MINUTES OF A MEETING OF THE EXECUTIVE HELD IN THE COUNCIL CHAMBER, WALLFIELDS, HERTFORD ON TUESDAY, 17 FEBRUARY 2004 AT 4.00 PM

PRESENT: Councillor M G Carver (Leader/Chairman).

Councillors H G S Banks, M R Alexander, A P Jackson, R L Parker, N C Poulton.

ALSO IN ATTENDANCE:

Councillors N Burdett, R N Copping, J Demonti, G L Francis, R Gilbert, Mrs M H Goldspink, J Hedley, M P A McMullen, D E Mayes, D A A Peek, J O Ranger, D Richards, P A Ruffles, M Wood.

OFFICERS IN ATTENDANCE:

Shirley Clark

John Nowell - Executive Director

(Resources)

Miranda Steward - Executive Director

(Operations)

Rachel Stopard - Executive Director

(Marketing)

Alison Brown - Communications

Officer

Simon Chancellor - Head of Accountancy

Assistant Director
 (Direct and Contract

Services)

Simon Drinkwater - Assistant Director

(Law and Control)

Neal Hodgson - Assistant Director

(Regulatory Services)

Martin Ibrahim - Senior Democratic

Services Officer

David Tweedie - Assistant Director

(Financial Services)

641 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that he had agreed to accept an urgent item of business, 'Land rear of 20 – 26 Bell Street, Sawbridgeworth', on the basis that a delay in consideration of the item could jeopardise the success of the proposals.

642 <u>DECLARATION OF INTERESTS</u>

Councillors J Demonti, R Gilbert, Mrs M H Goldspink and M Wood declared personal interests in the matter referred to at Minute 646 – Capital Programme 2003/04 (Revised) to 2006/07, as it related to the Rhodes Centre, in that they were trustees of the Centre.

Councillor M Wood declared a personal interest in the matter referred to at Minute 650 – Growth Items 2004/05 from Service Plans (Table 7s) and Efficiency Savings, as it related to the moat at the Castle, Bishop's Stortford, as he was a Town Council Member.

643 <u>EXCLUSION OF PRESS AND PUBLIC</u>

The Executive passed a resolution pursuant to Section 100(A)(4) of the Local Government Act 1972 to exclude the press and public during consideration of the business referred to in Minute 653 on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 8 and 9 of Part 1 of Schedule 12A of the said Act.

RECOMMENDED ITEMS

ACTION

644 LOCAL GOVERNMENT ACT 2003 AND PRUDENTIAL CODE

The Executive Member for Finance and Economy submitted a report seeking approval for the proposed prudential indicators for the Council.

The Executive Member stated that the objective of the Prudential Code was to provide a framework for Local

Prudential Code was to provide a framework for Local Authority Capital Finance that would ensure for individual local authorities that:

- capital expenditure plans were affordable;
- all external borrowing and other long term liabilities were within prudent and sustainable levels;
- treasury management decisions were taken in accordance with professional good practice; and
- in taking decisions in relation to the above, the local authority was accountable by providing a clear and transparent framework.

The Executive Member stated that the Chief Finance Officer was required to establish procedures to monitor both performance against all forward-looking prudential indicators and a reporting process that highlighted significant deviation from expectations. It was proposed that the indicators would be reported half yearly to the Executive via the Directors' Board.

The Executive Member outlined the prudential indicators, which were key indicators of affordability. These incorporated Treasury Management Indicators, which appeared within the Treasury Management Strategy referred to elsewhere within these Minutes.

The Executive Member described the indicators as follows:

- capital expenditure;
- · ratio of financing costs to net revenue stream;
- capital financing requirement;
- operational and authorised boundary for external

debt;

upper limit on fixed and variable interest rate exposures; and

estimated incremental effects of capital investment plans on Council Tax.

Details of these were set out in the appendices to the report now submitted.

The Executive recommended the prudential indicators and the monitoring arrangements as now detailed.

<u>RECOMMENDED</u> – that (A) the Prudential Indicators included within the report now submitted at Appendices 'A5' to 'F5' be approved, and

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(B) the monitoring arrangements as detailed in paragraph 4.1.1 of the report now submitted, be approved.

