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 1st March, 2017 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 17th day of February 2017

Head of Legal and Democratic 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 - 18)

To approve as a correct record and authorise the Chairman to sign the Minutes of the Council meeting held on 14 December 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 - 7 February 2017 (Pages 19 - 28)

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

(A) Budget Report and MTFP 2017/18 - 2020/21

Minute 552 refers

Note – In respect of this matter, the provisions of The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, require that a recorded vote is taken on the matter.

(B) Treasury Management Strategy Statement 2017/18

Minute 553 refers

(C) Hertford Conservation Area Appraisal and Management Plan

Minute 554 refers

8. Development Management Committee: Minutes - 11 January 2017 (Pages 29 - 46)

Chairman: Councillor T Page

9. Joint meeting of Scrutiny Committees: Minutes - 17 January 2017 (Pages 47 - 54)

Chairman: Councillor M Allen

- 10. Proposed Changes to Scrutiny (Pages 55 72)
- 11. Council Tax 2017/18

To consider a report (to follow) of the Executive Member for Finance and

Support Services.

Note – In respect of this matter, the provisions of The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, require that a recorded vote is taken on the matter.

12. Motion of Censure (Pages 73 - 76)

To consider a report of the Monitoring Officer.

13. Appointment of Chief Financial Officer (Pages 77 - 82)

To receive a report of the Chief Executive.

14. 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.)

Public Attendance

East Herts Council welcomes public attendance at its meetings and will provide a reasonable number of agendas for viewing at the meeting. Please note that there is seating for 27 members of the public and space for a further 30 standing in the Council Chamber on a "first come first served" basis. When the Council anticipates a large attendance, an additional 30 members of the public can be accommodated in Room 27 (standing room only), again on a "first come, first served" basis, to view the meeting via webcast.

If you think a meeting you plan to attend could be very busy, you can check if the extra space will be available by emailing committee.services@eastherts.gov.uk or calling the Council on 01279 655261 and asking to speak to Democratic Services.

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 14 DECEMBER 2016, AT

7.00 PM

PRESENT: Councillor K Crofton (Chairman).

Councillors D Abbott, A Alder, M Allen,

D Andrews, P Ballam, P Boylan, R Brunton, E Buckmaster, M Casey, Mrs R Cheswright,

S Cousins, G Cutting, B Deering, I Devonshire, H Drake, M Freeman,

J Goodeve, L Haysey, R Henson, A Jackson,

G Jones, J Jones, J Kaye, G McAndrew, M McMullen, P Moore, T Page, M Pope,

S Reed, P Ruffles, S Rutland-Barsby, S Stainsby, R Standley, N Symonds,

J Taylor, K Warnell, G Williamson,

C Woodward and J Wyllie.

OFFICERS IN ATTENDANCE:

Philip Gregory - Head of Strategic

Finance and Property

Martin Ibrahim - Democratic Services

Team Leader

Tess Michaels - Legal and Democratic

Services Apprentice

Helen Standen - Director Adele Taylor - Director

Liz Watts - Chief Executive

Kevin Williams - Acting Head of Legal

and Democratic

Services

489 <u>CHAIRMAN'S ANNOUNCEMENTS</u>

The Chairman welcomed Members, Honorary Aldermen, Officers and the public to the meeting and reminded them that the meeting was being webcast. The Chairman advised that he had agreed to accept onto the agenda as an urgent item a late report relating to NNDR, which had been circulated as part of the supplementary agenda. This determination, if approved, would enable Officers to make the Authority's submission in January 2017 without the need for an extra Council meeting.

The Chairman referred to a short survey on refreshments that had been circulated in the chamber and asked Members to complete this and leave it on the table for collection at the end of the meeting.

He asked Members to note that Kevin Brush had tendered his resignation as a District Councillor and that the appropriate notice of a casual vacancy would be advertised in the next few days. On behalf of Members, he thanked him for his time serving residents of Hertford Castle ward.

The Chairman also advised Members that, following a draw, Councillors Mortimer and Page had been selected to attend a Royal Garden Party in 2017. Officers would be contacting the relevant Members with further details.

The Chairman thanked his Vice-Chairman for his continued support and highlighted the various events he had attended. In particular, he referred to the Remembrance Day event in Hertford and a visit to the Hertford Post Sorting Office. He also highlighted the launch of the "East Herts Got Talent" competition.

The Chairman read a letter from John Davis, of the Ware Arts Centre, thanking the Council for its continued support and the signing of a 30 year lease for the Arts Centre to take over the Southern Maltings.

Finally, the Chairman advised of a special announcement and invited Honorary Alderman Mike Carver to address the meeting.

Alderman Carver advised Council that Peter Ruffles had now completed 40 years as an East Herts District Councillor. He had also been a Town Councillor for 30 years and a County Councillor since 2001. Known locally as "Mr Hertford", he was a community champion second to none, devoted to serving the residents of Hertford. Alderman Carver referred to his passion for all things Hertford and the award of an MBE for his services to education. He presented him with a medal and a certificate.

Councillor P Ruffles thanked Alderman Carver and the Council.

490 MINUTES

<u>RESOLVED</u> – that the Minutes of the Council meeting held on 19 October 2016, be approved as a correct record and signed by the Chairman.

491 PETITIONS

Nicky Lawson, a resident of Park Road, Hertford, submitted a petition comprising 57 signatures requesting a resident parking zone. The petition read:

"As residents of Park Road, we are increasingly frustrated by the escalation of commuter parking. Commuters are parking in the bays as well as off road, ruining the grass verges, causing unnecessary inconvenience and stress on residents who come and go throughout the day. Park Road is very close to the town centre, is a short walk from Hertford East Station and with recent town planning due to considerably increase amenities in coming years, the problem will only worsen. We feel strongly that urgent consideration be taken for the installation of a Residents Parking Zone to alleviate the detrimental effect this issue is having on residents."

Ms Lawson referred to the problems residents faced with parking by commuters, sometimes across grass verges. She

believed that the current problems would be exacerbated by future planning developments in the area and on behalf of local residents, called for the introduction of a Residents Parking Zone (RPZ).

In response, the Executive Member for Economic Development thanked the petitioner and acknowledged the problems in this area, which he had been aware of for some time. He reminded Council of the review of RPZ policy he had instigated when taking over the parking portfolio and how the Parking Service now considered requests for RPZs.

492 PUBLIC QUESTIONS

Alderman Mione Goldspink, a resident of Bishop's Stortford, asked the Leader of the Council what action East Herts Council was planning to take in order to reduce the terrible level of air pollution at Hockerill crossroads in Bishop's Stortford.

In response, the Leader gave a very detailed reply. She explained that the Hockerill junction in Bishop's Stortford was one of three Air Quality Management Areas in East Herts subject to elevated levels of air pollution, principally nitrogen dioxide. She referred to the wider context of seeking to ease congestion and the need for robust partnership working with Hertfordshire County Council, national government and road users themselves.

The Leader believed the County Council's 'Towards Better Transport in Hertfordshire' plan was crucial and that East Herts Council had completed its actions in the County's latest update report published in 2014. She did not consider substantive junction improvements other than amendments to the phasing of the traffic lights as practicable nor was a parkand-ride scheme in the town.

The Leader advised that the District Council continued to play a pivotal enabling role by monitoring air quality at the crossroads, bringing together partner agencies and exploring new ideas to promote behaviour change, such as developing with the London Sustainability Exchange the 'Cleaner Air 4 Secondary Schools Toolkit' to help secondary school students better understand the impact of travel options on the environment. The Council had also made a bid to DEFRA that, if successful, would promote greater uptake of electric, low emission vehicles.

The Leader also referred to the national context where there had been a 5.4% increase in road usage. Curbing these emissions would require a joined-up national effort, such as the radical examples emerging globally, such as banning diesel vehicles, road charging and major investment in electric vehicle infrastructure.

The Leader commented that a Member task and finish group was currently looking at sustainable transport options and was due to report early in the new year. She detailed some of the options being explored.

The Leader stated that concerted action could have an impact and was encouraged that over the last three years, the nitrogen dioxide concentrations at Hockerill crossroads had decreased by 8.8%. However, further efforts were needed and to this end, in October 2016, key partners had come together to begin to thoroughly revisit what could be done to further reduce pollution locally. This officer group was expected to report early in the next financial year.

The Leader gave assurance that East Herts Council continued to support County colleagues, national government and road users themselves, to help find sustainable ways to further reduce air pollution at Hockerill crossroads and throughout the District.

In response to a supplementary question, the Leader advised that the suggestion for changing the phasing of the traffic lights at the junction could be taken up by County Members in Bishop's Stortford.

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493 MEMBERS' QUESTIONS

Question 1

Councillor R Henson commented that many residents in Sele had expressed concern about the impact on local street parking, following the closure of the Bridge House car park, which would affect residents in other parts of Hertford too. He asked the Executive Member for Economic Development if he would set out the measures being considered to help ensure that the impact on residents was as small as possible. He also asked if he agreed that Network Rail should play its part and work with the Council to find solutions to this challenge.

In reply, the Executive Member for Economic Development regretted the closure which had been outside of the Council's control. Officers had looked at alternative parking options in the vicinity, but much of the area was subject to parking controls, thus the negative impact on commuters. He further advised that talks with Govia Thameslink Railway were ongoing and various options were being explored. However, there was unlikely to be an immediate solution.

Question 2

Councillor P Ruffles asked the Chairman of the Environment Scrutiny Committee if he would provide information about his task and finish group looking into sustainable transport and give an update about progress so far. Given the very high figures for car ownership in the District, he wondered what alternatives were being considered and how members of the public could become involved to share their knowledge and expertise.

In response, the Chairman of the Environment Scrutiny Committee stated that two meetings had been held so far with evidence gathered from a number of expert witnesses. Further meetings were scheduled and the group would be reporting early in 2017. Any suggestions or ideas would be welcome and a specific email address had been set up and publicised to encourage public input.

