

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 17 JULY 2018, AT 7.00 PM

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

ALSO PRESENT:

Councillors A Alder, M Allen, D Andrews,
P Ballam, M Casey, G Cutting, M McMullen,
T Page, M Pope, P Ruffles, T Stowe and
N Symonds.

OFFICERS IN ATTENDANCE:

Simon Aley	-	Interim Legal Services Manager
Steven Dupoy	-	Leisure and Environment Services Manager
Martin Ibrahim	-	Democratic Services Team Leader
Jess Khanom	-	Head of Operations
Helen Standen	-	Director
Kevin Steptoe	-	Head of Planning and Building Control Services
Rhys Thomas	-	Theatre Director and Arts Advisor

Liz Watts - Chief Executive

87 LEADER'S ANNOUNCEMENTS

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

She also reminded Members to ensure the proper disposal of confidential "pink" papers in the confidential waste bins or by returning them to Democratic Services.

88 MINUTES

Councillor G McAndrew moved, and Councillor S Rutland-Barsby seconded, a motion to approve the Minutes of the previous meeting as a correct record. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the Executive meeting held on 12 June 2018 be approved as a correct record and signed by the Leader.

89 UPDATE FROM OVERVIEW AND SCRUTINY COMMITTEE

The Executive received a report from the Overview and Scrutiny Committee detailing its comments and recommendations on various matters considered at its meeting held on 19 June 2018, including on:

- Update from the Executive Member for Health and Wellbeing

- Appointment of Vice-Chairman
- Proposed Capital Development of Hertford Theatre and surrounding areas
- Contract Options for Grounds Maintenance Contract – Findings of the Scrutiny Task and Finish Group
- Work Programme Update
- Old River Lane, Bishop’s Stortford – Update

The Executive received the report.

RESOLVED – that the report be received.

90 GROUND MAINTENANCE CONTRACT OPTIONS

The Executive Member for Environment and the Public Realm submitted a report outlining contract options for the grounds maintenance service. He thanked the task and finish group for exploring the various issues which were set out in the report submitted.

The Executive Member referred to the outcome of the soft market testing that had informed the proposals and the support expressed by the Overview and Scrutiny Committee.

Councillor G McAndrew moved, and Councillor E Buckmaster seconded, a motion that the recommendations now detailed be approved.

The Executive approved the recommendations now detailed.

RESOLVED - that (A) the Council procures a new contract for the provision of grounds maintenance

services with a Competitive Procedure with Negotiation as the preferred procurement approach;

(B) the contract be let for a term of 8 years with the potential for a 5 year extension;

(C) the contract be designed to deliver the same quality standards (described in Essential Reference Paper 'B' of the report submitted) across the District on EHC land, continuing with a performance/output approach as opposed to a scheduled delivery of works; and

(D) savings be made to offset the increase in costs of a new contract by no longer funding a "top up" to cut Hertfordshire County Council verges to the East Hertfordshire Council standard (saving approximately £800,000 over the contract term).

91 BISHOP'S STORTFORD SOUTH MASTERPLAN FRAMEWORK

The Leader of the Council submitted a report on the Masterplan Framework for Bishop's Stortford South. She reminded the Executive of the Council's approach to master planning and emphasised that this was a framework and not a full masterplan.

The Executive noted that further work would be undertaken to develop the details on various issues such as economic development, healthcare provision and sustainable transport amongst others. The proposed Framework would provide the basis on which preparation of the detailed application stages could proceed.

Councillor G Jones moved, and Councillor G McAndrew seconded, a motion that the recommendations now detailed be supported. After being put to the meeting and a vote taken, the motion was declared CARRIED.

The Executive supported the recommendations now detailed.

RECOMMENDED – that (A) the Masterplan Framework for Bishop’s Stortford South, as detailed at Essential Reference Paper ‘B’ of the report submitted, be agreed as a material consideration for development management purposes; and

(B) the recommendation in (A) above be subject to the Council seeking the delivery of employment uses and buildings which support high quality employment opportunities reflecting the strategic location of the site in relation to innovative and expanding employment hubs .

