

MINUTES OF A MEETING OF EAST
 HERTFORDSHIRE DISTRICT COUNCIL
 HELD IN THE COUNCIL CHAMBER,
 WALLFIELDS, HERTFORD ON
 TUESDAY, 3 FEBRUARY 2004
 (POSTPONED FROM 28 JANUARY
 2004) AT 7.30 PM

PRESENT: Councillor R N Copping (Chairman).
 Councillors M R Alexander, W Ashley, D R Atkins,
 P R Ballam, H G S Banks, K A Barnes, S A Bull,
 N Burdett, A L Burlton, E J Cain, M G Carver,
 D Clark, A F Dearman, J Demonti, A D Dodd,
 G L Francis, R Gilbert, Mrs M H Goldspink,
 J Hedley, D L E Hollebon, A P Jackson,
 M P A McMullen, G McAndrew, D E Mayes
 T Milner, R L Parker, D A A Peek, H Penson,
 L R Pinnell, N C Poulton, J O Ranger, D Richards,
 T K H Robertson, P A Ruffles, S Rutland-Barsby,
 B W J Sapsford, A Schweizer, J J Taylor,
 M J Tindale, A L Warman, N Wilson, M Wood.

OFFICERS IN ATTENDANCE:

John Nowell	- Executive Director (Resources)
Miranda Steward	- Executive Director (Operations)
Rachel Stopard	- Executive Director (Marketing)
Simon Drinkwater	- Assistant Director (Law and Control)
Jeff Hughes	- Head of Democratic Services
Martin Ibrahim	- Senior Democratic Services Officer
Susan Parker	- Communications Officer
David Tweedie	- Assistant Director (Financial Services)

588 MINUTES

RESOLVED – that the Minutes of the meeting held on 17 December 2003 be approved as a correct record and signed by the Chairman.

589 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to his absence from the two previous Council meetings and thanked everyone for their cards, flowers and best wishes, whilst he was recuperating from his operation. He also thanked the Vice-Chairman for his support in providing cover.

On behalf of the Council, the Leader welcomed the Chairman back and wished him a speedy recovery. He also thanked the Vice-Chairman for his support in providing cover.

The Chairman recalled the by-election held at Little Hadham on 18 December 2003, which had resulted in Michael Tindale being elected. On behalf of the Council, the Chairman welcomed Councillor M J Tindale to his first Council meeting.

The Chairman advised that the 'draw' to identify the Council's nominations to attend one of Her Majesty the Queen's Garden Parties in 2004 had taken place. Councillor A L Burlton and John Nowell, Executive Director (Resources), would be representing the Authority.

590 DECLARATIONS OF INTEREST

Members made the following declarations of interest:-

- Councillor R N Copping asked Council to note his declaration of a personal interest at the Development Control Committee meeting on 7 January 2004, in the matters referred to at Minutes 557 and 559 – Planning applications 3/03/2093/FP and 3/03/1759/RP respectively.

- Councillor A D Dodd declared a personal interest in the matter referred to at Minute 542 – National Non-Domestic Rate – Discretionary Rate Relief, as it related to SNAP, although the nature of the interest was not declared.
- Councillor N C Poulton declared a personal and prejudicial interest in the matter referred to a Minute 542 – National Non-Domestic Rate – Discretionary Rate Relief, as he was a trustee of Hertford Museum and Watton-at-Stone Village Hall.
- Councillor A L Warman asked Council to note his declaration of a personal and prejudicial interest at the Development Control Committee meeting on 7 January 2004, in the matter referred to at Minute 559 – Planning application 3/03/1759/RP.
- Councillor P R Ballam declared a personal and prejudicial interest in the matter referred to at Minute 542 – National Non-Domestic Rate – Discretionary Rate Relief, as it related to Citizens Advice Bureaux and Museums, although the nature of the interest was not declared.
- Councillor D Richards declared a personal interest in the matter referred to at Minute 542 – National Non-Domestic Rate – Discretionary Rate Relief, as it related to the Hailey Day Centre, although the nature of the interest was not declared.
- Councillor M Wood declared a personal and prejudicial interest in the matter referred to at Minute 542 – National Non-Domestic Rate – Discretionary Rate Relief, as he was Chairman of Bishop’s Stortford Age Concern.
- Councillor G L Francis declared a personal and prejudicial interest in the matter referred to at Minute 542 – National Non-Domestic Rate – Discretionary Rate Relief, as it related to SNAP, although the

nature of the interest was not declared.