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Question 3

Councillor B Deering commented on the acute pressure in relation to commuter parking at both Hertford North and Hertford East stations. Residential parking zones could have the unintended consequence of relocating parking pressures to other areas to the detriment of those local residents, or even reducing the total available car parking capacity, which could give rise to traffic management and safety issues. For example, commuters from Hertford East believe that many spaces reserved for residents in the nearby RPZ are empty during the day but still unavailable for others to use, which forces commuter parking into other streets and areas of the town. Elsewhere, there were schemes which permitted limited stranger parking in residential streets in RPZs. He asked the Executive Member for Economic Development if he could liaise with Officers to bring forward proposals that would enable more parking for commuters, thereby better safeguarding residents' parking requirements.

In reply, the Executive Member for Economic Development referred to the revised policy on RPZs that had been agreed in October 2015, which had included a number of actions relating to "shared use" parking. Officers were investigating and a report would be submitted in 2017. He acknowledged that this issue might be controversial in some areas but needed to be looked at as a way of achieving better efficiencies.

494 EXECUTIVE REPORT - 25 OCTOBER 2016

The Leader congratulated Councillor P Ruffles on his long service award. She commented on how busy 2016 had been and referred to the significant changes that had taken place. She thanked the staff for their continued hard work and commitment and pointed towards more challenges that would need to be faced in 2017. The Leader also referred to the resettlement of two Syrian refugee families and thanked Network Housing, the Refugee Council, Herts Welcomes Syrian Refugees and Alderman Mione Goldspink for their

efforts. Finally, she wished everyone a happy new year.

<u>RESOLVED</u> – that the Minutes of the Executive meeting held on 25 October 2016 be received.

(see also Minutes 495 - 499)

495 WALKERN CONSERVATION AREA CHARACTER APPRAISAL AND MANAGEMENT PLAN

<u>RESOLVED</u> – that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Walkern Conservation Area Character Appraisal and Management Proposals 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 document which may be necessary; and
- (C) the Walkern Conservation Area Character Appraisal and Management Proposals be adopted.

(see also Minute 494)

496 SUSTAINABILITY APPRAISAL OF THE STRATEGIC SPATIAL OPTIONS FOR THE WEST ESSEX AND EAST HERTFORDSHIRE HOUSING MARKET AREA, SEPTEMBER 2016

RESOLVED – that the Sustainability Appraisal of the Strategic Spatial Options for the West Essex and East Hertfordshire Housing Market Area as detailed at Essential Reference 'B' to the report submitted, be agreed as part of the evidence base to support the East Herts District Plan.

(see also Minute 494)

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497 EAST HERTS DISTRICT PLAN – INTERIM DUTY TO CO-OPERATE COMPLIANCE STATEMENT

<u>RESOLVED</u> – that the Interim Duty to Co-operate Compliance Statement be agreed in support of the Pre-Submission District Plan.

(see also Minute 494)

498 EAST HERTS DISTRICT PLAN – INTERIM CONSULTATION STATEMENT

<u>RESOLVED</u> – that the Interim Consultation Statement, as detailed at Essential Reference 'B' to the report submitted, be agreed as a companion document to the East Herts District Plan, Pre-Submission Version, 2016, for consultation purposes.

(see also Minute 494)

499 <u>AIR QUALITY PLANNING GUIDANCE, OCTOBER 2016</u>

<u>RESOLVED</u> – that the Air Quality Planning Guidance, October 2016, as now submitted, be agreed as guidance to inform Development Management decisions.

(see also Minute 494)

500 EXECUTIVE REPORT - 6 DECEMBER 2016

<u>RESOLVED</u> – that the Minutes of the Executive meeting held on 6 December 2016 be received.

(see also Minutes 501- 503)

501 BRAUGHING CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

RESOLVED – that (A) the responses to the public

consultation be noted and the Officer responses and proposed changes to the Braughing Conservation Area Character Appraisal and Management Proposals 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 document which may be necessary; and
- (C) the Braughing Conservation Area Character Appraisal and Management Proposals be adopted.

(see also Minute 500)

502 EXTERNAL AUDITOR APPOINTMENT

<u>RESOLVED</u> – that East Herts Council "opts in" to the appointing person arrangements made by Public Sector Audit Appointments (PSAA) for the appointment of External Auditors.

(see also Minute 500)

503 RISK MANAGEMENT STRATEGY - UPDATE

RESOLVED – that (A) the comments of Audit Committee be received: and

(B) the updated Risk Management Strategy, as now submitted, be approved.

(see also Minute 500)

504 DEVELOPMENT MANAGEMENT COMMITTEE

<u>RESOLVED</u> – that the Minutes of the Development Management Committee meetings held on 9 November and 7 December 2016, be received. C

505 HEALTH AND WELLBEING SCRUTINY COMMITTEE: MINUTES - 15 NOVEMBER 2016

<u>RESOLVED</u> – that the Minutes of the Health and Wellbeing Scrutiny Committee meeting held on 15 November 2016, be received.

506 AUDIT AND GOVERNANCE COMMITTEE: MINUTES - 23 NOVEMBER 2016

<u>RESOLVED</u> – that the Minutes of the Audit and Governance Committee meeting held on 23 November 2016, be received.

507 CORPORATE BUSINESS SCRUTINY COMMITTEE: MINUTES - 29 NOVEMBER 2016

<u>RESOLVED</u> – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 29 November 2016, be received.

508 CALCULATION OF COUNCIL TAX BASE 2017/18

The Executive Member for Finance and Support Services submitted a report recommending the calculation of the council tax base for the whole District and for each parish and town council for 2017/18.

Council approved the recommendations as now detailed.

<u>RESOLVED</u> – that (A) the calculation of the Council's tax base for the whole District, and for the parish areas, as now submitted for 2017/18, be approved; and

(B) pursuant to the report and in accordance with the Local Authorities (Calculation of Tax Base)
Regulations 2012, the amount calculated by East
Hertfordshire District Council as its council tax base for the whole area for 2017/18 shall be 58674.0 and for the parish areas as listed in Table 1 of the report submitted

for 2017/18.

509 NNDR1 - DELEGATION TO OFFICERS

The Executive Member for Finance and Support Services submitted a report seeking approval to delegate authority to Officers to ensure an appropriate approval process is in place for the setting of the National Non-Domestic Rates Budget for 2017/18 and future years. This would enable submission of the National Non-Domestic Rates (NNDR1) return to the Government and Hertfordshire County Council by the statutory deadline of 31 January 2017 without the need for additional Council meetings. The Executive Member explained that Officers would not be able to complete the submission until the end of year software release from Capita in late January 2017.

RESOLVED - that (A) authority to approve and submit the annual National Non-Domestic Rates (NNDR1) return to Central Government be delegated to the Section 151 Officer in consultation with the Executive Member for Finance and Support Services for 2017/18 and future years; and

(B) the delegation scheme in the Council Constitution be amended to reflect this authorisation and the Monitoring Officer be authorised to make the consequential textual amendments.

The meeting closed at 7.54 pm

Chairman	
Date	

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MINUTES OF A MEETING OF THE EXECUTIVE HELD IN THE COUNCIL CHAMBER, WALLFIELDS, HERTFORD ON

TUESDAY 7 FEBRUARY 2017, AT 7.00 PM

PRESENT: Councillor L Haysey (Chairman/Leader)

Councillors A Jackson, G Jones, G McAndrew, S Rutland-Barsby and

G Williamson.

ALSO PRESENT:

Councillors S Bull, M Casey, M Freeman,

J Goodeve, J Jones, P Kenealy,

M McMullen, T Page, M Pope and P Ruffles.

OFFICERS IN ATTENDANCE:

Philip Gregory -Head of Strategic

Finance and Property

Martin Ibrahim - Democratic Services

Team Leader

Tess Michaels -Legal and Democratic

Services Apprentice

Helen Standen - Director

Kevin Steptoe -Head of Planning and

Building Control

Services

Adele Taylor

-Director

Liz Watts

-Chief Executive

Kevin Williams -Acting Head of Legal

and Democratic

Services

552 **BUDGET REPORT AND MTFP 2017/18 – 2020/21**

The Executive Member for Finance and Support Services submitted a report which set out proposals in respect of:

- the 2016/17 revenue budget forecast outturn;
- the 2017/18 revenue budget;
- the 2017/18 Schedule of Charges;
- the 2016/17 (revised) to 2020/21 Capital Programme;
- the Medium Term Financial Plan 2017/18 2020/21; and
- the Council's Reserves.

He informed the Executive that the joint meeting of Scrutiny Committees, at its meeting held on 17 January 2017, had supported the budget proposals, which included a council tax rise of 2%.

In response to a question, the Head of Strategic Finance and Property assured Members that although the salaries budget appeared overspent, this had been caused by planned fixed term working on specific projects that had been funded from reserves. Officers continued to monitor salaries budgets carefully.

The Leader referred to the impending departure of the Head of Strategic Finance and Property and thanked him for service.

The Executive supported the proposals now detailed.

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

- (B) the forecast 2016/17 underspend transfer to the Transformation Reserve, as now detailed at paragraph 4.11 of the report submitted, be approved;
- (C) the 2017/18 Revenue Budget, including:
- Budget Savings and Growth, set out in Section 6, paragraph 6.2 of the report submitted;
- Contingency Budget, set out in Section 8,

- paragraph 8.3 of the report submitted;
- use of Earmarked Reserves, set out in Section 9 of the report submitted;
- consideration of the advice from the Section 151 Officer on the level of reserves and the robustness of the forecasts in setting the budget as required by Section 25 of the Local Government Act 2003 (section 15);

be approved;

- (D) the proposed 2017/18 Schedule of Charges, as detailed at section 7 of the report submitted, be approved;
- (E) the East Herts Council element of the Council Tax Demand, as detailed in paragraph 11.4 of the report submitted, be approved;
- (F) 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;
- (G) the Medium Term Financial Plan covering 2016/17 (Revised) to 2020/21 as set out in section 13 of the report submitted, be approved; and
- (H) the Reserves Policy as set out in Section 14 of the report submitted, be approved.

553 TREASURY MANAGEMENT STRATEGY STATEMENT 2017/18

The Executive Member for Finance and Support Services submitted a report on the Treasury Management Strategy and Annual Investment Strategy for 2017-18 including the 2017-18 Prudential Indicators.