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645 TREASURY MANAGEMENT STRATEGY STATEMENT 2004/05

The Executive Member for Finance and Economy submitted a report seeking approval of the Treasury Management Strategy Statement for 2004/05.

The Executive recalled that the Council had customarily considered an annual Treasury Strategy Statement under the requirement of the CIPFA Code of Practice on Treasury Management, which was adopted by the Authority in March 2002. The 2003 Prudential Code for Capital Finance in local authorities had introduced new requirements for the manner in which capital spending plans were to be considered and approved, and in conjunction with this, the development of an integrated treasury management strategy.

The suggested strategy for 2004/05 in respect of the following aspects of the treasury management function was based on the Treasury Officers' views on interest rates, supplemented with leading market forecasts provided by the Council's treasury advisor. The strategy covered:

- the current treasury position;
- prospects for interest rates;
- treasury limits in force which will limit the treasury risk and activities of the Council;
- the borrowing strategy;
- the investment strategy;
- the extent of debt rescheduling opportunities;
 and
- other issues.

The Executive Member referred to the statutory duty to determine the 'Affordable Borrowing Limit', which had to have regard to the Prudential Code. He outlined the relevant prudential indicators for 2004/05 – 2006/07 for the purposes of setting an integrated treasury management strategy.

The Executive Member outlined the prospects for interest rates, based on advice received from the Council's treasury advisers, Sector Treasury Services, and current City forecasts.

The Executive Member did not anticipate any capital borrowing requirement during 2004/05. The 2003/04 policy statement set out arrangements for external debt to be reduced in the medium term as conditions allowed. Following advice from Sector, it was anticipated that before the end of the current financial

year, £1.894m of Public Works Loan Board (PWLB) debt would be repaid prematurely.

Officers had continued to consider the wider issues around achieving overall debt free status. The Council being debt free would enable flexibility in the management of capital resources. Although the exact technical details of the Prudential Code were still unclear, officers recommended that the desire to be debt free by 31 March 2004 was to the advantage of the Council. To this end, the Council wished officers to manage the Council resources on the appropriate terms to achieve debt free status. The possible implication of the Council not being debt free at 31 March 2004 were set out within the Capital Programme report referred to elsewhere within these Minutes.

The Executive supported the proposed Strategy as set out in paragraph 5.6 of the report now submitted.

RECOMMENDED - that the 2004/05 Treasury Management Strategy Statement for East Hertfordshire District Council be approved.

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646 <u>CAPITAL PROGRAMME 2003/04 (REVISED) TO 2006/07</u>

The Executive Member for Finance and Economy submitted a report setting out proposals for the Council's Capital Programme for the period 2003/04 (Revised) to 2006/07.

The Executive recalled that it had amended the Council's Capital Programme in June 2003 taking into account slippage and other rephasings following the 2002/03 Capital Out-turn position. A number of further amendments to the Programme had since been approved, principally in respect of Social Housing Grant schemes. The Executive further recalled that works associated with the new Depot facility at Buntingford (and expansion of associated waste services) and actions relating to the Council's Swimming Pools and Leisure Centres (that had

emerged from the current service review) had previously been approved in line with service delivery requirements. In line with current annual budgetary processes, a complete review of the current programme had been undertaken and a new draft programme prepared for the period 2003/04 (Revised) to 2006/07. Lead officers had also been invited to submit proposals for new schemes to be included within the Programme.

In order to co-ordinate this review and to give greater focus to the Council's overall capital planning arrangements, the Capital Strategy Group had considered the draft Programme in detail. In particular, it had assessed the proposed new schemes against the Council's vision and corporate priorities. Project appraisal documents had again been used by project control officers to provide information in support of new bids, and these had been scrutinised by the Strategy Group. The project appraisal documents, as well as setting out details and resource requirements for each scheme, also aimed to identify links with the Council's corporate objectives, service plans and key processes.

The Executive Member set out the Draft Programme as now submitted. Also included, was an additional summary, which illustrated how the Programme linked to the Council's corporate objectives. The Executive noted that the revised budget for the current year of £4.683m represented a reduction of £1.370m against the original estimate of £6.053m. The Executive Member highlighted the significant areas affected.

