

MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 28 OCTOBER 2015, AT 7.00
PM

PRESENT:

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

OFFICERS IN ATTENDANCE:

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

344 CHAIRMAN'S ANNOUNCEMENTS

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

On behalf of all Members, the Chairman welcomed Liz Watts, Chief Executive, to her first Council meeting.

The Chairman referred to the sad news that, since the last meeting, two former Members had passed away. Edward Carter had represented Hunsdon ward from 1987 – 2003. Janet Mayes had represented Great Amwell ward from June 2006 until retiring in May 2015. As a mark of respect, Members stood and observed a minute's silence in memory of both former Members.

The Chairman referred to the events she had attended recently and highlighted a visit to the World Canoe Slalom Championships at Lee Valley White Water Centre where she had been awestruck in meeting Baroness Grey-Thompson.

Finally, she drew Members' attention to the launch of the East Herts Got Talent competition.

345 MINUTES

RESOLVED – that the Minutes of the Council meeting held on 29 July 2015 and the Extraordinary Council meetings held on 29 July and 1 September 2015, be approved as correct records and signed by the Chairman.

346 PUBLIC QUESTIONS

Katharine Seaton, a resident of Hertford, stated that she was on the steering group of the community network, Herts Welcomes Syrian Families, which had formed to encourage Hertfordshire councils to participate in the government's Vulnerable Persons Relocation scheme for Syrian nationals. On behalf of her network, she asked the Leader of the

Council how East Herts Council intended to implement the scheme locally, what was the most optimistic timescale possible for bringing the first family here, and what could her network do to support the Council practically to achieve this.

In reply, the Leader of the Council agreed that the deplorable plight of many Syrian people deserved support. She referred to the Prime Minister's statement of 7 September 2015, in which the process, nationally, for accepting up to 20,000 people over the next five years had been outlined. The Council was participating fully with neighbouring councils and other agencies to provide a coordinated strategy that would assist in helping Syrian families arriving in the coming weeks and months. The position was changing on an almost daily basis and although the Leader was unable to confirm the timescale for the first arrivals in Hertfordshire, she provided assurance that the Council would play its full part.

In response to a supplementary question, the Leader undertook for the Council to keep Herts Welcomes Syrian Families informed of progress.

347 MEMBERS' QUESTIONS

Question 1

Councillor R Henson asked the Executive Member for Environment and the Public Space if he could set out the measures the Council was taking to work with the police and other partners, both to combat illegal drug use in East Hertfordshire, and to promote the safety and wellbeing of residents.

In response, the Executive Member for Environment and the Public Space detailed the work of the East Herts Community Safety Partnership. The Council played a lead role in this multi-agency partnership and the Executive Member highlighted some of its activities. In particular, he referred to the Anti-Social Behaviour group which organised a highly successful diversionary activities programme. The Council enjoyed a close working relationship with the police, which

included regular weekly meetings, at which crimes under investigation were discussed.

Question 2

Councillor N Symonds stated that, whilst acknowledging the excellent work that the Benefits team did, it concerned her that over two thousand people were taken to court which added court fines of £80 to debts they already had with the Benefits section. She was also concerned that some of these people might have mental health issues which Benefits were not aware of, or other disabilities. She knew that court was the absolute last resort, but asked the Executive Member for Health and Wellbeing what could be done by the Authority to help the most vulnerable residents.

In reply, the Executive Member for Health and Wellbeing agreed that the Benefits team did an excellent job. However, he believed the question related to the Revenues team who managed a council tax base of approximately 60,000, of which about 3% received a summons. He also agreed that the legal process was always a last resort and that discussions with clients often prevented the need for a summons to be issued.

The Executive Member also detailed the various training undertaken by Officers, for instance in dealing with vulnerable clients, perhaps with dementia and mental health issues. Officers also provided advice sessions and there was also the referral service to the Citizens Advice Bureau. Finally, he undertook to provide detailed statistics in writing.