The Executive noted that the Scrutiny Committees, at their joint meeting on 17 January 2017, and the Audit and Governance Committee, at its meeting held on 25 January 2017, had supported the proposals without making specific comments.

The Executive supported the recommendations now detailed.

RESOLVED – that (A) the report be received;

- (B) the Treasury Management Strategy and Annual Investment Strategy detailed in paragraphs 2.1 2.2 of the report submitted be approved;
- (C) the prudential indicators detailed in paragraph 2.3 of the report submitted be agreed; and
- (D) the counter party listings detailed in paragraph 2.4 of the report submitted be agreed.

554 HERTFORD CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

The Executive Member for Development Management and Council Support submitted a report on the Hertford Conservation Area Appraisal following its deferral at the previous meeting. She detailed the outcome of the further consultations that had taken place.

Councillor Ruffles expressed his gratitude for the additional consideration given and for the explanation which gave residents a greater understanding of the boundary line.

In response to a suggestion on using Article 4 directions, the Executive Member reminded Members that this was being tested and would need to be reviewed before any decision was made in the future.

The Executive supported the proposals now detailed.

<u>RECOMMENDED</u> – that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Hertford Conservation Area Appraisal and Management Plan 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 document which may be necessary; and
- (C) the Hertford Conservation Area Appraisal and Management Plan be supported for adoption.

555 APOLOGIES

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An apology for absence was submitted on behalf of Councillor E Buckmaster.

556 LEADER'S ANNOUNCEMENTS

The Leader welcomed the press and public to the meeting and reminded all that the meeting was being webcast.

557 MINUTES

RESOLVED – that the Minutes of the Executive meeting held on 6 December 2016 be approved as a correct record and signed by the Leader.

558 HERTFORD URBAN DESIGN STRATEGY

The Executive recalled that, at its meeting held on 6 September 2016, it had agreed that up to £500k be allocated to fund a project to deliver key improvements to The Wash, Maidenhead Street and Bull Plain in Hertford. The project had emanated from the Hertford Urban Design Strategy, and was

a partnership project between East Herts Council, Hertford Town Council and Hertfordshire County Council. The funding allocation was subject to other partner contributions being made.

The Leader advised that Hertford Town Council had since approved £300k to fund the project. An application was currently being considered by Hertfordshire Local Enterprise Partnership to fund the £200k shortfall. She proposed that East Herts Council's funding be released on the basis set out in the report now submitted.

The Executive approved the recommendation now detailed.

RESOLVED - that East Herts Council releases its funding commitment of £500k to deliver key improvements to Hertford Town Centre, noting that the Council's funding proportion of the total budget will be either 50% or 62.5%, depending on whether the Local Enterprise Partnership funding is secured.

559 DISCRETIONARY GROWTH BUSINESS INCENTIVE SCHEME

The Executive Member for Economic Development submitted a proposal to set up a discretionary business growth incentive scheme funded from the New Homes Bonus. He informed the Executive that this scheme would encourage small business growth within the District, and would have a cap of £10,000 relief. He advised of a minor change in the approval process as detailed at paragraph 2.4 of the report submitted, whereby the money would be transferred to the revenues service as and when it was approved and not at year end.

In response to questions, the Executive Member and the Chief Executive outlined the proposed role of the Business Engagement Manager. In respect of the suggestion that the Council should look at taking equity stakes in start-up businesses, the Executive Member undertook to consider this further. The Leader suggested that the new Business Engagement Manager could look at this.

The Executive approved the proposals aas now detailed.

<u>RESOLVED</u> - that (A) the proposal for a discretionary business growth incentive scheme is approved, according to the operating procedures as set out at Essential Reference Paper 'B' of the report submitted; and

(B) £150,000 is allocated from the New Homes Bonus Reserve to fund the scheme.

560 OLD RIVER LANE PROJECT GOVERNANCE STRUCTURE

The Executive Member for Economic Development submitted a report seeking approval for the initial indicative costing to commence the development of the Old River Lane Site and to confirm board and accountability arrangements.

The Leader advised that should it be necessary, the press and public could be excluded from the meeting, if Members wished to make any detailed reference to Essential Reference Paper 'E'.

In response to questions, the lead Director advised on the outline timescales for the project. She emphasised that in view of ongoing negotiations with different landowners, some dates were less firm. The Leader added that it was important to take care with the project and to get it right so that residents could look forward to a high quality development that was appropriate.

The Executive approved the proposals as now detailed.

<u>RESOLVED</u> - that (A) the revised governance structure, including the establishment of a Board to oversee the Old River Lane Project be approved and the allocation of Board membership be delegated to the Leader of the Council and lead Director; and

(B) the initial indicative budget requirements of

£450k be approved.

561 BUNTINGFORD COMMUNITY AREA NEIGHBOURHOOD PLAN 2014 - 2031

The Leader of the Council submitted a report detailing the proposed modifications to the Neighbourhood Plan in part according to the Examiner's recommendations, but also with additional modifications from Officers. As well as this, she sought agreement for the Plan to proceed to Referendum.

Various Members congratulated the neighbourhood teams involved in developing this project to this stage. It was also noted that Buntingford parish had been wrongly omitted from the recommendations.

Councillor J Jones queried the settlement boundary line to the north of the Ward Freman site. In response, the Head of Planning and Building Control acknowledged a slight anomaly and suggested that this could be amended later under delegated powers. The Executive approved an additional recommendation to this effect.

The Executive approved the recommendations now detailed.

RESOLVED - that (A) the Buntingford Community Area Neighbourhood Plan is modified in part according to the Examiner's recommendations, as detailed at Essential Reference Papers 'C' and 'D' to the report submitted, but also with additional modifications recommended by Officers, as detailed at Essential Reference Paper 'D' to the report submitted;

- (B) Officers be requested to make the necessary arrangements to hold a Neighbourhood Plan Referendum for the Parishes of Aspenden, Buckland & Chipping, Buntingford, Cottered, Hormead and Wyddial on 23 March 2017; and
- (C) authority to review and finalise the settlement boundary line be delegated to the Head of Planning

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and Building Control, in consultation with the Leader of the Council and a local Member.

The meeting closed at 7.43 pm

Chairman	
Date	



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MINUTES OF A MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE HELD IN THE COUNCIL CHAMBER, WALLFIELDS, HERTFORD ON WEDNESDAY 11 JANUARY 2017, AT 7.00 PM

PRESENT: Councillor T Page (Chairman)

Councillors M Allen, D Andrews, R Brunton, S Bull, M Casey, B Deering, M Freeman, J Goodeve, J Jones, R Standley and

K Warnell.

ALSO PRESENT:

Councillors P Ballam, P Boylan, M McMullen, S Reed, P Ruffles and S Rutland-Barsby.

OFFICERS IN ATTENDANCE:

Liz Aston - Development Team

Manager (East)

Victoria Clothier - Legal Services

Manager

Paul Dean - Principal Planning

Enforcement Officer

Peter Mannings - Democratic

Services Officer

Kevin Steptoe - Head of Planning

and Building Control

Services

Alison Young - Development

Manager

510 CHAIRMAN'S ANNOUNCEMENTS

The Chairman commented that Members of the Committee always arrived with open minds and reached decisions after reviewing and hearing all of the available evidence. The Chairman stated that should any Member

have a disclosable pecuniary interest or where there was any perception of bias, they would leave the Council Chamber and therefore take no part in the debate.

511 MINUTES – 7 DECEMBER 2016

RESOLVED – that the Minutes of the meeting held on 7 December 2016 be confirmed as a correct record and signed by the Chairman.

3/16/1218/FUL – DEMOLITION OF BUILDINGS. CLOSURE OF ACCESS POINTS. ERECTION OF 29 DWELLINGS WITH ASSOCIATED INFRASTRUCTURE AND CREATION OF ACCESS TO CAMBRIDGE ROAD AT THE CHESTNUTS AND GLANTON, CAMBRIDGE ROAD, PUCKERIDGE FOR BEVERLEY HOMES LTD

Jane Orsborn addressed the Committee in support of the application.

The Head of Planning and Building Control recommended that in respect of application 3/16/1218/FUL, planning permission be granted subject to a legal agreement and the conditions detailed in the report now submitted.

The Head referred to the previous consideration of the proposals and reminded Members of the reasons for their deferral of planning permission in November 2016. Members were advised that an overall transport and traffic assessment of the cumulative impact of applications in this area had been completed by consultants that had been engaged by Officers.

The Head emphasised that the view of the consultants was that even if all of the applications assessed were implemented, whilst there would be an impact, this would not be severe as defined by the wording detailed in the National Planning Policy Framework (NPPF).

Members were advised that the perceived density of the proposed developments in and around this site were not

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as high as the numbers of proposed dwellings suggested. Officers had taken all of the relevant considerations into account and judged the proposed density to be acceptable.

The Head reminded Members that funding was available to pursue options for the enhancement of bus stops in the vicinity of the site. There were no new issues for Members to take into account when making their decision and Officers had recommended approval as any harm resulting from this development would not be significant and demonstrable.

Councillor D Andrews stated that the work carried out by the consultants was worthwhile and he was pleased in that their efforts would serve Members well in future decision making. He stated that he had been more concerned with the safety of the Cambridge Road/A120 junction than its capacity. He referred to the lack of recorded incidents and the need for recognition of work that needed to be done to mitigate the dangerous nature of the junction regarding future housing development in this area. Also, he welcomed the work undertaken regarding sustainable drainage and reiterated his concerns regarding pedestrians safely crossing what was in effect a 3 lane highway with high vehicle speeds.

Councillor D Andrews reiterated his concern that funding for library and youth service contributions was geared towards Ware when young people gravitated towards Buntingford where there were some library and youth services. He suggested a more equitable split between Ware and Buntingford.

Councillor K Warnell referred to paragraph 10.12 of the report regarding highway safety with particular reference to varied abilities of drivers to react immediately to vehicles unable to progress into the westbound traffic lane. He referred to the regular use of this area by HGVs and the regular abuse of the speed limits.