- Councillor D A A Peek declared a personal and prejudicial interest in the matter referred to at Minute 542 – National Non-Domestic Rate – Discretionary Rate Relief, as he was a trustee of Age Concern.
- Councillor B W J Sapsford declared a personal and prejudicial interest in the matter referred to at Minute 542 – National Non-Domestic Rate – Discretionary Rate Relief, as it related to Museums, although the nature of the interest was not declared.
- Councillors S A Bull, N Burdett, M P A McMullen and L R Pinnell declared personal and prejudicial interests in the matter referred to at Minute 542 – National Non-Domestic Rate – Discretionary Rate Relief, as it related to Citizens Advice Bureaux, although the nature of the interest was not declared.
- Councillor J J Taylor declared a personal and prejudicial interest in the matter referred to at Minute 542 – National Non-Domestic Rate – Discretionary Rate Relief, as she was an executive member of Age Concern, Ware.

591 MEMBERS' QUESTIONS

Councillor M Wood asked the Leader of the Council if he could explain how the Link magazine had failed to materialise in the CM23 5XX postal code area in the month of December?

In reply, the Leader stated that Link was traditionally delivered to 56,000 households via Royal Mail door-to-door delivery. This was accepted to be the most efficient method of despatch, and meant that residents generally received the magazine along with their morning post. However, Royal Mail operated tight restrictions on the availability of this service at a maximum of three items per week, and despite the fact that Officers made delivery arrangements more than a year in advance, two postcode

areas in the Bishop's Stortford area could not be included in the Royal Mail despatch of Link in December.

The uncovered areas amounted to 6,940 homes in the CM23 3 and CM23 5 postcode areas. An alternative distribution was found with a commercial operator who was able to offer 98 per cent coverage in these areas. All Members were informed of the one-off change to delivery in those areas through the Members Information Bulletin, the week before Link was delivered in December. Members were asked to let the Council's Communications Team know, if they did not receive a magazine through their door. Whilst receiving feedback from Members and residents in these areas confirming delivery, and have had quality assurance information from the company, information about non-delivery had only been received from one Member.

The Leader concluded by stating that ensuring that achieving the highest possible distribution levels of Link was very important to the Council. Therefore, the Council had already booked and secured 100% Royal Mail delivery for all four editions in 2004 and was on the point of doing so for 2005.

Councillor M Wood asked the Leader of the Council if he agree that Officers of this Council should not be sending out party political correspondence on behalf of any political group?

In reply, the Leader stated that the political impartiality of officers was vital to all Councils and was very much respected within East Herts. The law was clear that it was not the role of Authorities to produce any materials, which were designed to affect the support of any political party.

There were many officers within the Council whose posts were politically restricted, which meant that they were not only obliged to exercise impartiality in their professional work, but there were also restrictions on their personal lives in terms of political activities. Also, there were some officers for whom the nature of their job brought them into

closer contact with the political process, such as the Members' Secretary. However, political party groups also generally had their own "Group Secretaries" outside the organisation completely.

Councillor G L Francis asked the Leader of the Council if he could outline the procedure for informing local Members of proposals by the County Council, or any other organisation that would affect local residents? Also, whether it was true that the County Council had informed this Authority of its proposal to sell the Havers Infants School site in Bishop's Stortford and amalgamate the Havers and the Firs on the Firs site, and if so, when was the Council informed?

In reply, the Leader stated that the County Council was responsible for informing local Members on any of its proposals. In respect of the two schools mentioned specifically, the Council had not received any formal notification, either through the Local Strategic Partnership or via Officers. If there were proposals relating to Development Control issues, local ward Members would be notified and all Members would receive the weekly planning list.

Councillor G L Francis asked the Leader of the Council, if the relevant Executive Member could give a breakdown of the cost of running Castle Hall, Hertford for the last 10 years?