92 SAWBRIDGEWORTH MASTERPLANNING FRAMEWORKS - LAND TO THE NORTH OF AND SOUTH OF WEST ROAD

The Leader of the Council submitted a report on masterplans for two sites in Sawbridgeworth – land to the north of West Road (SAWB2) and land to the south of West Road (SAWB3). The proposed Framework would provide the basis on which preparation of the detailed application stages could proceed.

Various Members referred to the steering group engagement with the developers in positive terms and how

this dialogue had informed the Frameworks being proposed.

Councillor G Willimason moved, and Councillor E Buckmaster seconded, a motion that the recommendation now detailed be supported. After being put to the meeting and a vote taken, the motion was declared CARRIED.

The Executive supported the recommendation now detailed.

RECOMMENDED – that the Masterplanning Frameworks for:

- (i) Land to the north of West Road (SAWB2)
- (ii) Land to the south of West Road (SAWB3)

as detailed at Essential Reference Papers 'B' and 'C' to the report submitted, be agreed as material considerations for development management purposes.

93 PROPOSED CAPITAL DEVELOPMENT OF HERTFORD THEATRE

The Executive Member for Health and Wellbeing submitted a report providing an overview of a proposed capital development of Hertford Theatre. He detailed the opportunities for improving the vibrancy of the town centre by enhancing access to an improved cinema programme, increasing capacity in the main auditorium, creating access to Castle Gardens via the Motte and improving the public realm of the Theatre site in general.

The options had been considered by the Overview and Scrutiny Committee. The Committee had supported the Growth and Legacy option as the preferred option, but expressed concerns in respect of a lack of member involvement. To this end, it was proposed that this be addressed as the project develops.

In response to Members' comments and questions, Officers acknowledged the challenge in respect of disabled parking and undertook to explore all options. Officers also explained the rationale for the increased marketing expenditure that would arise from the additional events and activities being held.

Councillor E Buckmaster moved, and Councillor J Goodeve seconded, a motion that the recommendations now detailed, be supported. After being put to the meeting and a vote taken, the motion was declared CARRIED.

The Executive supported the recommendations now detailed.

RECOMMENDED - that (A) the views of Overview and Scrutiny Committee as described in paragraph 13 of the report submitted, be received;

(B) the Growth and Legacy option be supported as the preferred option for investment and development of Hertford Theatre expansion; and

(C) following the request from the Overview and Scrutiny Committee, Member involvement and engagement will increase as the project develops.

94 FUTURE MANAGEMENT OF TOWN CENTRE MARKETS

The Executive Member for Economic Development submitted a report reviewing the future ownership and management arrangements for town centre markets. He detailed the current operation and management arrangements for each of the markets in the District and referred to the options appraisal considered by Community Scrutiny Committee in March 2017. This had suggested devolving the service to town councils in Bishop's Stortford, Hertford and Ware. The outcome of discussions with the town councils was set out in the report submitted.

Councillor G Jones moved, and Councillor G McAndrew seconded, a motion that the recommendations now detailed, be approved. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive approved the recommendations now detailed.

RESOLVED - that (A) East Herts Council ceases the management of Bishop's Stortford market to allow Bishop's Stortford Town Council (BSTC) to own and manage the market under the Food Act 1984, transferring market rights as detailed in paragraph 2.13 of the report submitted;

(B) in agreement with Bishop's Stortford Town Council, the current contract with BSTC will terminate in conjunction with the implementation of recommendation (A) above;

(C) delegated authority is provided to the Head of Operations to agree the details of the transfer arrangements including the financial support described in Essential Reference Paper 'A' of the report submitted, in conjunction with the Monitoring Officer, Chief Finance Officer and the Executive Member for Economic Development;

(D) the position on the markets transfer from Hertford and Ware Town Councils as described in paragraphs 2.9 and 2.10 of the report submitted, be noted;

(E) engagement with market traders in Hertford and Ware to seek their views on a street trading consent arrangement for the continuation of stalls to take place over summer 2018, be noted; and

(F) the decision on the future of Hertford and Ware markets to be taken after consultation with market traders, be noted.