The Head referred to the standards applied by Highways engineers with particular reference to the measured average speed of 29.8 mph and the higher 85th percentile speed of 38.4 mph. The consultant had advised on the relatively slow speeds of vehicles exiting the A10 onto the eastbound A120.

Members were advised that Officers could liaise with the County Council regarding the allocation of funding for library and youth services and it could be redirected. Councillor M Freeman acknowledged that the perceived safety issues already existed and stressed that Members should determine the application on its planning merits as the scheme would not aggravate the situation in terms of highways safety.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/16/1218/FUL, planning permission be granted subject to a legal agreement and the conditions detailed in the report.

3/16/1335/FUL – ERECTION OF A 66 BED, 3 STOREY CARE HOME FOR THE ELDERLY WITH ASSOCIATED LANDSCAPING, PARKING AND ACCESS AT LAND AT FORMER SAINSBURY'S DEPOT SITE, LONDON ROAD, BUNTINGFORD, SG9 9JR FOR LNT CARE DEVELOPMENTS

Alastair Wood addressed the Committee in support of the application.

The Head of Planning and Building Control recommended that in respect of application 3/16/1335/FUL, planning permission be granted subject to a legal agreement and the conditions detailed in the report now submitted.

The Head advised that the site had previously benefited

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from planning permission for B1 and D1 uses. This application was in conflict with those previous permissions although the proposed development would create 50 full time equivalent jobs with a wide range of job types. Officers had received consultant advice regarding the impact of the proposals on the provision of employment land in Buntingford.

Members were advised that the application would provide elderly care home beds and this was supported by the policies of the emerging District Plan. Concerns had been expressed regarding the appearance and scale of the scheme but this was in accordance with residential development already being constructed in the vicinity as well as employment land to the south. The Council's Landscape Officer and the Urban Design Team were content with the proposed development and there had been no objections from statutory consultees.

Councillor J Jones welcomed the much needed care home provision and the much needed employment in Buntingford. He referred to the issues of the proposed three stories, landscape prominence and access for construction traffic off the A10 roundabout rather than through the existing residential area. He also referred to the matter of the ancillary building and whether this could be located away from the residential area.

Councillor S Bull stated that an underground car park would help considerably in addressing the issue of car parking. The Head confirmed to Councillor B Deering that the point raised by the Legal Officer in the additional representations had been considered but inclusion in the legal agreement was not felt to be necessary in this case.

The Head advised that the context of the proposed development in relation to the site and existing development had been in the forefront of Officers' considerations. The site was between 16 and 50 metres, the highway and screening was already in place along London Road and a condition for additional landscaping

would further soften the appearance of the proposed development and the ancillary building.

The Head confirmed that the main access would be via the existing residential development and Hertfordshire Highways had not raised any concerns regarding this application. The current access for construction traffic was via the A10 roundabout and Officers could pass on the Committee's views for the continued use of this access for construction traffic.

The Head concluded that the application proposed 21 car parking spaces when the parking standards stipulated a provision of between 12 and 16.5 spaces. There would be a significant cost implication of underground parking which would impact of the viability of the proposed development. After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/16/1335/FUL, planning permission be granted subject to a legal agreement and the conditions detailed in the report.

3/16/2327/VAR – VARIATION OF CONDITION 2
(APPROVED PLANS) OF LPA APPROVAL 3/16/0315/FUL DEMOLITION OF EXISTING BUILDINGS AND PROPOSED
RESIDENTIAL DEVELOPMENT OF 10 NEW HOUSES,
WITH ASSOCIATED LANDSCAPING AND PARKING AT
THE JOHN GILPIN, LONDON ROAD, WARE, SG12 9LX
FOR REGENTA DEVELOPMENT

The Head of Planning and Building Control recommended that in respect of application 3/16/2327/VAR, subject to the original Section 106 Agreement, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head detailed the relevant site history and

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summarised what was proposed by this application. He stated that the design, layout and appearance of the proposed development remained acceptable and the Section 106 legal agreement would be varied so the contributions remained equally applicable should this application be approved.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/16/2327/VAR, subject to the original Section 106 Agreement, planning permission be granted subject to the conditions detailed in the report.

A) 3/16/2027/FUL AND B) 3/16/2028/LBC – CHANGE OF USE OF AGRICULTURAL BARN AND SHEDS TO B1 OFFICES, LANDSCAPING AND PARKING AT BRICKHOUSE FARM, CHURCH LANE, HUNSDON, SG12 8LG FOR MR CHRIS LOVEGROVE

Mrs Moncur and Mrs Bryan addressed the Committee in objection to the application. Mr Spencer spoke for the application.

The Head of Planning and Building Control recommended that in respect of applications 3/16/2027/FUL and 3/16/2028/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

The Head commented on the principle of development and advised that there was no objection to the reuse of buildings within the Green Belt. The main issue was the difference in opinion between the applicant and the tenants regarding the use of the existing farm buildings. Members must balance these considerations against the clear advice from the conservation team that the application would enhance the setting of the listed building and would allow the long term reuse, repair and

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enhancement of the listed building.

Councillor R Brunton stated that the premise on which the application had been made was wrong. He emphasised that the design of the proposed development was good and this would enhance the openness of the Green Belt. He referred to the farming records and the word of the speakers that the barns were used for dry grain and fertiliser storage.

Councillor Brunton believed that a lack of engagement between the two parties made the provision of alternative storage facilities unlikely. He also believed that this application had not been properly consulted on and was premature given that the site might come forward for development following the adoption of the District Plan. He concluded by referring to the relevance of policy GBC10 in respect of this application and he urged the Committee to join him in voting against the Officer's recommendation.

A number of Members highlighted the relevance of policy GBC10. The Head referred to policy GBC10 and the East Herts Local Plan Second Review April 2007. He referred to a number of matters Members should consider and highlighted NPPF policies that post-dated the East Herts Local Plan.

The Legal Services Manager reminded Members to carefully consider any reasons for going against the recommendation for approval and to keep in mind the additional weight that could now be given to the emerging District Plan over the East Herts Local Plan Second Review April 2007.

Councillor K Warnell proposed and Councillor R Brunton seconded, a motion that application 3/16/2027/FUL be refused on the grounds that the proposed development would result in the loss of existing buildings that were currently used for agricultural purposes and were of significant value to the agricultural holding and its viability.

The proposal was therefore contrary to policy GBC10 of the East Herts Local Plan Second Review April 2007.

After being put to the meeting and a vote taken, this motion was declared CARRIED. In respect of application 3/16/2027/FUL, the Committee rejected the recommendation of the Head of Planning and Building Control as now submitted.

After being put to the meeting and a vote taken in respect of application 3/16/2028/LBC, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

<u>RESOLVED</u> – that (A) in respect of application 3/16/2027/FUL, planning permission be refused for the following reason:

- The proposed development would result in the loss of existing buildings that were currently used for agricultural purposes and were of significant value to the agricultural holding and its viability. The proposal was therefore contrary to policy GBC10 of the East Herts Local Plan Second Review April 2007.
- (B) in respect of application 3/16/2028/LBC, listed building consent be granted subject to the conditions detailed in the report.
- 516 3/16/1039/FUL CHANGE OF USE AND CONVERSION OF PUBLIC HOUSE TO 3 SELF-CONTAINED RESIDENTIAL UNITS AND CONVERSION OF ADJACENT BUILDING BACK TO A DWELLING WITH FIRST FLOOR REAR EXTENSION AT 1-3 THE BOURNE, WARE, SG12 0PU FOR YELLOWBRICK PROPERTIES

Mr Harter addressed the Committee in objection to the application. Councillor P Ballam addressed the Committee as the local ward Member.

The Head of Planning and Building Control recommended that in respect of application 3/16/1039/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application and detailed the relevant site history. Members were advised that there had been no objection in principle to the proposed development and Officers considered the proposed accommodation to be acceptable. Some negative weight had been given to the loss of both employment and the public house as a community use weighed against the fact that the pub had closed 2 years ago and marketing of the site had not resulted in any commercial use.

Members were advised that a long term viable use for the listed building was necessary to avoid it falling into disrepair. Members should also be aware that any reuse of the site would result in additional on-street car parking as there was no available off-street provision and alternative parking solutions had been explored for the site without an acceptable outcome.

The Head concluded that when all of the issues were considered, on balance, the benefits of the proposed development outweighed the harm. Councillor R Standley expressed concern on behalf of residents of Milton Road inconvenienced by the parking problems in this area.

Councillor K Warnell commented on the referral to this being a listed building with no reference being made to this in the report. Councillor D Andrews stated that vehicles often had to execute 3 or even 4 point turns to access and drive up Milton Road with vehicles parked on both sides and a similar situation affected The Bourne. He emphasised the sustainable nature of a site linked by pleasant riverside walks to the Asda supermarket, local shops and Ware train station.

The Head emphasised that this was a grade 2 listed

building that was the subject of a separate listed building application with a separate timescale for determination and this was covered in the report now submitted. The Head acknowledged the parking issues referred to by Members and confirmed that Officers were happy to refer this matter to the parking services team on behalf of the Committee.

Councillor R Standley proposed and Councillor R Brunton seconded, a motion that application 3/16/1039/FUL be deferred to enable the possibility of additional parking to be explored with the applicant.

After being put to the meeting and a vote taken, this motion was declared LOST. After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

<u>RESOLVED</u> – that in respect of application 3/16/1039/FUL, planning permission be granted subject to the conditions detailed in the report.

3/16/2167/FUL – DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF A REPLACEMENT DWELLING AT 17 FIRS WALK, TEWIN WOOD, TEWIN, HERTS AL6 0NY FOR MR C RUFFLE

Mrs Thorpe addressed the Committee in objection to the application. Mr Ruffle spoke for the application. Councillor M McMullen addressed the Committee as the local ward Member.

The Head of Planning and Building Control recommended that in respect of application 3/16/2167/FUL, planning permission be refused for the reasons detailed in the report now submitted.

The Head highlighted the current approach regarding Green Belt policy and the reduced weight being assigned to the East Herts Local Plan April 2007 and the increasing

weight being applied to the NPPF. Members were advised that the NPPF did not deal with unexpended permitted development. The Head referred Members to page 119 of the report submitted in respect of the scale of the existing and proposed development on this site.