In reply, the Executive Member for Community, stated that expenditure over the previous ten years had amounted to £4.442m. Income had been £1.145m giving a net expenditure of £3.297m. However, expenditure included the capital charges element of £1.253m. Therefore, if capital charges were ignored, total net expenditure would be £2.044m

The Executive Member stated that an average year's expenditure could be broken down over this period as follows:

- Staff costs - £1.244m (28%)
- Property maintenance recharge - £442k (10%)
- Premises related charges (ie refuse, utilities, Council tax, cleaning) - £442k (10%)
- Supplies and services (stationery, marketing, telephones, licenses, advertising, equipment - £577k (13%)
- Central Administration (Accounting, Human Resources, etc) - £397k (9%)
- Capital Financing costs - £1.253m (30%)

The Executive Member concluded by stating that annual net expenditure on Castle Hall was £204k.

Councillor G L Francis asked the Leader of the Council if he agreed that the purpose of consultation was to listen and act on residents' views?

In reply, the Leader stated that the purpose of consultation was certainly to seek and listen to the views of others, whether they were residents, partners, staff or alternative audiences. The Leader did not necessarily suggest that all of the views expressed in any given consultation should be acted upon. In reality, consultations generally tended to provide a range of views and opinions. The job of Members was to listen to all these views, to interpret key issues and arguments and reflect these in the policies that ultimately the Council was responsible for delivering. The Leader suggested that this approach fitted with a model of effective representative councils rather than an abdication of responsibility in constant pursuit of popularity.

Councillor B W J Sapsford asked the Executive Member for Community if, in sharing his concern regarding the future of the Ware Tuesday market, he would therefore update Members regarding any positive action the Council

could take which could improve the situation, including a timescale if possible?

In reply, the Executive Member for Community stated that he shared the concerns of all Members of the Council over the retention and improvement of the historic markets in the three historic towns. This was one of the reasons why the Policy Development Scrutiny Committee was requested to consider this matter during a number of meetings in October and November 2003, and to report its findings to the Executive.

The Executive Member stated that he had been minded originally to invite all Ware Members to join him for a discussion on the subject at the conclusion of the Executive meeting held earlier today. However, in revisiting the papers for that evening's Council meeting, he had noted that the issue of Markets was raised under Minute 536 of the Executive meeting held on 6 January 2004. At this meeting, the recommendations of the Policy Development Scrutiny Committee were endorsed by the Executive, and were to be considered by Council later at the Council meeting.

The Executive Member concluded by stating that he did not wish to pre-empt the debate or take any action without listening to the views of others. The report at Minute 536 identified forward action and a timetable, and the Executive Member was happy to abide by the wishes of the majority of Members following the debate.

Councillor Mrs M H Goldspink asked the Executive Member for Finance and Economy to outline the cost of the recent MORI survey of the attitudes of East Herts District Council staff members to their own authority?

In reply, the Executive Member stated that the Council invested £5,475 on the staff survey this year. This represented an increase of £475 from 2002. As Cllr Mrs M H Goldspink knew from the presentation of the results to Policy Development Scrutiny Committee, this exercise had been important in enabling the Council to monitor progress

in staff communication and change management. Crucially, it helped to really understand the organisation and its capacity to continually improve.

The results had been very positive, showing that the Council was moving in the right direction in these areas. The CPA Inspectors sat in on the presentation of the results to Policy Development Scrutiny Committee last week, and recognised that the survey represented best practice in effective management. Indeed, the survey work was considered to be so comprehensive, that the inspectors cancelled two staff focus groups that they had previously organised. Policy Development Scrutiny Committee has suggested that the Council should repeat the exercise in two years time, and supported a range of further actions to enhance dialogue with staff.

Councillor D R Atkins asked the Deputy Leader if he could say whether the District Council would support the Ware traders who were fighting waves of vandalism in the town, by recommending grants to them towards the costs of increased security to their premises? Also, did he not feel the time was right for the Executive to approach the Constabulary for a greater, visible police presence in the town as the Council had been told police numbers were rising?

