

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 26 FEBRUARY 2019, AT 7.00 PM

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

ALSO PRESENT:

Councillors M Allen, P Ballam, S Bull,
M McMullen, P Moore, M Pope, S Reed,
P Ruffles, T Stowe and N Symonds.

OFFICERS IN ATTENDANCE:

Isabel Brittain	- Head of Strategic Finance and Property
James Gardner	- Project Manager
Peter Mannings	- Democratic Services Officer
Helen Standen	- Deputy Chief Executive
Kevin Steptoe	- Head of Planning and Building Control Services
Alison Stuart	- Head of Legal and Democratic Services
Liz Watts	- Chief Executive
Ben Wood	- Head of

Communications,
Strategy and Policy

ALSO IN ATTENDANCE:

Malcolm Geer - Old River Lane
Consultant

394 LEADER'S ANNOUNCEMENTS

The Leader stated that this meeting was the last Executive for Kevin Steptoe as the Head of Planning and Building Control. She referred to the Harlow and Gilston Garden Town as an exciting project for Kevin to build on his skills and experience. The Leader thanked Kevin on behalf of the Executive and wished him well for the future.

395 MINUTES - 12 FEBRUARY 2019

Councillor G McAndrew proposed and Councillor G Williamson seconded, a motion that the minutes of the meeting held on 12 February 2019 be approved as a correct record and signed by the Leader. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the Executive held on 12 February 2019 be approved as a correct record and signed by the Leader.

396 EAST HERTS CORPORATE PEER CHALLENGE

The Leader of the Council submitted a report that

presented the findings of the recent East Herts Council Corporate Peer Review. She stated that a team of Officers and politicians had assessed the Authority and this was their report.

The Leader referred to the fair actions that were detailed in the report and stated that East Herts was seen as a “doing” Council with sound relationships being built by Officers. She praised the role of Members and thanked Officers and partners who had participated in the Peer Challenge in an active and positive way.

Councillor L Haysey proposed and Councillor G McAndrew seconded, a motion to support the recommendations now detailed. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive supported the proposals, as now detailed.

RESOLVED – that (A) the Peer Review report, as detailed within Essential Reference Paper B, be noted; and

(B) the associated action plan, as detailed with Essential Reference Paper C, be agreed.

397 RETAIL FRONTAGES, DESIGN AND SIGNAGE
SUPPLEMENTARY PLANNING DOCUMENT (SPD)

The Leader of the Council submitted a report seeking the Executive’s support for the publication of the draft

Retail Frontages, Design and Signage Supplementary Planning Document (SPD) for public consultation. The report also sought endorsement that a Strategic Environmental Assessment (SEA) of the emerging Retail Frontages, Design and Signage Supplementary Planning Document (SPD) was not required.

The Leader commented that the draft for public consultation would support the District Plan and would be a cohesive policy for the appearance of shop frontages across East Herts. The Leader referred to the importance of supporting high streets.

The Head of Planning and Building Control referred to this being a new piece of planning guidance and new proposals could be judged on the provisions of this document. The document could also be taken into account if a development did not benefit from planning permission and was the subject of enforcement action. The Head of Planning and Building Control advised that if a shop frontage already benefited from planning permission then, the guidance could not be applied retrospectively. Officers could however, take proactive steps to ensure positive changes going forward.

Councillor P Ruffles welcomed the document which had its origins in the Hertford Urban Design Strategy. He commented on how well known this document was and stressed the importance of proactive promotion and ongoing publicity.

The Head of Planning and Building Control referred to a widespread consultation process to inform owners

and occupiers of the provisions of this document. He also commented on the likely involvement of Town and Parish Councils. The Leader confirmed that the views of the East Herts Town and Parish Councils were very important.

Councillor N Symonds commented on the issue of A-Boards being under the remit of the County Council. She expressed concern that the proliferation of these boards in East Herts was a risk to blind residents and those who had a disability. The Head of Planning and Building Control confirmed that this was a County Council function and the powers had not been delegated over. He advised that this issue could be raised with Hertfordshire County Council where such problems were identified.

Councillor E Buckmaster confirmed that he had been approached by people who had raised the proliferation of these advertising boards as a matter of concern to them. The matter had been raised with the County Council and the boards had subsequently been removed.

The Head of Planning and Building Control confirmed to the Leader and Councillor P Ballam that the options in relation to backlighting of shop frontages were limited in terms of control aside from Officers seeking to take proactive action.

Councillor L Haysey proposed and Councillor S Rutland-Barsby seconded, a motion to support the recommendations now detailed. After being put to the meeting, and a vote taken, the motion was declared

CARRIED.

The Executive supported the proposals, as now detailed.

RECOMMENDED – that (A) the draft Retail Frontages, Design and Signage Supplementary Planning Document (SPD), as set out in Essential Reference Paper 'A', be agreed and published for a six-week period of public consultation; and

(B) In accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 it has been determined that a Strategic Environmental Assessment of the emerging Retail Frontages, Design and Signage Supplementary Planning Document (SPD) was not required as it was unlikely to have significant environmental effects.