Given the consistent underspending against approved programmes in recent years, the Capital Strategy Group had endeavoured to ensure that the draft Programme now reflected the real difficulties that often arose in implementing projects, and that officers' proposals were realistic.

The Executive Member referred to the initial phase of the office refurbishment at Wallfields which was now

complete. In order to continue with the successful office upgrades, it was estimated that a further £100,000 was required for the total completion of the first and second floors. The total of the capital programme remained unchanged, as the provision of £100,000 for an additional storage building at Wallfields was at present not required. The requirements would need to be revisited when the full capacity of the new depot had been identified.

The Executive recalled the previous decision for a capital programme provision of £1,921,500 for the Rhodes Centre refurbishment. The Rhodes Centre Trust had also secured funds from the Heritage Lottery Fund (£652,400), Bishop's Stortford Town Council (£240,000) and sponsorship/donations of £70,500. Tenders received plus an appropriate level of contingency exceeded the total funds available by £236,700, following design re-engineering of the scheme to reduce the level of under-funding. The details of the cost overrun were set out in the report now submitted.

Of the total under-funding of £236,700, £100,300 related to the museum element and £136,400 to the Arts Centre. It was proposed that the Council should meet £51,100 of the additional museum cost and £106,100 of the additional Arts Centre cost (in line with existing percentage contributions). Therefore, a total additional grant of £157,200 would be required, and this sum had been included within the draft programme presented. The balance of funding would need to be provided by the Heritage Lottery Fund and Bishop's Stortford Town Council.

The Draft Programme included proposals for 53 new schemes which had been endorsed by the Capital Strategy Group and were included within the Draft Programme now submitted.

The Executive Member also referred to the previous decision to approve a Programme of some £17m in respect of Social Housing Grant (SHG) in support of

the Council's target of providing 200 new affordable homes each year. Following the announcement by the Government that the SHG regime was to be abolished from 1 April 2003, the Council amended its Programme retaining only specific schemes for which transitional relief (in respect of interest costs) would potentially be available. A strategy designed to attract maximum funding from the Housing Corporation (under the new funding arrangements) to enable a development programme to be maintained that would deliver the Council's target in respect of affordable homes, had been agreed, based on the successful East Herts tradition of joint funding. This was an approach that was attractive to the Housing Corporation because it enabled them to achieve more units of housing for its money.

The Draft Programme included initial budgetary provisions of £2.0m (2004/05) and £2.5m (2005/06) in order to enable joint funding for the provision of social housing in line with the Council's corporate objectives and Capital Strategy. It was intended that detailed proposals on each individual scheme would be submitted to the Capital Strategy Group for consideration and approval.

The Executive Member stated that it was intended that the proposed Programme would be funded substantially from available Capital Receipts. Specific Government Grants in respect of Private Sector Grants and Implementing Electronic Government would be utilised together with available "credit" approvals in the current year. The Executive Member referred to the Prudential Code and confirmed that he was satisfied that the proposed Capital Programme was affordable in capital resource terms, and that the revenue implications arising through reduced investment interest as capital receipts were applied, were both affordable and sustainable as demonstrated by the Council's medium term financial plans.

The Executive noted the comments made by the Policy Development Scrutiny Committee at its meeting held

on 10 February 2004. It had recommended the Programme, subject to the following suggestions:

- the Executive be asked to investigate the provision of a new hostel for the homeless;
- the Executive be asked to consider if was necessary to investigate refurbishing toilets e.g. the old toilet block in the Bell Street car park at Sawbridgeworth to enhance the image of town centres particularly for tourists;
- the provision of more lighting to footways in parishes and towns to help with alleviating residents' fear of crime be investigated.

The Executive agreed that officers be requested to investigate these comments and report back via the Capital Strategy Group.

The Policy Development Scrutiny Committee also commented on the contract for Office Accommodation at Wallfields and suggested that Standing Orders be waived to extend the contract. Officers advised that, under the Council's Rules of Procedures, this was not necessary formally. However, the Executive was required to approve an extension of the original contract. This was endorsed by the Executive.

The Executive recommended the proposals as now detailed.

