

MINUTES OF A MEETING OF EAST  
HERTFORDSHIRE DISTRICT COUNCIL  
HELD IN THE COUNCIL CHAMBER,  
WALLFIELDS, HERTFORD ON  
WEDNESDAY, 7 APRIL 2004 AT  
7.30 PM

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

OFFICERS IN ATTENDANCE:

John Nowell	- Executive Director (Resources)
Miranda Steward	- Executive Director (Operations)
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)

750 MINUTES

RESOLVED – that the Minutes of the meeting held  
on 3 March 2004 be approved as a correct record

and signed by the Chairman.

751 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to his recent visit to Herts and Essex Newspapers' new headquarters in Hertford, which was officially opened by the Duke of Gloucester. During a tour of the premises, the Chairman had been asked to provide a sensational front page story to help increase their sales. Therefore, the Chairman was going to announce the possibility of a by-election due to the indiscretions of a public figure with an international celebrity. There were no names or truth in the statement, just enough to conjure up a story. However, he did not need to do that now because he had a real true story.

1 April was a date everyone knew about and had their own memories of. The Chairman stated that it was 30 years ago that 1 April was the day when the local rural and urban areas came together to form East Herts, and it had gone from strength to strength ever since. The Chairman understood that there were at least three officers who joined on that memorable day and were still with the Council. The Chairman thought it would be appropriate to give them a birthday drink. Indeed, the Chairman thought it would be a pleasant gesture to join all the officers in a birthday drink.

The Chairman was reminded that Councillor J O Ranger was the only Member from 1 April 1974, still serving on the Council.

On behalf of Councillor S A Bull, the Chairman informed Members that his wife was getting on well after her recent operation. He wished to thank all Members and Officers for their e-mails and messages of comfort.

The Chairman referred to a tour of the District he had conducted last summer with the High Sheriff, Lady Lyell. She had enjoyed her visit, and it must have helped her to decide on her recent annual awards. These were presented on 24 March 2004 during a reception at County

Hall. East Herts did quite well in receiving four awards as follows:

- Norma Symonds for her SOAR project in Bishop's Stortford.
- Sergeants Graham and Smith for their work with the volunteer Army Cadet Force in Hertford.
- Ware Youth Action operating from the Warehouse, in which Councillor B W J Sapsford was involved.
- Friends of Rivers Nursery in Sawbridgeworth for their restoration of the historic Apple Orchard, in which Councillor D Richards had been the driving force behind this environmental project.

The Chairman offered his congratulations to all the recipients of the High Sheriff's awards.

## 752 DECLARATIONS OF INTEREST

Members made the following declarations of interest:

- Councillors T K H Robertson and S Rutland-Barsby declared a personal interest in the matter referred to at Minute 706 – Planning Application 3/04/0030/FP, as they were friends of the owners of the property that was the subject of this application.
- Councillors M R Alexander, P R Ballam and J J Taylor declared personal and prejudicial interests in the matter referred to at Minute 726 – Ware Drill Hall Future Leasing Arrangements, as they were members of the Ware Drill Hall Association Management Committee.
- Councillor J Demonti asked Council to note her declaration made at the Development Control Committee meeting held on 4 March 2004, of a personal and prejudicial interest in the matter

referred to at Minute 703 – Planning Applications  
3/03/1934/FP and 3/03/1933/LC.

753 PETITION: CAR PARKING IN WARE

The Chairman reported that a petition containing 940 signatures had been received as follows:

‘We the undersigned request that East Herts District Council supply more short term parking in Ware, particularly at the Baldock Street Car Park. We believe there is a shortage of this throughout Ware.’

The Chairman invited the lead petitioner, Peter Collins, who was present at the meeting, to address the Council.

Mr Collins stated that car parking in Ware had been a major concern for all traders since losing parking facilities on the new Tudor Square development. He said that traders were not against charges, but were concerned at the shortage of short term parking spaces now available in the town.

He referred to the growth in shopping facilities in Ware and the need to cater for motorists. Traders were fearful that passing trade would be damaged because Baldock Street car park was now long-stay only, and short-stay customers were now using the Library car park. This had the effect of sending customers to rival businesses on the High Street, as well as causing more traffic congestion in the town.

Mr Collins concluded by requesting that the designations of the car parks in Ware be returned to their original status. He offered to discuss these issues with the Council at any time.

The Executive Member for Community thanked Mr Collins for the petition. He reiterated his previously made undertaking to review the impact of all of the Council’s recent changes, once they had been given time to bed in.