398 LAND WEST OF HERTFORD (SOUTH OF WELWYN ROAD/WEST OF THIEVES LANE) MASTERPLANNING FRAMEWORK

The Executive Member for Development Management and Council Support submitted a report to enable Executive Members to consider the Master Planning Framework for the following site in Hertford:

- Land West of Hertford (South of Welwyn Road/West of Thieves Lane) (HERT3)

Councillor S Rutland-Barsby stated that the development of this site had been on hold due to the

holding direction that had been placed on the District Plan. She stated that she was very pleased that the site was now being brought forward for development.

Councillor L Haysey proposed and Councillor S Rutland-Barsby seconded, a motion to support the recommendations, now detailed. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive supported the proposals, as now detailed.

RECOMMENDED – that the Master Planning Framework for Land West of Hertford (South of Welwyn Road/West of Thieves Lane) (HERT3), as detailed at Essential Reference Paper 'B' to this report, be agreed, as a material consideration for Development Management purposes.

399 HARLOW AND GILSTON GARDEN TOWN TRANSPORT STRATEGY

The Leader of the Council submitted a report inviting the Executive to endorse the draft Harlow and Gilston Garden Town Transport Strategy for publication for a six-week period of public consultation following the May elections. The Executive was also invited to note that, following consultation and any subsequent revisions to the document, it was intended that the final Transport Strategy would be agreed as a material planning consideration for the preparation of masterplans, the preparation of the Gilston Area Charter, pre-application advice, assessing planning

applications and any other development management purposes.

Councillor L Haysey stated that this matter was also being considered by the Members of Epping Forest and Harlow Council's. She referred to high levels of car ownership and the importance of sustainable transport routes being put in place at the very beginning in respect of the Harlow and Gilston Garden Town.

Councillor Haysey commented on ambitious modal shifts and emphasised that these were not impossible targets. Councillor G McAndrew believed that this was an excellent paper that supported the Hertfordshire County Council Transport Plan. He commented that he had observed that Harlow already had a lot of existing cycle ways.

Councillor L Haysey proposed and Councillor G McAndrew seconded, a motion to support the recommendations now detailed. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive supported the proposals, as now detailed.

RECOMMENDED - that (A) the draft Harlow and Gilston Garden Town Transport Strategy, as detailed in Essential Reference 'C' to this report, be published for a six-week period of public consultation following the May elections; and

(B) the Executive noted, that, following consultation and any subsequent revisions to the document, it is intended that the final Transport Strategy will be agreed as a material planning consideration for the preparation of masterplans, the preparation of the Gilston Area Charter, pre-application advice, assessing planning applications and any other development management purposes.

400 ANSTEY CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

The Executive Member for Development Management and Council Support advised that this paper had been withdrawn as she was now aware that a petition on this matter would be presented at the next Council meeting and it would be disrespectful to determine this matter at this meeting.

Councillor S Bull commented that he was pleased this matter had been withdrawn. The Leader confirmed that this matter was withdrawn and would be looked at again.

RESOLVED – that the issue of the Anstey Conservation Area Appraisal and Management Plan be withdrawn from consideration at this meeting of the Executive.

401 FINANCIAL STABILITY STRATEGY

The Executive Member for Finance and Support Services submitted a report that proposed a Financial

Sustainability Strategy to be adopted for the use of both Officers and Members in the delivery of East Herts Medium Term Financial Plan for 2020 onwards. The proposed strategy had been a “work in progress” for the last year for the Financial Sustainability Group and had emerged from all the discussions and proposals considered within that group.

The Head of Strategic Finance and Property referred to the “have your say” sessions that had fed into the recommendations for Council. She stated that the report had been sanctioned by the Overview and Scrutiny Committee. The Leader thanked the Head of Strategic Finance and Property for the report.

Councillor G Williamson proposed and Councillor E Buckmaster seconded, a motion to support the recommendations now detailed. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive supported the proposals, as now detailed.

RESOLVED – that (A) the Financial Sustainability Strategy be adopted and used as the key methodology for delivering the Medium Term Financial Plan 2020 onwards;

(B) the Financial Sustainability Group be embedded as a Financial Sustainability Board and holds delegated powers to invest in projects that meet the Financial Sustainability Strategy criteria;

(C) the action plan detailed in table 2 be delivered through the Medium Term Financial planning process; and

(D) a capital sum be made available to the Financial Sustainability Board of £3m to invest in commercial income generating activity that achieves the Financial Sustainability Strategy key requirements.

402 OLD RIVER LANE

The Executive Member for Finance and Support Services submitted a report requesting that the Executive approve the recommended developer for Old River Lane, following the completion of the OJEU process, and recommended capital and revenue budgets for approval by Council.

Councillor G Williamson stated that this was the final stage of formal Council approval and he referred to the procurement proposals for the core site. He referred to potential enhancements to public space and residential units. Councillor Williamson confirmed that, although a preferred bidder had been selected, the details were in the exempt papers and he was not at liberty to confirm the bidder at this meeting.