<u>RECOMMENDED</u> – that (A) the Draft Capital Programme for the period 2003/04 (Revised) to 2006/07, as now submitted, be approved,

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- (B) the comments of the Policy Development Scrutiny Committee, as now detailed, be received, and
- (C) the contract for Office Accommodation at AFS Wallfields be extended.

647 REVENUE SUPPORT GRANT SETTLEMENT 2004/05

The Executive Member for Finance and Economy submitted a report detailing the final Revenue Support Grant (RSG) Settlement for 2004/05.

The Executive recalled that a report on the preliminary RSG settlement had been presented to the Executive on 2 December 2003. The final settlement had been announced on 29 January 2004, as follows:

Formulae Spending Share £16.933m External Support £ 6.751m

This represented a marginal increase of £693 over the preliminary announcement.

The Executive agreed to receive the report.

<u>RECOMMENDATION</u> - that that the report be received.

648 ALL DIVISIONS REVENUES ESTIMATES PROBABLE 2003/04; ESTIMATE 2004/05

The Executive Member for Finance and Economy submitted a report dealing with the second stage of the estimate process.

He referred to the detailed Estimates, which were set out in the report now submitted, and stated that these were broadly in line with the budget strategy and three year financial model that had been agreed by the Council. The Probable Estimates for 2003/04 were based on the actual payments to date, plus anticipated expenditure to the end of the financial year. The Estimates for 2004/05 were based on current (November 2003) prices except where existing contracts or Service Level Agreements allowed for indexation. Price increases due in 2004/05 had been anticipated in such cases. The Estimates for 2004/05

included the full effect of the 2003 pay award and assumed a 3.0% pay award for 2004.

The Executive noted the comments made by the Policy Development Scrutiny Committee at its meeting held on 10 February 2004. It had recommended the Estimates for approval, subject to the following suggestions:

- additional employee costs were needed for play schemes to provide stronger leadership and to avoid violence against staff;
- cleaning at Ware market could be reduced if the number of stalls had fallen; and
- the expenditure on Citizens Advice Bureaux should be shown as a single figure as the Bureaux now decided how the grant would be split between the different branches themselves.

The Executive supported the comments in respect of employee costs and the Citizens Advice Bureaux. In respect of the comment on cleaning at Ware market, the Executive noted that contractual issues might constrain a reduction as suggested. The Executive Member referred to the Council's desire for revitalising Ware market and the need to provide sufficient support.

The Executive recommended the Estimates as now detailed, be approved

<u>RECOMMENDED</u> - that the probable Revenue Estimates for 2003/04 and the draft Revenue Estimates for 2004/05, as now submitted, be approved.

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649 <u>FEES AND CHARGES 2004/05</u>

The Executive Member for Finance and Economy submitted a report seeking approval for proposed fees

and charges for 2004/05.

The Executive recalled that the budget strategy for 2004/05 had been set out at the Executive meeting in September 2003, and approved by Council (Minute 241 refers). As part of the strategy, officers were asked for suggestions for fees and charges that reflected increases of at least 5%.

Officers had prepared proposals for increasing fees and charges, the details of which were set out in Appendix 'A10' of the report now submitted. This did not include any proposals in respect of car parking charges, which increased on 1 February 2004 and were already included in the Council's revenue estimates. The Executive Member stated that fees and charges with regard to Trade Waste were agreed earlier this year. Prescribed fees for Development Control and Building Control were not included. Also, in respect of Swimming Pools, additional income took into account the revised programming as agreed at the Executive on 7 October 2003. In total, the proposed increases would generate an extra £185,000 of income, as follows:

<u>Service</u>	<u>Increases</u>
	£
Legal Fees	1,900
Land Charges	27,500
Swimming Pools	109,000
Halls	10,600
Markets	6,900
Refuse	3,100
Pest Control	1,600
Animal Control	100
Hackney Carriage	3,500
Environmental Promotions	300
Meals on Wheels	5,500
Bed & Breakfast	1,300
Hostels	6,700
Local Plans	5,000
Licences	2,000

Total 185,000

The Executive noted the comments made by the Policy Development Scrutiny Committee at its meeting held on 10 February 2004. It had recommended the fees and charges for approval, subject to the following suggestions:

- the charge for licences for stray dogs with an ID chip should remain the same to encourage owners to have dogs 'chipped'; and
- the charge for riding establishments should remain the same in view of increased costs to horse owners of the introduction of the equine passport.