Question 3

Councillor T Page asked the Executive Member for Development Management and Council Support if she was satisfied that section 106 agreements, under the Council's control, were properly formulated, monitored, and directed to local need. Bearing in mind that significant sums were reserved for major community infrastructure projects beyond its immediate responsibility, he asked if the Council could

demonstrate that it was successful in working with partners to ensure that there was no irrecoverable loss of earmarked funds.

In reply, the Executive Member for Development Management and Council Support reminded Members of the current policy position and the framework within which the Council operated. She referred to the National Planning Policy Framework and the Community Infrastructure Levy which had enabled provision to be extended to other services, e.g. health. However, there were also constraints in terms of scheme viability.

The Executive Member referred to the regular monitoring undertaken by Officers working in partnership, in particular, with Hertfordshire County Council. Outstanding schemes were reported to the Corporate Management Team and Internal Audit to ensure delivery of projects. She recommended that a quarterly schedule be produced and reported to Members and drew attention to a forthcoming training event for Members.

In response to a supplementary question on influencing partners, in particular Hertfordshire County Council, the Executive Member commented that the Head of Communications, Engagement and Culture was in constant dialogue with partners and that she was unaware of any funds ever being lost.

Question 4

Councillor P Phillips referred to David Cameron's announcement at Conservative Party Conference earlier this month to incentivise developers to deliver truly affordable housing for first time buyers. He asked the Executive Member for Health and Wellbeing if, the recent change in the Council's Affordable Housing Policy, needed an urgent review to allow the Council to take a lead with developers in moving this proactive policy forward, particularly in light of the difficulties this Council had had delivering social housing numbers in recent years with the existing policy.

In reply, Executive Member for Health and Wellbeing reminded Members with the background to the Council's Affordable Housing policies and the necessary changes that had arisen due to legal rulings. Indeed, the latest change, a reversion back to the Council's original policy, was proposed for Members to consider later in the agenda (Minute 359 refers). As the Bill had yet to be passed into law, he did not agree that there was a need for an urgent review as the District Planning Executive Panel was progressing many issues for Council to determine. He expressed his confidence that an appropriate policy would emerge. Finally, he undertook to provide statistics on affordable housing provision in writing.

348 EXECUTIVE REPORT - 28 JULY 2015

The Leader of the Council welcomed Liz Watts and referred to the exciting times that lay ahead for the Council. In respect of Minute 180 – Bishop's Stortford Town Centre, she advised that the purchase of the Bishop's Quarter had now been completed and this would provide an important revenue stream for the Council in the coming years.

The Leader also advised that Councillor G Jones would be taking over from Councillor S Rutland-Barsby as Deputy Leader from 1 November 2015. She reminded Members that Councillor S Rutland-Barsby had agreed to fulfil the Deputy Leader's duties on a temporary basis for six months only, which had now come to an end. She thanked her for her support and expressed her confidence in Councillor G Jones undertaking the role.

Councillor S Rutland-Barsby expressed her thanks for the Leader's support during the previous six months.

RESOLVED – that the Minutes of the Executive meeting held on 28 July 2015 be received.

349 EXECUTIVE REPORT - 4 AUGUST 2015

RESOLVED – that the Minutes of the Executive meeting held on 4 August 2015 be received.

(see also Minute 350)

350 MEDIUM TERM FINANCIAL STRATEGY (2016/17 TO 2019/20)

RESOLVED – that (A) the comments of Corporate Business Scrutiny Committee be received;

(B) the proposed Financial Strategy, as now detailed, be adopted; and

(C) the planning assumptions set out in the report submitted, be adopted as the basis for framing the 2016/17 budget and Medium Term Financial Plan to 2019/20.

(see also Minute 349)

351 EXECUTIVE REPORT - 10 AUGUST 2015

RESOLVED – that the Minutes of the Executive meeting held on 10 August 2015 be received.