Councillor Williamson emphasised that the procurement process had been secure, comprehensive and robust. He stated that the second element of the decision for the Executive was to make a recommendation to Council relating to the approval of

arrangements for the arts centre construction.

Councillor Williamson referred to a range of possible funding options including the use of a proportion of New Homes Bonus towards the priority spending reserve adding a note of caution given that New Homes Bonus was in some doubt. He concluded that recommendation B was a worst case scenario in terms of a manageable impact in terms of financial planning.

Councillor E Buckmaster referred to a paper from a parliamentary select committee. He summarised a number of the findings in relation to town centres and referred to a shift that was taking place, whereby there were less financial transactions and more social interactions.

The Chief Executive responded to a question from Councillor M Allen in respect of the implications of this project not being supported by Council. She referred to the significant amount of funding involved including £10m from the Hertfordshire Local Enterprise Partnership (LEP).

The Council's Old River Lane advisor commented on the diversification of town centres with much less retail and more theatres and cinemas and public realm enhancements. He referred to the bigger picture with particular reference to the internet retail fuelled decline in Town Centres. He gave a number of examples of town centre growth and stated that doing nothing equated to a disinvestment in Town Centres. He also stated that a mix of uses was a sensible long term solution.

The Head of Strategic Finance and Property explained that the revenue budget figures detailed in the report, represented a worst case scenario. The Chief Executive responded to a question from Councillor N Symonds in respect of her concerns regarding the impact of the Old River Lane proposals on South Street.

Councillor L Haysey proposed and Councillor G Williamson seconded, a motion that, pursuant to Section 100 (A) (4) of the Local Government Act 1972, the press and public be excluded during consideration of the business referred to in part of Minute 402 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act.

After being put to the meeting and a vote taken, this motion was declared CARRIED.

The Executive Members and the Council's Old River Lane advisor responded to a number of points and questions relating to the exempt papers and the Essential Reference Papers.

Councillor G Williamson proposed and Councillor E Buckmaster seconded, a motion to support the recommendations now detailed. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive supported the proposals, as now detailed.

RESOLVED – that (A) under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the discussion of part of Minute 402 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 7A of Part 1 of Schedule 12A of the said Act;

(B) with reference to:

- i. the scores from the procurement exercise, set out in Exempt Essential Reference Paper D,
- ii. the final Heads of Terms for the preferred developer set out in Exempt Essential Reference Paper B,
- iii. the draft masterplan by the preferred developer set out in Exempt Essential Reference Paper C,
- iv. the viability report written by Montagu Evans and set out in Exempt Essential Reference Paper D,

The Executive approves the preferred developer and authorises the Chief Executive, the Head of Strategic Finance and Property and the Head of Legal and Democratic Services (or their delegates) to issue a Contract Award Notice and proceed to sign a development agreement with the developer in due course, subject to:

- (a) appropriate final due diligence on the developer's proposal, and

(b) the Council approving capital and revenue funding for the arts centre; and

(C) with reference to the Proposed Capital Funding Package, set out at Exempt ERP F and the Financial Business Case for the new arts centre, set out at Exempt ERP G, **recommends** to Council that:

- (i) a capital allocation of £30m to fund the arts centre be made in the Council's capital programme
- (ii) a revenue allocation of £250,000 to fund the East Herts' share of the arts centre running costs be made in the Medium Term Financial Plan from 2022 onwards; and
- (iii) a provisional revenue allocation of £468,000 be made to cover the required borrowing costs once all other funding bids/strategies have been exhausted.

403 EXCLUSION OF PRESS AND PUBLIC

Councillor L Haysey proposed and Councillor G Williamson seconded, a motion that pursuant to Section 100 (A) (4) of the Local Government Act 1972, the press and public be excluded during consideration of the business referred to in Minute 404 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act.

After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that (A) under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the discussion of Minute 404 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 7A of Part 1 of Schedule 12A of the said Act.

404 DISPOSAL OF LONG LEASEHOLD INTEREST IN LAND AND BUILDINGS

The Executive Member for Finance and Support Services submitted a report regarding the disposal of a Long Leasehold Interest in Land and Buildings.

The Chief Executive responded to queries from Councillors M Pope and M Allen. Councillor G Jones commented on the car parking pressures being experienced in Ware Town Centre.

Councillor G Williamson proposed and Councillor E Buckmaster seconded, a motion to support the recommendations now detailed. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive supported the proposals, as now detailed.

RESOLVED – that (A) the Council grants a 150 year ground lease of Meade House, Ware and

adjacent land to General Practice Investment Corporation Ltd on the terms negotiated and set out in the report, subject to financial negotiations regarding the loss of car parking; and

(B) Officers be given delegated authority to resolve the restrictions on the freehold title of the Old Fire Station with Hertfordshire County Council without reference back to committee.

The meeting closed at 8.09 pm

Chairman
Date