leader commented on the objection made in respect of the inclusion of Panshanger Park and Birchall Garden Suburb sites within the neighbourhood plan area designation. She believed that the area designation should follow the parish boundary and reminded Members that this approach had been taken with previous applications for neighbourhood area designations.

The Executive supported the application.

RESOLVED - that the application for the designation of a Neighbourhood Area, submitted by Hertingfordbury Parish Council, be supported.

547 TRANSFER OF FREEHOLD INTEREST OF WASTE DISPOSAL SITE, WATERMILL INDUSTRIAL ESTATE, BUNTINGFORD

The Executive considered a report seeking approval to transfer the title deeds for the freehold interest of land at the Household Waste site, Watermill Industrial Estate, Buntingford to Hertfordshire County Council. The Council owned the title to part of the land that formed the household waste site which was managed and operated by the County Council. As the authority with responsibility for waste disposal the County Council had user rights to the land.

In response to Members' comments and questions, Officers confirmed that the land had no intrinsic value as the Council was prohibited from making alternative use of it for any other purpose than a waste site. This restriction on the use of the land would continue after the proposed transfer. Officers also confirmed that any contamination liabilities would also be transferred.

Officers undertook to respond to Councillor J Jones in respect of the ownership of the access road to the site.

The Executive approved the recommendation now detailed.

RESOLVED - that the title for the freehold interest in the Household Waste Site at Watermill Industrial Estate be transferred to Hertfordshire County Council on the terms detailed in the report now submitted.

548 EXCLUSION OF PRESS AND PUBLIC

RESOLVED – that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the discussion of Minute 549 on the grounds that it involved the likely disclosure of exempt information as defined in

paragraph 3 of Part 1 of Schedule 12A of the said Act.

549 SOUTHERN MALTINGS, WARE

The Executive Member for Finance and Support Services submitted a report seeking authority to grant a leasehold interest in the land and buildings known as Southern Malting, New Road, Ware. He detailed the action taken by Officers in considering the various options available, including the disposal of the freehold interest in the site.

In response to Members' comments and questions, the Executive Member acknowledged the risks as detailed in the report submitted, but that on balance, given the potential community benefits, there was merit in granting a lease to the Ware Arts Centre Ltd.

The Executive considered the options set out in the report submitted and approved the recommendation as now detailed.

RESOLVED - that, subject to agreeing mutually acceptable terms, the Council grants a 30 year lease in Southern Malting to Ware Arts Centre Ltd on the terms detailed in the report submitted.

The meeting closed at 7.58 pm

Chairman
Date

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