The Head set out the policy position with reference to policy GBC1 and advised that substantial weight should be assigned to the harm likely to be caused by inappropriate development unless the harm was clearly outweighed by the benefits.

The Head responded to queries from Members regarding conditions and the removal of permitted development rights. He referred to the mix of development sizes in the locality and referred to the clear national NPPF policy relevant to this case.

Councillor K Warnell referred to the policy position and could see no reason for refusing permission. Councillor J Jones felt that the replacement dwelling was not inappropriate and the smaller footprint and greater volume of the replacement dwelling would improve the street scene. The Head referred to the judgement Members had to make regarding harm to the openness of the Green Belt and the policy position regarding design and appearance and the impact on the street scene.

Councillor J Jones proposed and Councillor D Andrews seconded, a motion that application 3/16/2167/FUL be approved on the grounds that the proposed development would improve the street scene, subject to a condition regarding the withdrawal of permitted development rights with all other relevant conditions delegated to Officers.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee rejected the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED - that in respect of application

3/16/2167/FUL, planning permission be granted subject to the following conditions:

- 1. Three year Time Limit (1T12)
- 2. Levels (2E05) after 'proposed buildings' insert 'and showing the relationship of any proposed earthworks to existing trees,'
- 3. Approved Plans (2E10)
- 4. Materials of construction (2E11)
- Withdrawal of PD (Part 1 Class A) (2E20) -5. Amend reason to :- "In permitting this development, the local planning authority considered that other material planning considerations, including the existence of unexpected permitted development rights for the existing dwelling, clearly outweighed the harm to the Green Belt. The application of further permitted development rights in respect of the larger replacement dwelling is likely to result in development harmful to the openness, character and appearance of the Green Belt, contrary to Policy GBC1 of the East Herts Local Plan second review April 2007 and the National Planning Policy Framework"
- 6. Withdrawal of PD (Part 1 Class B) (2E19) Amend reason as 5 above
- 7. Contaminated land survey and remediation (2E33)
- 8. Tree/Hedge retention and protection (4P05)
- 9. Tree/natural feature protection (4P07)
- 10. Tree protection: excavations (4P09)

- Tree protection: Earthworks (4P10)
- 12. Prior to commencement of the development hereby permitted, detail of the energy efficiency measures proposed to be incorporated within the design of the replacement dwelling shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the agreed details.

Reason: The provision of energy efficiency benefits within the new development was given weight in the balance of considerations that were found to clearly outweigh the harm to the Green Belt, in accordance with policy GBC1 of the East Herts Local Plan second review 2007 and the National Planning Policy Framework. The condition is required to ensure that those benefits are realised.

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan; the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The balance of the considerations having regard to those policies is that permission should be granted.

518 3/16/1946/FUL – CONSTRUCTION OF 5 BEDROOM
DETACHED DWELLINGHOUSE WITH DETACHED
GARAGE AT CHERRY TREES, WHITE HALL LANE,
BISHOP'S STORTFORD FOR MR A YOUNG (LAKEMOUNT
PROPERTIES LTD)

The Head of Planning and Building Control recommended that in respect of application 3/16/1946/FUL, planning permission be granted subject to a legal agreement and the conditions detailed in the report now submitted.

The Head confirmed that the application was being reported to Members due to the requirement for a legal agreement. He referred to the provision of affordable housing and advised that there had been no objections received by Officers. The Head responded to a query from Councillor D Andrews regarding the lack of specific information regarding the level of financial contribution for fire hydrants. The Committee Chairman commented on the importance of wheel washing for all construction traffic.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/16/1946/FUL, planning permission be granted subject to a legal agreement and the conditions detailed in the report.

A) 3/16/1735/HH – ERECTION OF FENCING AND OUTBUILDING; B) 3/16/1934/HH – RENOVATION AND REFURBISHMENT OF LISTED BUILDING INCLUDING REMOVAL OF EXISTING FRONT GATES AND INSTALLATION OF NEW 5 BAR GATE AND PERSONNEL GATE AND NEW TIMBER WEATHER BOARDING TO FRONT AND SIDE ELEVATIONS; C) 3/16/1935/LBC – INTERNAL AND EXTERNAL ALTERATIONS TO LISTED BUILDING INCLUDING INSTALLATION OF A NEW STAIRCASE. CREATION OF A FAMILY BATHROOM,

ADDITION OF INSULATION, RENOVATION AND/OR REPLACEMENT OF FRONT DOOR AND WINDOWS, NEW ENTRANCE GATES AND NEW CLADDING TO REAR AND SIDE ELEVATIONS AT 24 GREEN END, BRAUGHING, WARE, SG11 2PG FOR MR PETER BOYLAN

The Head of Planning and Building Control recommended that in respect of applications 3/16/1735/HH and 3/16/1934/HH, planning permission be granted subject to the conditions detailed in the report now submitted. The Head of Planning and Building Control also recommended that in respect of application 3/16/1935/LBC, listed building consent be granted subject to the conditions detailed in the report now submitted.

The Head summarised the applications and referred to the significant dialogue that had taken place regarding these applications. Members were advised that Officers were supportive due to the positive impact on the historical integrity of the listed building.

After being put to the meeting and a vote taken, the Committee accepted the recommendations of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of applications 3/16/1735/HH, 3/16/1934/HH and 3/16/1935/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report.

A) 3/16/2134/HH AND B) 3/16/2135/LBC – SINGLE STOREY LEAN-TO EXTENSION AND NEW DETACHED GARAGE AT YEW TREE COTTAGE, GREEN END, DANE END, WARE FOR MR AND MRS YOUNG

The Head of Planning and Building Control recommended that in respect of application 3/16/2134/HH and 3/16/2135/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

The Head summarised the proposed development covered by both applications. After being put to the meeting and votes taken, the Committee accepted the recommendations of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of applications 3/16/2134/HH and 3/16/2135/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report.

521 ENFORCEMENT UPDATE

The Principal Planning Enforcement Officer submitted a report providing Members with an enforcement update including the up to date situation regarding enforcement statistics and cases that were currently still active but had been opened before 2016. He confirmed to Councillor K Warnell that Officers were doing all they could with existing resources to deal with estate agent signage. Members noted the report and the recommendations now detailed.

<u>RESOLVED</u> – that (A) the enforcement statistics be noted; and

(B) the update in relation to Enforcement Cases that had been opened before 2016 and were still active, be noted.

522 ITEMS FOR REPORTING AND NOTING

The Head of Planning and Building Control highlighted a number of recent appeal decisions and referred in detail to a number of points of interest.

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 9.50 pm

Chairman	
Date	

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MINUTES OF A MEETING OF THE JOINT MEETING OF SCRUTINY

COMMITTEES HELD IN THE COUNCIL CHAMBER, WALLFIELDS, HERTFORD ON TUESDAY 17 JANUARY 2017, AT 7.00 PM

PRESENT: Councillor M Allen (Chairman)

Councillors D Abbott, A Alder, P Ballam,

P Boylan, R Brunton, M Casey,

Mrs R Cheswright, S Cousins, K Crofton, G Cutting, B Deering, I Devonshire, H Drake, M Freeman, J Goodeve, R Henson, J Jones, J Kaye, M McMullen, D Oldridge, M Pope, S Reed, P Ruffles, C Snowdon, M Stevenson

and J Wyllie.

ALSO PRESENT:

Councillors E Buckmaster, L Haysey, A Jackson, G Jones, G McAndrew, T Page, S Rutland-Barsby and G Williamson.

OFFICERS IN ATTENDANCE:

Fiona Corcoran - Scrutiny Officer Jonathan Geall - Head of Housing

and Health

Philip Gregory - Head of Strategic

Finance and Property

Peter Mannings - Democratic

Services Officer

Tess Michaels - Legal and

Democratic

Services Apprentice

Helen Standen - Director

523 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor P Ruffles and seconded by

Councillor J Jones that Councillor M Allen be appointed Chairman for the joint meeting.

<u>RESOLVED</u> – that Councillor M Allen be appointed Chairman for the joint meeting.

524 APOLOGIES

Apologies for absence were submitted on behalf of Councillors Mrs D Hollebon, P Moore, R Standley and N Symonds.

525 MINUTES – 9 FEBRUARY 2016

<u>RESOLVED</u> – that the Minutes of the joint meeting held on 9 February 2016 be confirmed as a correct record and signed by the Chairman.

526 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Scrutiny Members to the joint meeting.

527 BUDGET REPORT AND MEDIUM TERM FINANCIAL PLAN 2017/18 – 2020/21

The Executive Member for Finance and Support Services submitted a report which set out proposals in respect of the following:

- The 2016/17 revenue budget forecast outturn
- The 2017/18 revenue budget
- The 2017/18 Schedule of Charges
- The 2016/17 (revised) to 2020/21 Capital Programme
- The Medium Term Financial Plan 2017/18 2020/21
- The Council's Reserves

The Head of Strategic Finance and Property detailed a number of key points in respect of the 2017/18 revenue

budget. He highlighted a number of useful sections of the report and provided a detailed breakdown of the overall format of the report and supporting Essential Reference Papers.

The Head responded to a number of questions that had been submitted to Officers in advance of the meeting. The Ambassador and Executive Member for Shared Services responded to a query from Councillor M Casey regarding long term loans and associated repayments that were detailed in the Medium Term Financial Plan (MTFP).

Officers and the Executive Member for Development Management and Council Support responded to queries from Councillor M Pope regarding Charringtons House, agency costs in Planning and Building Control and the price reduction for recycling and the cost that was passed on to East Herts Council.

The Head of Strategic Finance and Property responded to a query from Councillor M Casey regarding the annual pension fund deficit payment and the limited influence had by the Authority over what was part of a County Council Pension Scheme.

Following a comment from Councillor K Crofton, the Head of Strategic Finance and Property confirmed that whilst Heads of Service were responsible for delivering against budgets, there was a culture of honesty with Heads of Services declaring any potential budget deviations. He confirmed that many projects would not have gone ahead without the use of reserves.