352 EXECUTIVE REPORT - 1 SEPTEMBER 2015

RESOLVED – that the Minutes of the Executive meeting held on 1 September 2015 be received.

353 EXECUTIVE REPORT - 6 OCTOBER 2015

RESOLVED – that the Minutes of the Executive meeting held on 6 October 2015 be received.

(see also Minutes 354 – 359)

354 DEREGULATION ACT 2015 - DURATION OF LICENCES

RESOLVED - that the proposed licence fee levels, as set out at Essential Reference Paper B of the report submitted, be approved.

(see also Minute 353)

355 EAST HERTS GREEN BELT REVIEW AUGUST 2015

RESOLVED – that the Green Belt Review 2015 be approved as part of the evidence base to inform and support preparation of the East Herts District Plan.

(see also Minute 353)

356 VILLAGE HIERARCHY STUDY STAGE 1 AUGUST 2015

RESOLVED – that the Village Hierarchy Study Stage 1 August 2015, be approved as part of the evidence base to inform and support preparation of the East Herts District Plan.

(see also Minute 353)

357 DUTY TO CO-OPERATE UPDATE REPORT

RESOLVED – that the notes of the Member-level meetings held with neighbouring local authorities be received.

(see also Minute 353)

358 BUNTINGFORD TRANSPORT MODEL REPORT AUGUST 2015

RESOLVED – that (A) the Buntingford Transport Model Report 2015 be approved as part of the evidence base to inform and support preparation of the East Herts District Plan;

(B) the Buntingford Transport Model Report 2015 be approved to inform Development Management decisions; and

(C) the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to make non-material amendments to the final Buntingford Transport Model Report 2015, prior to publication.

(see also Minute 353)

359 AFFORDABLE HOUSING – AMENDMENT TO POLICY

RESOLVED – that (A) the change in national planning policy through the removal of paragraphs in planning policy guidance related to affordable housing thresholds be noted;

(B) the affordable housing thresholds as amended in 2012 under the 2007 Local Plan HSG3 Affordable Housing policy be re-introduced; and

(C) the Starter Homes exemption policy, as introduced by Central Government in March 2015, be included as part of the amended 2012 HSG3 policy, as set out in this report.

(see also Minute 353)

360 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES - 18 AUGUST 2015

RESOLVED – that the Minutes of the Development Management Committee meeting held on 18 August 2015, be received.

361 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES - 19 AUGUST 2015

RESOLVED – that the Minutes of the Development

Management Committee meeting held on 19 August 2015, be received.

362 CORPORATE BUSINESS SCRUTINY COMMITTEE:
MINUTES - 25 AUGUST 2015

RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 25 August 2015, be received.

363 ENVIRONMENT SCRUTINY COMMITTEE: MINUTES - 8
SEPTEMBER 2015

RESOLVED – that the Minutes of the Environment Scrutiny Committee meeting held on 8 September 2015, be received.

364 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES -
16 SEPTEMBER 2015

RESOLVED – that the Minutes of the Development Management Committee meeting held on 16 September 2015, be received.

365 COMMUNITY SCRUTINY COMMITTEE: MINUTES - 22
SEPTEMBER 2015

RESOLVED – that the Minutes of the Community Scrutiny Committee meeting held on 22 September 2015, be received.

366 AUDIT COMMITTEE: MINUTES - 23 SEPTEMBER 2015

RESOLVED – that the Minutes of the Audit Committee meeting held on 23 September 2015, be received.

367 HEALTH AND WELLBEING SCRUTINY COMMITTEE:
MINUTES - 13 OCTOBER 2015

RESOLVED – that the Minutes of the Health and Wellbeing Scrutiny Committee meeting held on 13

October 2015, be received.

368 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES -
14 OCTOBER 2015

RESOLVED – that the Minutes of the Development Management Committee meeting held on 14 October 2015, be received.

369 HUMAN RESOURCES COMMITTEE: MINUTES - 21
OCTOBER 2015

RESOLVED – that the Minutes of the Human Resources Committee meeting held on 21 October 2015, be received.