The Executive Member stated that car parks served two purposes – firstly, as a place to park, and secondly, they were a traffic management tool, aiding the vitality of the towns in the District. The Council would be looking at how the changes had affected the towns in a few months time. However, he reminded the Council that the changes had been made, following consultations with a large number of residents, including at the Area Forums, before the Consultants made their recommendations. He also referred to a letter he had received from a Ware trader stating that ‘there was more than enough short stay parking in the town’.

The Executive Member concluded that, in all decisions the Council had to make, there were always different views to take into account. The Council would look at the question again, once some practical feedback had been received, in order that an informed decision could be made.

754 PETITION: BUNTINGFORD TRAFFIC AND PARKING

The Chairman reported that a petition containing 86 signatures had been received as follows:

‘The undersigned wish to draw the attention of the Police and Local Authorities to the gross abuse of the parking regulations in Buntingford. In particular the short stay spaces in Baldock Road, London Road and Market Hill are mostly occupied by residents and business people on a day long basis, preventing the genuine 'short-stay' shopper from parking in these spaces.’

The Chairman stated that the lead petitioner, Malcolm Taylor, had submitted his apologies and was not present at the meeting.

The Executive Member for Community responded to the petition by pointing out that the Council had no powers at present to enforce any parking restrictions other than those applying to its own car parks where charges applied.

The Council was intending to take on decriminalisation, if and when Government approval to do so was issued, which was likely at the end of 2004 or beginning of 2005.

The Executive Member reminded the Council that a number of changes had been made to the charging structures of car parks throughout the District as both a traffic management tool, and in preparation for decriminalisation. Charges had been introduced in Sawbridgeworth for the first time as part of this process, in response to residents' concerns about the way the car park was being used.

The Council had not introduced charges in Buntingford, but it would not appear right or fair to the residents of other towns in East Hertfordshire, if the Council's wardens were to be diverted to that town without some charges being made. Whilst the Council would clearly have a responsibility over parking on yellow lines, warden visits would be to ensure that lined zones were being adhered to, and that they would not be hanging around to ensure that limited time parking was adhered to.

The Executive Member undertook to ask officers to look at the question of Buntingford again.

#### 755 MEMBERS' QUESTION

Councillor L Pinnell asked the Leader of the Council if, given the far-reaching and extensive developments that were due to take place in Bishop's Stortford in the near future - and the recent formation of the Corporate Project Group to oversee these was to be welcomed - the Leader agreed that now was the time for the vacant post of Executive Member for Planning and Property to be filled? Also, did he further agree that it was imperative, particularly at this time for the town, for there to be an Executive Member to oversee the progress of these various major developments, rather than the responsibility being shared among the various Members of the Executive?

In reply, the Leader was glad to see that, unlike some Members, Councillor L R Pinnell read his Members' Information Bulletin. However, he could not agree, at this stage in the Civic Year that it was appropriate to alter the composition of the Executive. This was a matter for reflection on 12 May 2004, when Annual Council would determine the organisation for the forthcoming Civic Year.

The Leader pointed out that for a considerable period of time, Councillor M R Alexander had been involved with not only the formation, but also the work of the Corporate Management Team concerning the developments in Bishop's Stortford, and regularly reported back to the other Executive Portfolio holders, informally, of the developments and their various impacts on the work of the Council, in total.

The developments were at several levels, in that there were those which the Council was vigorously opposing, at a Strategic Regional level, and there were those which were of a more practical immediate development level, which needed more of a skill of project management. Therefore, it was wholly appropriate that these two particular areas were handled by different Members of the Executive. As Councillor L R Pinnell was aware, there would be a meeting shortly, of all District and County Council representatives for Bishop's Stortford on a cross-Party basis to bring all Members locally, up to speed on all facets of development in and around Bishop's Stortford.

## 756 PORTFOLIO REPORT – COMMUNITY

The Executive Member for Community gave a presentation on his portfolio area.

He outlined the ongoing work within the Community portfolio and highlighted the major issues affecting:

- Car parks and decriminalisation,
- Playschemes,

- Markets,
- Leisure and Halls,
- Benefits,
- Housing,
- Arts,
- Museums,
- Grants,
- Youth,
- Tourism, and
- Sports Development.

#### 757 REPORT OF THE EXECUTIVE

The Leader of the Council reported on the work of the Executive and presented the Minutes of the Executive meetings held on 2 and 30 March 2004.

In respect of Minute 731 – M11 Growth Area Developments, and in particular, the study into the sustainability of Bishop's Stortford, the Leader, in response to a Member's question, confirmed that the views of the Town Council, civic and amenity societies would be welcomed.