Members had a general debate on the merits of increasing or decreasing Council Tax and they also discussed ongoing efficiency savings. Councillor I Devonshire proposed and Councillor J Wyllie seconded, a motion that the Executive be advised that the joint meeting of Scrutiny Committees recommends a 2% increase in Council Tax. After being put to the meeting

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and a vote taken, this motion was declared CARRIED.

Members received the report and supported the recommendations now detailed.

RESOLVED – that (A) the report be received; and

(B) the Executive be advised that the joint meeting of Scrutiny Committees recommends a 2% increase in Council Tax.

528 HOUSING COMPANY BUSINESS PLAN

The Head of Housing and Health and the Head of Strategic Finance and Property submitted a joint report that covered the establishment of a housing company, wholly owned by East Herts Council, to provide revenue income to offset diminishing government support and grants and meet the Council's objectives in terms of providing quality housing opportunities.

Councillor T Jackson made a number of contextual comments by way of an introduction to the report. He explained that a number of Councils had set up a housing company as a vehicle for generating income. The Head of Housing and Health confirmed that the housing company would act as an investment vehicle and he provided a detailed explanation of the cost modelling and cost estimates that had been carried out since Corporate Business Scrutiny Committee had met in November 2016.

Members were advised that the report included a 30 year business plan for this first stage of the proposed company's operation drawing on advice provided by Trowers and Hamlins and PricewaterhouseCoopers (PwC). The proposal did not cover housing development. The Head of Housing and Health stressed that the principal aim was to generate an additional income stream for the Authority.

The Head of Housing and Health emphasised that it

would be for Members to direct the use of the income stream. Members were advised that the modelling had been stress tested and was sufficiently flexible to deliver income in a flexible housing market. Members were invited to scrutinise the business case.

At this point, the joint meeting resolved to exclude the Press and Public on the grounds that open discussion of Essential Reference Paper 'B' would result in the disclosure of exempt Information as defined by paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

The Head of Housing and Health answered a number of queries regarding the exempt Essential Reference Paper 'B'. He made some explanatory points.

Officers responded to a number of other detailed questions and concerns from Members on a wide range of topics. Members questioned whether Officers had access to the necessary skills set for the management of a housing company. Councillor K Crofton expressed his disappointment that this was the only commercial option for Members to consider. He felt that there might be better returns from entering the commercial property market.

Councillor G Cutting referred to the different start up positon of South Cambs in that he believed there was an existing portfolio of 200 properties. Councillor M Casey stated that he would like to see more information regarding the financial return on the Council's equity that was proposed to be deployed to the company.

The Director confirmed that the performance of the housing company would be reviewed yearly to ensure it delivered what was expected by Members and Officers.

Councillor G Cutting proposed and Councillor K Crofton seconded, a motion that the Executive be requested to give more consideration to the setting up of a housing company and alternatives to the proposed business plan be explored.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The joint meeting supported the recommendations now detailed.

RESOLVED – that (A) the report be received;

- (B) the Executive be requested to give more consideration to the setting up of a housing company; and
- (C) alternatives to the proposed business plan be explored.

529 TREASURY MANAGEMENT STRATEGY STATEMENT 2017/18

The Executive Member for Finance and Support Services submitted a report on the Treasury Management Strategy and Annual Investment Strategy for 2017-18 including the 2017-18 Prudential Indicators.

The Head of Strategic Finance and Property responded in detail to a number questions submitted in advance by Members as well as a number of other minor queries raised by the joint meeting. Councillor M Casey was assured that Audit and Governance Committee received regular training items although there was a limit to how much training could be provided to Members.

Members received the report and supported the recommendations now detailed.

<u>RESOLVED</u> – that (A) the report be received;

(B) the Treasury Management Strategy and Annual Investment Strategy detailed in paragraphs 2.1 – 2.2 be recommended to the Audit and Governance Committee. Executive and Council:

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- (C) the prudential indicators detailed in paragraph 2.3 be agreed for submission to elected Members for approval by Council; and
- (D) the counter party listings detailed in paragraph 2.4 be agreed for submission to elected Members for approval by Council.

The meeting closed at 9.32 pm

Chairman	
Date	



Agenda Item 10

EAST HERTS COUNCIL

COUNCIL - 1 MARCH 2017

REPORT BY CHIEF EXECUTIVE

PROPOSED CHANGES TO SCRUTINY

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

 To recommend changes to the way in which East Herts Council undertakes scrutiny, in order to deliver high-quality and value for money scrutiny.

(A)	 the new scrutiny arrangements, as now detailed, including the two key proposals of: improving the way scrutiny work plans are set; and reducing the number of scrutiny Committees from five to two, be approved and implemented from May 2017;
(B)	the further proposals for ways to improve scrutiny, as detailed in paragraph 3.17 of the report, be noted;
(C)	the plans to set up a Community Wellbeing Forum, as detailed in paragraph 3.19 of the report, be noted.

1.0 Background

- 1.1 Overview and Scrutiny is a function of local government in England and Wales. It was introduced by the Local Government Act 2000, as a measure to check the power of a council's executive (following the abolition of the 'old' Committee structure).
- 1.2 Councils operating executive arrangements (such as East Herts) are required to create an Overview and Scrutiny Committee which

is composed of councillors who are not on the Executive. The Overview and Scrutiny Committee is required to meet the rules on proportionality defined in the Local Government and Housing Act 1989 (i.e. the Committee must reflect the respective sizes of the political groups on the council)¹.

- 1.3 The current scrutiny arrangements have been in place since 2007. Prior to that, the council had two scrutiny Committees (Policy Development Scrutiny and Performance Scrutiny) and a system of Executive Advisory Panels.
- 1.4 At the end of each civic year, scrutiny Members are asked to submit their feedback about scrutiny work during the past year. Member evaluation of the 2015/16 scrutiny year was that it was time for an overall review of the scrutiny function.

2.0 The review

- 2.1 The review was led by the Chief Executive with support from Scrutiny Officers and one of the graduate trainees. Two meetings were held with the Chairs and Vice-Chairs of each Committee, after which a set of initial proposals was set out and a briefing was delivered to Members. Following this a number of individual meetings were held with Members who expressed an interest in particular parts of the review.
- 2.2 A summary of the main issues raised by Members is set out below:
 - Committees currently receive work that is 'finished' and therefore feel they have little opportunity to change anything
 - Scrutiny doesn't feel able to influence what they can/can't scrutinise
 - Hard to work as a team with only four meetings a year this means people aren't always confident to ask questions
 - Attendance of the executive sometimes feels as though scrutiny are being 'checked'

.

¹ East Herts has only one political group currently, although the council decided to allocate seats to 'non-group independent Members' (there is currently one of these) on the basis of proportionality.

- Chair's briefings aren't effective don't need all the Officers there as this tends to start the debate outside of the meeting itself
- Lack of an opposition means that scrutiny needs to act as the group's own opposition
- Backbenchers don't currently feel as though scrutiny holds the Executive to account.

3.0 The Proposals

3.1 There are two key recommendations, the first relating to the Work Programme and the second relating to the number and role of each Scrutiny Committee. There are a number of other changes proposed set out at paragraph 3.17. All of these proposals are designed to give scrutiny a clearer agenda, more control over what they scrutinise, more ability to interact with the Executive through scrutiny and therefore produce a better overall outcome in terms of the value that Scrutiny Members can add to the work of the council.

3.2 The Work Programme

The first step in effective scrutiny is having a clear work programme which identifies issues that will benefit from scrutiny. In most Councils there are a number of 'routes' into scrutiny, summarised as:

- (i) issues identified by Members or Officers themselves
- (ii) issues raised through the work of the Executive (using the forward plan² as an indicator of the key decisions the Executive is proposing to take).
- 3.3 For some time in East Herts, nearly every report to the Executive has followed a route through one of the scrutiny Committees, regardless of whether that Committee has expressed a wish to scrutinise the report. This has reduced time available for scrutiny Committees to select their own topics for scrutiny. A longer term

²The Forward Plan is a legal document requiring every council to publish any 'key decisions' (a legal term) four months in advance. This should be used by Scrutiny Committees to decide which of the Executive 'key decisions' they choose to scrutinise.

- work plan³ set by the Committee itself would give the scrutiny Committee more control and should generate more valuable scrutiny outcomes by focusing on issues of significance.
- 3.4 Many Councils successfully use a more formal approach to ensure that there is real focus on the purpose of each piece of scrutiny⁴. The joint meeting of Scrutiny Committees on 14 February 2017 provided useful feedback on a form that could be used. Officers will use this feedback over the coming weeks in developing a form that will be fit for purpose in East Herts.
- 3.5 Some Scrutiny Committees are devoting significant time to informing and training Members and consideration should be given to whether such items may be better placed in dedicated briefing or training sessions rather than scrutiny meetings. Current Member information services include weekly information and policy bulletins, training sessions (beginning with an intensive induction period, followed by optional sessions - monthly on average), and information pages on the Member's Extranet (including technical guidelines, updates, policies and strategies, training information, mapping of external representation and Members responsible, links to external information sources). East Herts takes Member training very seriously, and should continue to do so, but using scrutiny as a medium for delivering training dilutes the purpose of scrutiny and potentially the focus of the training. However, Officers will ensure that, when necessary, any training at the beginning of a scrutiny meeting is appropriate for the business of the meeting.

3.6 The number of Committees

3.7 In order to respond to the feedback set out in section 2.2 above, it is proposed to have fewer Committees, meeting more often, with slightly larger Membership.

3.8 Overview and Scrutiny (14 Members)

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³ A Scrutiny Committee Workplan would be devised by the Committee itself, with support from the Scrutiny Officer; this is a different document from the Forward Plan, which sets out the key decisions to be made by the Executive.