95 BRENT PELHAM CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

The Executive Member for Development Management and Council Support submitted a report on the Brent Pelham Conservation Area Appraisal and Management Plan. She detailed the outcome of the further consultations that had taken place.

The Appraisal identified the special character of the Conservation Area together with the elements that should be retained or enhanced and those which detracted from

the identified character. Once adopted by the Council, the Appraisal would become a 'material consideration' in the process of determining planning applications. It would also link into the development of neighbourhood planning.

Councillor S Rutland-Barsby moved, and Councillor G McAndrew seconded, a motion that the recommendations now detailed, be supported. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive supported the proposals now detailed.

RECOMMENDED – that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Brent Pelham 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 Brent Pelham Conservation Area Character Appraisal and Management Proposals be supported for adoption.

96 CRABBS GREEN CONSERVATION AREA APPRAISAL AND
MANAGEMENT PLAN

The Executive Member for Development Management and

Council Support submitted a report on the Crabbs Green Conservation Area Appraisal and Management Plan. She detailed the outcome of the further consultations that had taken place.

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

Councillor S Rutland-Barsby moved, and Councillor E Buckmaster seconded, a motion that the recommendations now detailed, be supported. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive supported the proposals now detailed.

RECOMMENDED – that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Crabbs Green 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 Crabbs Green Conservation Area Character Appraisal and Management Proposals be supported for adoption.

97 EAST END GREEN CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

The Executive Member for Development Management and Council Support submitted a report on the East End Conservation Area Appraisal and Management Plan. She referred to a number of issues that had been raised by residents and suggested that the report be deferred to the next meeting so that these could be clarified.

The Executive agreed to defer this report.

RESOLVED – that the report be deferred pending clarification of unresolved issues.

98 LITTLE AMWELL CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

The Executive Member for Development Management and Council Support submitted a report on the Little Amwell Conservation Area Appraisal and Management Plan. She detailed the outcome of the further consultations that had taken place.

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

also link into the development of neighbourhood planning.

Councillor S Rutland-Barsby moved, and Councillor J Goodeve seconded, a motion that the recommendations now detailed, be supported. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive supported the proposals now detailed.

RECOMMENDED - that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Little Amwell 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 Little Amwell Conservation Area Character Appraisal and Management Proposals be supported for adoption.

99 GREAT HORMEAD CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

The Executive Member for Development Management and Council Support submitted a report on the Great Hormead Conservation Area Appraisal and Management Plan. She detailed the outcome of the further consultations that had

taken place.

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

The Executive was reminded that for listed buildings at risk, historic building grants and heritage at risk grants were available for repair or restoration work.

Councillor S Rutland-Barsby moved, and Councillor E Buckmaster seconded, a motion that the recommendations now detailed, be supported. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive supported the proposals now detailed.

RECOMMENDED - that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Great Hormead 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 Great Hormead Conservation Area Character Appraisal and Management Proposals be supported for adoption.

100 LEISURE PROCUREMENT UPDATE

The Executive Member for Health and Wellbeing submitted a report updating the Executive on the leisure procurement process which sought a change to the approach previously agreed. He detailed the procurement progress made to date and explained that, in view of the sensitivities of the green belt locations of both Hartham and Grange Paddocks, as well as Hartham being in a Conservation Area, a change in the procurement method was now proposed.

It was now recommended that the "Design and Build" aspects of the project is brought 'in house' and East Herts Council (EHC) leads on the refurbishment of Hartham Leisure Centre and the development of a new leisure centre at Grange Paddocks, to replace the Design, Build Operate and Maintain (DBOM) approach that would have seen this project led and delivered by one external consortia.