In response to a question relating to the costs of the judicial review being sought into the Aviation White Paper, the Leader confirmed that the current estimate was approximately £60,000, of which the District Council's share was £7,000. However, this depended on how the legal action progressed.



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RESOLVED – that the Minutes of the Executive meetings held on 2 and 30 March 2004, be received, and the recommendations contained therein, be adopted.

758 MINUTES OF COMMITTEES(A) STANDARDS COMMITTEE – 23 FEBRUARY 2004

In respect of Minute 657 – Member/Officer and Statutory Officer Protocols, the Committee Chairman drew Members' attention to a couple of typographical and layout errors in the Appendices, and asked Council to approve the recommendations, subject to the amendments being included in the Revised Constitution that would be submitted to Council for approval on 12 May 2004. This was approved by Council.

The Committee Chairman also drew Members' attention to issues dealt with by the Standards Committee. He stated that Members were aware that declarations of personal and prejudicial interests needed to be made. However, Members were vulnerable to becoming the subject of a report to the Standards Board of England, and only becoming aware of the fact when the letter of complaint arrived.

The Committee Chairman reported that the number of complaints to the Standards Board of England appeared to be on the increase, with the six month period April – September 2003 showing a total of 1697 complaints, compared to a total of 2948 for the whole of 2002/03. This was due to the high standards set by Members in recent times. The Standards Committee had had only two complaints investigated by the External Auditors prior to the current system, which had resulted in a suspension from a Committee for one Member and 'advice'

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being given to the other Member.

The Committee Chairman referred to the outcome of an investigation considered by the Standards Committee, in which the Member concerned was found not to have had a personal interest, and therefore there had been no case to answer in any prejudicial interest.

The Committee had also learnt in an earlier meeting that a Town Councillor had no case to answer. It was clear that many complaints arose out of planning applications, and for this reason, the Committee had asked the Monitoring Officer to make available an in-depth training programme for all Members. Although recent training sessions had covered aspects of codes of conduct, personal and prejudicial interests, Members had to accept that there would be changes to rules, regulations and procedures, as advised in the various reports attached to the Minutes before Council that evening.

The Committee Chairman wished it to be understood by Members that the Standards Committee may well have to deal with complaints referred from the Standards Board of England. This could be via one of two ways – either following an investigation by an Ethical Standards Officer, or prior to an investigation in which case the Monitoring Officer would become the investigator, whilst remaining as adviser to the Standards Committee. In such circumstances, the Monitoring Officer had the facility to appoint an investigator, which the Committee Chairman understood would be his intention.

Such a situation left both the officer and the Committee in an unenviable position, but one which all Members of the Standards Committee accepted as their duty to the Council, whose Code of Conduct was the all important factor. Where cases were

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brought before the Standards Committee, the Monitoring Officer needed to advise the Committee on both the grounds for complaint and procedure, after which the Committee then needed to make a judgement and pass sentence.

The Committee Chairman asked Council to appreciate that this was a situation where the Committee was likely to be passing judgement on a colleague. Whilst this would be an onerous task, it was one which all the Committee Members accepted and understood had to be undertaken.

Finally, the Committee Chairman referred to the position of the Monitoring Officer, and expressed concern that as the upholder of the Council's Code of Conduct and adviser to the Standards Committee, he was not able to act in an advisory position to the Member against whom a complaint had been made.

RESOLVED – that the Minutes of the Standards Committee meeting held on 23 February 2004 be received, and the recommendations contained therein, be adopted.

(B) DEVELOPMENT CONTROL COMMITTEE  
– 4 MARCH 2004

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Council noted an error at Minute 692 – Declarations of Interest, in that Councillor Mrs D L E Hollebon had also declared a personal and prejudicial interest in respect of application 3/04/0083/SV.

RESOLVED – that the Minutes of the Development Control Committee meeting held on 4 March 2004 be received.

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(C) PERFORMANCE SCRUTINY COMMITTEE  
– 9 MARCH 2004

Council noted that Councillor A D Dodd’s apologies for this meeting had not been recorded.

In respect of Minute 720 – Strategic Plans 2004/05 Actions, as it related to the installation of solar panels to Council buildings, Councillors A P Jackson and N C Poulton undertook to provide further information to Councillor G L Francis.

RESOLVED – that the Minutes of the Performance Scrutiny Committee meeting held on 9 March 2004 be received.

The meeting closed at 8.33 pm

nps\Council\Minutes 7 April 2004

Chairman .....
Date .....