⁴ 'A Cunning Plan? Devising a Scrutiny Work Programme', CFPS, 2011

- 3.9 The first Scrutiny Committee would be 'forward-looking', shaping new policies at an early stage of their development, and undertaking major reviews of existing policies or service delivery models in order to look to make future improvements, having recourse to Task and Finish groups where appropriate (which could include Non-Members of the Committee where they have a particular interest in the topic or have a particular skill set to bring to the group). The Members of this Committee would ideally be creative and strategic thinkers, with a broad perspective of the local and public sector landscape.
- 3.10 Sample items for this Committee are listed below:
 - Executive Key Decisions which are of interest to the Committee, or which the Executive request the Committee to scrutinise (for example decisions relating to significant projects such as Hertford Urban Design Strategy (HUDS) and the Bishop's Stortford Town Centre Planning Framework.
 - Current service delivery models (our own and those of our partners) with a view to identifying gaps, exploring innovative solutions to delivery issues (for example, the development of the Joint Waste Partnership with North Herts District Council).
 - Draft strategies or strategies for review (for example, the Housing and Health Strategy, 2014; Environmental Crime Enforcement Strategy, 2015, the Fuel Poverty Strategy 2015)
 - Issues or areas in which Members feel they could shape **future policy direction**, such as Health and Wellbeing work with Public Health and how best the district can contribute to this agenda (eg. Social prescribing.)
- 3.11 Performance, Audit and Governance Scrutiny (14 Members)
- 3.12 This scrutiny Committee would review progress on delivery of the corporate strategic plan, the Medium Term Financial Plan, the key performance metrics of the council, etc. It would also have the opportunity to set up Task and Finish groups where appropriate, and would also have a Sub-Committee to deal with Member code of conduct issues.
- 3.13 Sample items for this Committee are listed below:

- Budgets, Medium Term Financial Strategy, Treasury Strategy
- Annual Accounts and Annual Governance Statement
- Corporate Annual Report
- Corporate Healthchecks
- Risk Management
- Service Plans Monitoring of Progress and Exceptions
- Review of capital programme delivery
- Reviewing effectiveness of changes to service delivery models (for example, examining the Revenues and Benefits shared service two years on).

The terms reference for both new committees will be reported to Annual Council in May 2017.

- 3.14 An analysis of the last two years' worth of scrutiny topics and how they would be treated under this proposed two-Committee system is set out at **Essential Reference Paper 'B'**.
- 3.15 The table at **Essential Reference Paper 'C'** compares the current number of scrutiny meetings per year for a Councillor; with the number under the proposed system (exact numbers will vary depending on the Committee Membership of each individual councillor.)

3.16 Other recommendations

- 3.17 A number of other recommendations are set out below, which while not necessarily ones that need to be agreed by council, set out important changes to the ways of working which should improve the quality of the scrutiny at East Herts.
 - a) Members who are champions for specific areas of work to ensure these areas receive appropriate scrutiny.
 - b) Executive Members to present an annual report on their portfolio to the relevant scrutiny Committee and take questions from the Committee annually.
 - c) The 'critical friend' role of scrutiny and how it can help with outcomes to be emphasised to Officers. Scrutiny should see earlier drafts of papers so that they can shape the direction (as long as there were enough meetings to avoid slowing

- down the work of the council by having to wait for the next quarterly date)
- d) The most appropriate and effective method of scrutinising each subject to be selected by the Committee. Task and Finish groups will be the most effective method for large pieces of scrutiny work to 'deep-dive' into subjects and can report the findings back to the Committee. Some subjects, such as an executive report, may be better scrutinised by the whole Committee at the Committee meeting. If appropriate, all day Task and Finish group meetings could be held.
- e) The strengths and weaknesses of councillors on each Committee and direct skill sets should be used more effectively (noting that sometimes the skill of 'knowing nothing' about the subject but having the customer experience perspective is important in itself).
- f) Scrutiny and training to be separate to ensure the purpose of both is clear and focussed.
- g) A substitution system similar to that used by Development Management Committee (but without Executive involvement) to be implemented, whereby any Member unable to attend must inform the Scrutiny Committee Chairman who would organise the substitute.
- h) Committee Members to be able to meet outside formal Committee meetings to research subjects and become more informed on subjects for scrutiny. Ways of ensuring this is possible without compromising transparency to be considered. For example, the informal meetings to be held at Wallfields with the scrutiny Officer in attendance to take notes (for recording rather than publishing) that could be made available if there was an FOI request.
- i) Scrutiny Committee Chairmen to create email groups for the Committee Members to communicate any questions/additional info relating to scrutiny, ensuring transparency with the email threads which could be made available if there was an FOI request. Members to be encouraged to interact with Officers (report writers) individually before the Committee meeting to ask questions. If this is done via email, all Committee Members can be copied in to the response.
- j) Scrutiny Committee meetings to take place in less formal room settings (if additional space needed, the Council Chamber will be used.) As previously, the public would be welcome to attend to observe the meetings.

- k) Chairman's briefing to be shorter and with the Scrutiny Officer only to run through logistics of the meeting. Invite Officers only if the Chairman wishes to discuss a specific matter arising.
- I) Consideration be given to Chairman *and* Vice-Chairman of scrutiny Committees to receive an allowance⁵.
- m) Members should be encouraged to contact an Officer in advance if there is something they don't understand in the report, so that they can take part in the meeting confidently.

3.18 Community Wellbeing Forum

3.19 During the review a number of councillors took the opportunity to consider whether the council is getting the most out of the resources we invest in the Health and Wellbeing Agenda, particularly in the context of councillor inputs. While the Health and Wellbeing Scrutiny Committee had served a purpose in raising the profile of the issue, (and Health and Wellbeing is one of the council's three key priority areas of work⁶), councillors expressed a desire to be able to develop their own work programme of delivery (rather than scrutiny), particularly making use of the Member champion roles, all of which relate to this agenda. It is proposed to initiate a Community Wellbeing Forum, which will consist of all Member champions operating in the Health and Wellbeing space, plus any other Members who have a desire to become more involved in delivery of the Health and Wellbeing agenda in their own communities. This group will be outcome-focused, setting clear goals and ensuring that they are delivered for the benefit of our communities. It will be supported by an Officer, but will be primarily a councillor led group and will link into the other existing Health and Wellbeing Fora to ensure there is consistency, avoid duplication and aim to add value to the work of the council through sharing of knowledge, experience, and best practice.

4.0 Implications/Consultations

4.1 Information on corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

⁵ If agreed, there would be a need to put in place new arrangements for selecting Vice-chairmen. This proposal will be submitted to the Independent Remuneration Panel to seek their views/advice.

⁶ Priority 1: Improve the Health and Wellbeing of our Communities

Background Papers None

<u>Contact Member:</u> Councillor L Haysey, Leader of the Council

linda.haysey@eastherts.gov.uk

Contact Officer: Liz Watts – Chief Executive, Extn: 1410.

and Report Author: liz.watts@eastherts.gov.uk



ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	Priority 1 – Improve the health and wellbeing of our communities Priority 2 – Enhance the quality of people's lives Priority 3 – Enable a flourishing local economy Effective use of the scrutiny process contributes to the Council's ability to meet one or more of its corporate objectives.
Consultation:	Potential topics for scrutiny are always invited from the Executive and all Members and the public are asked through an annual item in the 'council tax' edition of LINK magazine which is delivered to every household. Members of each scrutiny committee are consulted at every meeting as their work programme is a standing item on the agenda.
Legal:	According to the Council's constitution, the scrutiny committees are responsible for the setting of their own work programme in consultation with the Executive and in doing so they shall take into account wishes of members on that committee who are not members of the largest political group on the Council.
Financial:	Any additional meetings and every task and finish group has resource needs linked to officer support activity and time for officers from the services to make the required input.
Human Resource:	None
Risk Management:	Matters which may benefit from scrutiny may be overlooked. The selection of inappropriate topics for review would risk inefficient use of resources. Where this involved partners, it could risk damaging the reputation of the council and relations with partners.

Health and	The broad remit of scrutiny is to review topics which are
wellbeing –	of concern to the public, many of which have an indirect
issues and	impact on the general wellbeing of residents of East
impacts.	Herts

Analysis of last two years' of scrutiny topics, and how they would be treated under proposed two-committee system.

	Agenda item	Overview and Scrutiny	Audit, Performance and Governance	Briefing/MIB /Community Wellbeing Forum
	Changes to Recycling Services: Review of		✓	
	Implementation and Analysis Results			
	Environment Scrutiny Healthcheck		✓	
	Update on Fuel Poverty in EH			√
	EH Climate Change Action Plan Review of			✓
	Progress			
	Impact of ASB Crime and Policing Act 2014	✓		
_	on EH Environmental Crime Policies			
E				
N V	Service Plans Monitoring		✓	
ı	Update on Community Energy			✓
R	Contract Performance – Environmental		✓	
0	Operations			
N	Strategic Case for Joint Working with NH	√		
М	Council on Waste/Street Cleansing			
E	Resident Permit Parking Scheme Policy	√		
N	Review			
Т	Planning Performance – Enforcement		✓	
	Targets			
С	Procurement of Car Park Management	✓		
0	System			
M	Review of Fees and Charges	✓		
M	Climate Change Strategy – Report on			✓
<u> </u>	Progress			
T	Community Energy Update			√
T	Footway and Grassed Verge Parking	✓		
E	Enforcement Policy			
E	Car Parking Fees and Charges	✓		
	Planning and Enforcement Review		✓	
	Waste and Street Cleansing Contract –	✓		
	Future Service Considerations			
	Performance Reporting Contract		✓	
	Performance	 		
	Shared Waste Service - Arrangements	•		✓
	Shared Waste Service – Progress report			•
	Conservation Area Management Plans –		•	
	Progress and Problems Progress and Problems Progress Action Plan			/
	Review of Climate Change Action Plan	│		•
	Proposal for T and F on Sustainable			
	Transport			

Essential Reference Paper 'B'

✓ ✓ ✓ ✓
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Essential Reference Paper 'B'