The Executive supported these comments and agreed to recommend that the proposed fees and charges be amended accordingly.

Furthermore, the Executive's attention was drawn to a typographical error in respect of the proposed charge for Skin piercing, in that the charge should be £130 and not £120 as shown. The Executive agreed to recommend that the proposed fees and charges be amended accordingly.

The Executive supported the proposals as now detailed.

<u>RECOMMENDED</u> – that the increases in fees and AFS charges for 2004/05, as now detailed, be approved.

650 GROWTH ITEMS 2004/05 FROM SERVICE PLANS (TABLE 7S) AND EFFICIENCY SAVINGS

The Executive Member for Finance and Economy submitted a report seeking approval for growth items and efficiency savings to be included within the

budget for 2004/2005.

The Executive considered a list of growth items, which had been carefully scrutinised by the Executive Board to ensure that they supported the Council's corporate priorities. The Executive noted that some were special items requiring one-off expenditure, whilst others were growth items, which were permanent additions to the base budgets. Details of the schemes were set out at Appendix 'B11' of the report now submitted. The items totalled £541,000, which included a provision for 2004/05 inflation. The Executive Member proposed the following growth items:

	2004/05 (£)
Improve councillor accessibility for the public	5,100
Tree Risk Management Plan	20,500 (S)
Recycling – Additional 10,000 green waste Collections	126,000
Land Drainage Inspections	5,100
De-silt Castle Moat Bishops Stortford	25,600 (S)
Revenue cost of CCTV monitoring in St Andrews Street Car Park	10,250
Revenue cost of CCTV monitoring in Hartham Car Park	4,100
School Leavers/Admin Trainee Scheme	10,400
Recruit Head of Legal	15,600
Implementation of Procurement (Best Value Plan)	15,600
PPG17 – Consultation Costs of planning review	20,500 (S)
Renew dial-a-ride contract	9,250
Crime & Disorder Audit	5,100 (S)
Housing Needs Survey	51,200 (S)
Building Control additional staffing resources to meet targets and performance	64,500
Building Control Consortium	15,600
Establishment of a Licensing Service	93,600

Handy Person Scheme	15,600
Hire of continuous air quality monitoring unit	8,200 (S)
Promotion of improved domestic energy efficiency	19,200
Total	541,000

The Executive Member detailed the proposed efficiency savings at Appendix 'A11' to the report now submitted. The total identified savings were £866,240 (6.4% of net budget) and comprised £520,740, which had already been included within the budget for 2004/05 and a further £345,500 as detailed at Appendix 'A11' of the report now submitted. These savings had been reviewed by both the Directors Board and the Executive Board and had been put forward as proposed savings.

The Executive received the comments made by the Policy Development Scrutiny Committee of 10 February 2004, which were in support of the proposals now detailed. However, the Committee also requested that consideration be given to the addition of a scheme to install a pump to ensure the moat at the Castle, Bishops' Stortford contained water, once it had been de-silted. The Executive agreed that officers be requested to investigate this suggestion.

The Executive recommended the proposals as now detailed, be approved.

RECOMMENDED - that (A) the growth items as now detailed, be approved for inclusion in the 2004/05 revenue estimates, and

(B) the proposed efficiency savings as AFS outlined in Appendix 'A11' of the report now submitted, be approved.

651 COUNCIL REVENUE ESTIMATES – PROBABLE 2003/04: ESTIMATES 2004/05

The Executive Member for Finance and Economy submitted a report, which provided the Executive with the detailed Probable Estimates for 2003/04, and the Estimates for 2004/05 in order to set the Council Tax and budget for the year 2004/05.

The Executive Member referred to the Probable Estimates for 2003/04 and revealed that the overall position showed a potential overspend of some £560,000 compared to the original Estimate. The main contributory factors to this position were detailed in the report now submitted.

The Executive Member outlined the position on Balances and how these would be utilised over the next three years. He also referred to a capital receipt of £5m being paid to the County Council Superannuation Fund, and explained the reasons for this being a suitable time for the payment.