370 SCHEME OF SUBSTITUTION

Council considered a report proposing an amendment to the scheme of substitution for Development Management Committee meetings. This set out revised arrangements for notification of substitutes on this Committee only being given via the Committee Chairmen or the Executive Member for Development Management and Council Support.

The Head of Democratic and Legal Support Services advised that, given the Leader's earlier statement regarding the Deputy Leader position (Minute 348 refers), the recommendation should be amended with the Executive Member for Development Management and Council Support replacing the Deputy Leader in the notification process.

Councillor T Page questioned whether the proposed change could lead to a perception by the public that undue influence would be exercised on the Committee membership for any particular meeting. He clarified that he did not cast any negative aspersions on the integrity of the current Committee Chairman or Executive Member for Development Management and Council Support.

The Executive Member for Development Management and

Council Support expressed support for the proposal by referring to the high workload for each Committee Member and the difficulties each faced with attending every meeting. The proposed arrangements would enable greater sharing of the workload, enhanced succession planning and provide for a greater rotation of Members involved in decision-making.

Council approved the proposal as now detailed.

RESOLVED – that paragraph 4.3(iii) of Part 4a (Council Procedural Rules) of the Constitution be amended to read:

“after notification has been given by the absent Member to the Head of Democratic and Legal Support Services at least 24 hours before the meeting of the intended substitution. This does not apply to the Development Management Committee where the required notification must be either to the Committee Chairman or the Executive Member for Development Management and Council Support who, in turn, will notify the Committee service at least 7 hours before commencement of the Development Management Committee meeting. The duration of the substitution shall form part of the notification.”

371 MOTION ON NOTICE - RELIGIOUS WORSHIP

Councillor A McNeece proposed, and Councillor P Phillips seconded, a motion that:

“The meetings of East Herts District Council should be conducted in a manner equally welcoming to all attendees, regardless of their individual religious beliefs or lack of belief. Religious worship should therefore play no part in the formal or informal business of council meetings, on council premises.”

In moving the motion, Councillor A McNeece believed that the Council should not identify with a particular religion and should be more inclusive and representative. He contended

that religion should not have any role in functions of the state and in particular, at council meetings, as this was divisive.

He commented that, although the 2015 Act had legalised prayers at meetings, many councils had since voted against the practice with only 22% of Authorities including religious worship at meetings. He believed this had a negative impact for many Councillors and undermined their freedom. He concluded by suggesting that prayers could be held in private away from the chamber and not funded by the taxpayer.

Councillor P Phillips seconded the motion by referring to his experience as a councillor attending meetings. He believed he had been elected to represent his constituents and referred to the summons for Council meetings starting at 7.00pm, and yet, invariably, meetings started later whenever prayers finished. He concluded by asking for a secret ballot on the motion, to which more than five Members indicated their support.

Councillor G Jones spoke against the motion. He stated his own Christianity, which he did not flaunt, but neither did he leave it at the door of the chamber. He referred to the role of Christianity in society generally, and that the right to hold prayers at meetings had been confirmed by the Local Government (Religious etc, Observances) Act 2015.

Councillor P Ruffles also spoke against the motion. He challenged the suggestion that prayers were divisive and believed that they served an important time for quiet reflection before a Council meeting. He believed it was right for the Chairman to facilitate what was an inclusive activity which could also be led by a Muslim, Hindu, Humanist or poet.

Exercising his right of reply, Councillor A McNeece referred to an online poll running on the Herts and Essex Observer website, which indicated 75% support for his motion.

At 8.05 pm, the meeting was adjourned so that a secret ballot on the motion could be held. At 8.12 pm, the meeting was reconvened and the Chairman advised that the voting on the

motion was as follows:

For: 5

Against: 42

Therefore, the motion was declared LOST.

The meeting closed at 8.13 pm

Chairman
Date