In reply, the Deputy Leader expressed sympathy with the problems experienced by the Ware traders. The Crime and Disorder Reduction Partnership in East Herts, in which the Council had a statutory responsibility alongside the police, County Council, police authority and fire service, operated to address community safety issues in the District. In that context, the Council was more than aware of the increase in incidents of violent crime and anti-social behaviour, although this was of course, from a relatively low level of incidents in the past.

In direct response to the recent spate of incidents, an operation was being run during February and March 2004, utilising partnership funding, to focus on town centres and other hotspot disorder areas, specifically tackling those disturbances related to alcohol which were no doubt, the

underlying cause for the Ware incidents. The objectives of this operation were to support both the Policing Plan and Community Safety Strategy, where tackling anti-social behaviour, particularly making town centres safer and reducing violent crime, featured highly. Previously, similar operations proved to be successful in reducing incidents of crime and disorder in town centres, so the Council was confident that the targeting of additional resources in this way would address current concerns.

In terms of the specific issue raised regarding the funding of additional security measures, bids could be made against the annual 'Building Safer Communities' fund allocated to the partnership from Government. However, the Deputy Leader wanted to see whether other proactive activities as outlined earlier could lead to a more sustained improvement, rather than reacting with measures that impacted on the street scene and the communities' feelings of safety.

In respect of the second part of the question, this was partly answered by what the Deputy Leader had previously outlined, in that the operation described earlier would include high visibility policing as part of the range of tactics being deployed. On a regular basis, the Council was engaged in discussions with the police about visibility, and much progress was being achieved. The Chief Constable's commitment to providing Ward Constables who were rarely abstracted to support problems elsewhere, the introduction of Police Community Support Officers, and initiatives such as the mobile police station, were all contributing to this improving picture. The Council also had its own part to play, and was currently in the early stages of discussion about how the police family could be extended to include best use of the huge number of eyes and ears out on the street performing a range of public services. Whilst clearly the Chief Constable had responsibility for deploying his officers, and indeed numbers were increasing, the Council had a role in the Community Safety Partnership and could influence the use of resources across the Partnership to tackle issues of public concern.

592 REPORT OF THE EXECUTIVE

The Leader of the Council reported on the work of the Executive and presented the Minutes of the Executive meeting held on 6 January 2004.

He reminded Members that Council had previously agreed to receive regular reports from Executive portfolio holders on their areas of work. To this end, the Executive Member for Environment gave a presentation on the Environment portfolio.

The Executive Member addressed Council and outlined the work undertaken in the Environment portfolio, and highlighted the following areas:

- Domestic Refuse Collection
- Recycling
- Commercial waste
- Abandoned Vehicles
- Street Cleansing
- Grass cutting
- Grounds Maintenance

The Executive Member concluded his presentation by inviting Members to visit Aylesford paper mill and Cumberlow Green compost site, where the Council's recycling material was directed. He also reported that the Refuse and Recycling service had received its third Chartermark award for 2002.

In respect of Minute 536 – Markets Policy and Plan, Councillor B W J Sapsford suggested the immediate relocation of Ware market to Tudor Square, as a way of arresting the decline of the market in Ware. In response,

the Executive Member for Community stated that consultation with market traders and other stakeholders was underway, and that immediate action could not be implemented without the support of the traders. The Chairman of the Policy Development Scrutiny Committee advised that the outcome of the consultation would be considered by the Policy Development Scrutiny Committee in April 2004. In the meantime, the issue could be further discussed by all interested parties at Ware Community Voice.

In respect of Minute 547 – Quarterly Budgetary Monitoring, the Executive Member for Finance and Economy, in response to a question from Councillor Mrs M H Goldspink on an underspend on playground inspections, undertook to provide a written answer.

RESOLVED – that the Minutes of the Executive meeting held on 6 January 2004, be received, and the recommendations contained therein, be adopted.

593 MINUTES OF COMMITTEES

(A) PERFORMANCE SCRUTINY COMMITTEE – 15 DECEMBER 2004

RESOLVED – that the Minutes of the Policy Development Scrutiny Committee meeting held on 15 December 2003 be received, and the recommendations contained therein, be adopted.