The Executive Member further outlined the basis for the 2004/05 Estimates, and highlighted the effects of the service planning process for future levels of Council Tax. The Executive's attention was drawn to the medium term financial model at Appendix 'A12' of the report now submitted. The Executive Member emphasised that the model contained many variables and assumptions, and as such, future projections of Council Tax levels were only indicative. However, the proposed budget for 2004/05 and the projected future budgets were in the opinion of the Chief Finance Officer, set at a sustainable level.

The Executive Member referred to previous agenda items relating to growth items and efficiency savings, and stated that, based on their approval, the Council Tax at Band D for the District in 2004/05 would be £126.36. This compared to £118.98 in 2003/04 and

represented an increase of 6.2%.

The Executive Member concluded by outlining the range of consultation initiatives that had been pursued, including the statutory duty to consult the business community. Details of the outcome of the consultation were set out in the report now submitted.

The Executive received the comments made by the Policy Development Scrutiny Committee of 10 February 2004, which were in support of the proposals now detailed.

The Executive supported the proposals as now detailed.

<u>RECOMMENDATION</u> - that (A) representations received under Section 65 of the Local Government Act 1992 be considered formally,

- (B) the General Fund Revenue Estimates for AFS 2003/04 and 2004/05, as now submitted, be approved,
- (C) the comments of the Performance Scrutiny Committee of 10 February 2004 be received, and
- (D) District expenditure of £13,696,040 be set AFS for 2004/05, excluding Parish Precepts, Revenue Support Grant and the Council's share of the National Non-Domestic Rating Pool.

652 DRAFT CALENDAR OF MEETINGS 2004/05

The Executive Member for Corporate Facilities submitted a report seeking approval for the draft Calendar of Meetings for 2004/05.

He stated that meetings had been scheduled on the same basis as for 2003/04. He highlighted the inclusion of the Hertfordshire Environmental Forum,

which East Herts was hosting for the year. Also the Royston, Buntingford and Bishop's Stortford Joint Primary Care Trust Scrutiny Committee had recently been set up and its meetings would be added shortly.

The Executive Member also referred to the scheduling of Executive meetings, and asked Members to note that this was currently subject to a consultation exercise.

The Executive recommended the draft Calendar of Meetings for 2004/05, as now submitted, be approved.

<u>RECOMMENDED</u> – that the draft Calendar of Meetings for 2004/05, as now submitted, be approved.

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653 LAND REAR OF 20 – 26 BELL STREET, SAWBRIDGEWORTH

The Executive Member for Finance and Economy submitted a report recommending that the Council received a strip of land as part of the terms provisionally agreed for the grant by the Council of an easement for access over its Bell Street, Sawbridgeworth car park. This matter had been deferred at the previous meeting, in order that clarification of the valuation of the easement could be obtained.

The Executive recalled that the Council owned the car park off Bell Street, Sawbridgeworth. Adjacent to the north side of the car park was 20 - 26 Bell Street, at which planning permission had been granted for three x 2 bedroom terraced houses and associated parking on that part of the garden area of 20 - 26 Bell Street as shown on the plan attached to the report now submitted. In order to service this proposed residential development, the owner/developer required rights of access across the Council's car park. Officers responsible for the operation of the car park had no objection to the grant of such access rights.

The Executive Member detailed the proposed terms for the grant of an easement. These terms reflected the value of the easement in "unlocking" the development value of the land in question, securing a proportion of the marriage value for the Council. The Executive Director (Resources) had delegated authority to grant an easement for access, but the Council's formal approval was required to the transfer of the strip of land to the Authority.

The Executive supported the proposals as now detailed.

<u>RECOMMENDED</u> - that (A) the proposed terms for the grant of an easement for access over the Bell Street, Sawbridgeworth car park to the residential development on land rear of 20 – 26 Bell Street be approved, and

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(B) the transfer to the Authority of the freehold interest in the strip of land at the rear of 20-26 Bell Street, Sawbridgeworth as shown cross hatched on the plan attached to the report now submitted, be approved.

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RESOLVED ITEM

654 MINUTES

<u>RESOLVED</u> - that the Minutes of the Executive meeting held on 3 February 2004 be confirmed as a correct record and signed by the Chairman.

The meeting closed at 5.10 pm.

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Chairman	
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Date	