In response to members' comments and questions, Officers advised that the proposed change would have no impact on the timescale or funding for the project.

Councillor J Goodeve moved, and Councillor G McAndrew seconded, a motion that the proposals now detailed be approved. After being put to the meeting, and a vote taken, the proposals were declared CARRIED.

The Executive approved the proposals now detailed.

RESOLVED - that (A) the Design and Build aspects of the leisure procurement for Grange Paddocks and Hartham leisure centres are separated from the leisure operating contract, replacing the previously approved "Design, Build, Operate and Maintain (DBOM)" procurement route (recommendations G and H; Council, July 2017);

(B) the procurement of the leisure operating contract in parallel to (A) above, be noted; and

(C) the other recommendations from the Council meeting in July 2017 and those agreed in October 2017 remaining the same, be noted.

101 OLD RIVER LANE

The Executive considered a joint report of the Leader and the Executive Member for Finance and Support Services on the progress of the Old River Lane (ORL) project and its next stages of development. The Council now needed to confirm its preferred delivery model and procurement route. The Executive noted that any progress was still subject to the planning application for the multi-story car park.

The Overview and Scrutiny Committee had considered the matter in detail and raised a number of issues as set out in the report submitted. The Committee had supported the delivery models and procurement route now proposed.

Councillor G Williamson moved, and Councillor E Buckmaster seconded, a motion that the proposals now detailed be supported. After being to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive supported the recommendations now detailed.

RECOMMENDED – that (A) the comments and suggestions from the Overview and Scrutiny Committee held on 19 June 2018, be received;

(B) the suggested delivery models for the three parts of the scheme be as follows:

- Northgate End: Direct Delivery
- Core ORL Site: Development Agreement
- Arts Centre: Direct delivery, with developer taking overarching project management role for all of core ORL site;

(C) procurement proceeds on the basis of splitting the whole scheme into two parts, with two parallel procurement processes (Option 2 as set out in paragraph 2.4 of the report submitted).

102 URGENT BUSINESS

The Leader advised that she had agreed to accept onto the agenda an urgent matter relating to the Management of Community Assets Associated with New Development (Minute 103 refers), on the grounds of avoiding delays to the implementation of planning guidelines for the effective management of such assets.

103 THE MANAGEMENT OF COMMUNITY ASSETS ASSOCIATED WITH NEW DEVELOPMENT

The Leader of the Council submitted a report on the management of community assets associated with new developments. This would ensure planning guidelines were in place to assist with managing new community assets. She also sought approval for a specific proposal relating to Stortford Fields, Bishop's Stortford North.

Councillor G Jones expressed concerns with some aspects of the proposals, namely relating to the funding for the proposed community trust, the governance issues and also the range of activities and responsibilities.

Officers responded to Members' comments and questions in respect of membership of the proposed trust, adoption of estate roads, investment returns and social housing top-ups. The detail of many issues would need to be worked through as negotiations unfolded.

Councillor G Jones moved, and Councillor S Rutland-Barsby seconded, a motion that the proposals as now amended and detailed be approved. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive approved the proposals now detailed.

RESOLVED - that (A) planning guidelines are prepared that will inform developers about the Council's requirements in respect of the management of community assets in new developments; and

(B) the determination by officers of the community assets management arrangements at Stortford Fields be endorsed, including:

(i) the establishment of a Stortford Fields Community Trust in the role of the community assets management body, subject to the following conditions:

(a) the submission of a five year business plan for consideration by the Bishop’s Stortford North Steering Group;

(b) a review of the Trustee Board membership to be considered by the Bishop’s Stortford North Steering Group; and

(c) the Trust having the ability to devolve activities if considered necessary at the appropriate time;

(ii) a two-tier service charge according to property size.

The meeting closed at 8.17 pm

Chairman
Date