(B) DEVELOPMENT CONTROL COMMITTEE – 7 JANUARY 2004

RESOLVED – that the Minutes of the Development Control Committee meeting held on 7 January 2004 be received.

ACTION(C) POLICY DEVELOPMENT SCRUTINY COMMITTEE
– 21 JANUARY 2004

In respect of Minute 568 – Internal Communications, Council noted that a copy of the report on the staff survey would be sent to all Members.

RESOLVED – that the Minutes of the Policy Development Scrutiny Committee meeting held on 21 January 2004 be received.

594 APPOINTMENT TO VACANCIES

Council considered a report of the Executive Director (Resources) seeking approval to appoint Councillor M J Tindale to vacant seats on Committees.

Council recalled that following the Little Hadham by-election on 18 December 2003, Michael Tindale was elected to serve on the District Council. Currently, there were vacancies on both the Development Control Committee and the Licensing Committee. These seats had been allocated to the Conservative Group. Councillor M J Tindale had notified the Executive Director (Resources) of his membership of the Conservative Group. Therefore, it was proposed that Councillor M J Tindale be appointed to fill the vacant seats on the Development Control Committee and the Licensing Committee.

Council agreed that in accordance with the wishes of the Conservative Group, Councillor M J Tindale be appointed to fill the vacant seats on the Development Control Committee and the Licensing Committee.

RESOLVED - that in accordance with the wishes of the Conservative Group, Councillor M J Tindale be appointed to fill the vacant seats on the Development Control Committee and the Licensing Committee.

ALC

ACTION595 CONSTITUTION OF THE HUMAN RESOURCES SUB-COMMITTEE

Council considered a report of the Assistant Director (Law and Control) seeking to amend the Constitution of the Human Resources Sub-Committee.

The circumstances of a recent meeting of the Human Resources Sub-Committee were outlined, and as a result, there was a need to secure a scheme of substitute Members of the Human Resources Sub-Committee and to increase the number of seats on this body.

Council noted that there were conflicting views on whether or not schemes, which allowed substitute Members to serve on Committees etc, were lawful. However, many authorities operated a scheme of substitution. Generally such schemes, in order to avoid challenge, ensured that there was no doubt at any moment in time over the constitution of a Committee or Sub-Committee, and that whoever was attending a meeting as a substitute had been formally appointed as such by the Council on the basis of political proportionality. Such substitute Members could only attend the relevant meeting in the absence of an appointed Member.

Council was invited to increase the size of the Human Resources Sub-Committee from 6 to 7 Members, with seats allocated as follows:

- Conservative 6
- Liberal Democrats 1
- Others 0

Council agreed to adopt a scheme of substitution for the Human Resources Sub-Committee and to confirm that Members of that body should declare any possible personal and prejudicial interest in an appeal well in

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advance of a meeting. Council also authorised the Assistant Director (Law and Control) to amend the constitution, if necessary, to take account of the substitution scheme and to increase the number of seats on this body from 6 to 7.

RESOLVED – (A) the number of seats on the Human Resources Sub-Committee be increased from six to seven and be allocated to political groups as follows:

ALC

- Conservative 6
- Liberal Democrats 1
- Others 0

(B) Councillor N Burdett be appointed to the additional seat on the Sub-Committee referred to in (A) above in accordance with the wishes of the Conservative Political Group to whom the additional seat has been allocated,

ALC

(C) a scheme of substitution for the Human Resources Sub-Committee be approved on the basis that a substitute Member attends the Sub-Committee in the absence of the appointed Member,

ALC

(D) the following Members be appointed as substitutes on the Human Resources Sub-Committee in accordance with the wishes of the Political Groups to whom the seats on this body have been allocated:

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Conservative Group

Councillors D Clark, J Demonti, Mrs D L E Hollebon, M P A McMullen, T Milner and J P Warren

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Liberal Democrat Group

Councillor A M Graham

(E) all Members of the Human Resources Sub-Committee be requested to declare any possible personal and prejudicial interest in an appeal (or any other matter) well in advance of a meeting.

The meeting closed at 8.50 pm

nps\Council\Minutes 3 February 2004

Chairman
Date