	Agenda item	Overview and Scrutiny	Audit, Performance and Governance	Briefing/MIB/ Community Wellbeing Forum
E S	Implementing the Customer Service Strategy			√
S	Data Protection Annual Review		-	
3	Council Tax Reduction Scheme 2016/17	✓		
	Quarterly Corporate Healthcheck		-	
	Review of Fees and Charges		 	
	Partnership Register – Risk Monitoring			
	Service Plan Monitoring		 	
	Council Tax Reduction Scheme 2017/18	✓		
	Economic Development – Options and	√ ·		
	Opportunities			
	Asset Management Plan 2016/17	✓		
	Data Protection – Governance Training			✓
	Review of Comments, Compliments and		✓	
	Complaints			
	Performance Indicator Outturns		✓	
	Service Plan Monitoring		✓	
	Member Briefing – Changes to the			✓
	Council's Performance Management			
	Framework 2016/17			
	Net Cost of Services – Revenue and Capital		√	
	Outturn			
	Residents Survey 2015	✓		
	Community Lettings Policy	✓		
	Medium-term Financial Strategy 2017/18	✓		
	to 2020/2021			
	Hertford Urban Design Strategy	✓		
	Proposal for Hertford Home Improvement	✓		
	Agency			
	Proposal for EH Housing Company	✓		
	Health and Wellbeing Panel Updates			✓
С	Hertford Theatre – Annual Report		✓	
0	Update on Ageing Well Initiative			✓
M	Annual Performance Report – Riversmead,		✓	
M	Circle Housing/South Anglia Housing			
U	Associations			
N	Monitoring and Review of Housing		✓	
	Strategy Action Plan			
T	Service Plans Summary of Progress and		✓	
Y	Exceptions Report			
	Corporate Healthcheck		✓	
	Implementation of ASB, Crime and Policing	✓		
	Act - Impacts			
	SLM Contract – Year 6		√	
	Annual Report B and EH CVS		√	
	Annual Report Discretionary Community		✓	

Essential Reference Paper 'B'

Agenda item	Overview and Scrutiny	Audit, Performance and Governance	Briefing/MIB/ Community Wellbeing Forum
Grants			
Updating Shared Ownership Local Priorities Cascade	✓		
Service Plan and Key Projects Monitoring Report		✓	
East Herts Leisure Strategy	\checkmark		
Registered Housing Providers – Repair Services		✓	
Draft Housing and Health Strategy	✓		
Review of Empty Homes Strategy	√		
Delivering Forever Active in East Herts	✓		
Leisure Facility Strategy	✓		
Discretionary Community Grants Review	✓		
Programme			
Sub-total (number of items over 2 years)	41	33	26
Total (over 2 years)		100	

Comparison of attendance (current scenarios and proposed scenarios)

Numbers are based on the Overview and Scrutiny and the Performance, Audit and Governance committees each meeting 6 times per year under the proposed new system and do not include task and finish group meetings.

	Total number of meetings per year	Breakdown of meetings
Councillor on 2 scrutiny committees (including CBS) under the current system	12	6 x Corporate Business Scrutiny 4 x Environment Scrutiny 2 x Joint scrutiny
Councillor on 2 scrutiny committees (not including CBS) under the current system	9	3 x Audit Committee 4 x Environment Scrutiny 2 x Joint scrutiny
Councillor on 2 scrutiny committees (including HWB) under the current system	10	4 x Health and Wellbeing Scrutiny 4 x Environment Scrutiny 2 x Joint scrutiny
Councillor on 1 scrutiny committee under the proposed new system	8	6 x Overview and Scrutiny/Performance, Audit and Governance 2 x Joint scrutiny
Councillor on Licensing Committee and 1 Scrutiny committee under the current system	9	3 x Licensing 4x Community Scrutiny 2x Joint Scrutiny
Councillor on Licensing and 1 scrutiny committee under the proposed new system	11	3x Licensing 6 x Overview and Scrutiny/Performance, Audit and Governance 2 x Joint scrutiny
Councillor on Development Management and 1 scrutiny committee under current system	18	12x DM 4x Community scrutiny 2x Joint Scrutiny
Councillor on Development Management and 1 scrutiny committee under proposed new system	20	12x DM 6x Overview and Scrutiny/Performance, Audit and Governance 2x Joint Scrutiny



Agenda Item 12

EAST HERTS COUNCIL

COUNCIL - 1 MARCH 2017

REPORT BY THE MONITORING OFFICER

MOTION OF CENSURE

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

 Standards Sub-Committee, at its meeting held on 13 December 2016, considered a report by the Investigating Officer which concluded that former Councillor J Cartwright had breached the Authority's Code of Conduct in relation to the matters identified. The Standards Sub-Committee decided that the Member had failed to comply with the Code and that formal censure by motion was appropriate.

RECOMMENDATION FOR COUNCIL:

(A) that former Councillor James Cartwright be censured for his conduct in respect of the matter detailed by the Investigating Officer in his report to the Standards Sub-Committee meeting of 13 December 2016.

1.0 <u>Background</u>

1.1 The Standards Sub-Committee considered the Investigating Officer's report into three separate complaints submitted against former Councillor J Cartwright. The report can be viewed on the Council's website at:

http://democracy.eastherts.gov.uk/ieListDocuments.aspx?Cld=44 0&Mld=3092&Ver=4

2.0 Report

2.1 The complaints were considered in accordance with the agreed complaints procedure.

- 2.2 An investigating officer was appointed to carry out an investigation. Following the investigation, the Investigating Officer concluded that, in all the circumstances of this case, there had been a failure to comply with the Members' Code of Conduct. Former Councillor Cartwright had:
 - made false, disrespectful assertions about Mr Bromage and Mr Ramsey during the investigation into the earlier complaint about his conduct;
 - sent Mr McNeece offensive text messages; and
 - continued to make derogatory comments about identifiable individuals on Twitter, both during the investigation and immediately after the Standards Sub-Committee considered the matter.
- 2.3 The Sub-Committee considered the advice of the Independent Person and agreed that there had been a breach of the Code of Conduct. Given that Mr Cartwright had resigned as a councillor before the Sub-Committee's determination, the Sub-Committee recognised that the only sanction available was a motion of censure. Although this would likely have little impact on Mr Cartwright personally, it was considered correct for the public at large to know.
- 2.4 Council is invited to agree the motion of censure now detailed.
- 3.0 <u>Implications/Consultations</u>
- Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper** 'A'.

Background Papers

Standards Sub-Committee Agenda and Minutes – 13 December 2016: http://democracy.eastherts.gov.uk/ieListDocuments.aspx?Cld=440&Mld=3092&Ver=4

Contact Officer/

Report Author: Kevin Williams – Monitoring Officer, Ext 2170

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<u>:</u>

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	Priority 1 – Improve the health and wellbeing of our communities Priority 2 – Enhance the quality of people's lives Priority 3 – Enable a flourishing local economy
Consultation:	None
Legal:	The procedures are in accordance with the regulations.
Financial:	None
Human Resource:	None
Risk Management:	None.
Health and Wellbeing:	None



EAST HERTS COUNCIL

COUNCIL - 1 MARCH 2017

REPORT BY CHIEF EXECUTIVE

APPOINTMENT OF CHIEF FINANCIAL OFFICER

WARD(S) AFFECTED: NONE

Purpose/Summary of Report

 This report advises on the appointment of the new Chief Financial Officer and s151 responsibilities within the authority, in the light of the recent resignation of the current post-holder.

RECOMMENDATIONS FOR COUNCIL: That:	
(A)	the appointment of the new Head of Strategic Finance and Property Services as the Council's s151 Officer be noted.

1. Background

1.1. Councils are required under Section s151 Local Government Act 1972 to make arrangements for the proper administration of their financial affairs and give an officer responsibility for the administration of those affairs. This officer is generally known as the s151 officer.

2. Report

2.1. There is a requirement for the Council to appoint one of its officers as the s151 officer. The Chartered Institute of Public Finance and Accountancy (CIPFA) has set out five key roles that are critical to the achievement of a Chief Financial Officer's statutory responsibilities:

- The maintaining strong financial management underpinned by effective financial controls
- contributing to corporate management and leadership
- supporting and advising democratically elected representatives
- supporting and advising officers in their operational roles
- leading and managing an effective and responsive financial service.
- 2.2. The key activities for each of these roles are set out in a protocol within the constitution.
- 2.3. The current Head of Strategic Finance and Property has submitted his resignation and will leave employment with East Herts Council on 12 March 2017. Isabel Brittain has since been appointed as the new Head of Strategic Finance and Property and began employment with East Herts Council on 20 February 2017. As the new Head of Strategic Finance and Property, she has been appointed the s151 officer.
- 2.4. Under Section 113 Local Government Finance Act 1988 the post-holder must be a member of one of the specified accounting professions. The new Head of Finance and Property Services is a Member of the Chartered Institute of Public Finance (CIPFA).
- 2.5. The duties of the Chief Financial Officer are set out within the current Constitution and are as follows:

Description	Source
Report on decisions incurring unlawful expenditure, unlawful loss or deficiency or unlawful item of account.	Section 114, 114a, 115, 116 Local Government and Finance Act 1988 2
Appointment of Deputy.	Section 114 Local Government and Finance Act 1988
Report on resources.	Section 114 Local Government and Finance Act 1988.

Description	Source
Responsibility for the administration of financial affairs.	Section 151 Local Government Act 1972
Borrowing, investment accounts and financial administration.	Local Government Act 2003 Sections 1-92
Responsibility to determine the form of the Council's accounts and records, provide internal audit and statement of accounts.	The Accounts and Audit Regulations 2003 Local Authorities (Capital Finance and Accounting) (England) Regulations 2003

2.6. Council is being requested, in this report, to note the change of responsibilities.

3. <u>Implications/Consultations</u>

3.1. None

Background Papers None

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Report Author: Kevin Williams – Interim Head of Legal and Democratic

Services

Contact Tel No 01279 502170 kevin.williams@eastherts.gov.uk



ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	The role of the s151 Officer will support all of the Council's priorities: Priority 1 – Improve the health and wellbeing of our communities Priority 2 – Enhance the quality of people's lives Priority 3 – Enable a flourishing local economy
Consultation:	None
Legal:	Councils are required under Section s151 Local Government Act 1972 to make arrangements for the proper administration of their financial affairs and give an officer responsibility for the administration of those affairs.
Financial:	None
Human Resource:	None
Risk Management:	None.
Health and Wellbeing:	None

