

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD
ON TUESDAY, 22 JUNE 2004 AT
4.00 PM

PRESENT: Councillor M G Carver (Leader/Chairman).
Councillors H G S Banks, M R Alexander,
D Clark, A P Jackson, R L Parker, N C Poulton.

ALSO IN ATTENDANCE:

Councillors W Ashley, N Burdett, A L Burlton,
J Demonti, R Gilbert, M P A McMullen,
L R Pinnell, D Richards, J P Warren.

OFFICERS IN ATTENDANCE:

Rachel Stopard	- Executive Director
Simon Chancellor	- Head of Accountancy
Shirley Clark	- Assistant Director (Contract and Direct Services)
Simon Drinkwater	- Assistant Director (Law and Control)
Paul Harris	- Head of Direct Services
Martin Ibrahim	- Senior Democratic Services Officer
Will O'Neill	- Head of Housing and Community Planning
Mary Orton	- Assistant Director (Policy and Performance)
Susan Parker	- Communications Officer
Georgina Stanton	- Assistant Director (Communications and Customer Services)
Bryan Thomsett	- Head of Environmental Planning

90 LEADERS ANNOUNCEMENT

The Leader advised that he had accepted onto the agenda, an item of urgency – Grounds Maintenance Contract Performance, on the basis that this would avoid unnecessary delays in considering the Council's best interests in respect of this contract (see Minute 108 below).

91 DECLARATIONS OF INTEREST

Councillors M R Alexander, N Burdett, A L Burlton, M G Carver, M P A McMullen and J P Warren declared personal and prejudicial interests in the matter referred to at Minute 94 – Town Centres' Christmas Lights, in that they were Members of Town Centre Management Boards. They all left the Chamber whilst this matter was considered.

92 EXCLUSION OF PRESS AND PUBLIC

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 Minutes 107 and 108 on the grounds that they 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

93 MARKET TESTING EAST HERTS SWIMMING POOLS – THE WAY FORWARD

The Executive Member for Environment submitted a report highlighting the issues relevant to progressing the market testing of swimming pools.

The Executive recalled that the Council had instructed leisure consultants, Turkildsen Barclay, in March 2004

leisure consultants, **Torkildsen Barclay**, in **March 2004** to assist officers with the preparation of the tender documents necessary to undertake a market testing exercise for all East Herts swimming pools. The consultant's brief containing specific aims and objectives, was:

- to review and stimulate interest from the available market for the externalisation of existing East Herts Leisure Services,
- to develop and present in report format an appropriate tendering strategy covering contract packaging, pricing models, key contract conditions and length of contract development indicating the effect of the strategy on likely market responses and prices,
- to undertake a review of existing East Herts contract documentation and produce a similarly modelled suite of tender documents for this service including, tender evaluation model, instructions to tender, contract, specification and bills of quantity,
- to evaluate and prepare a written report on all tenders received against the agreed model identifying potential benefits and risks to the Council in accepting all or any of the tenders, and
- to cost all tenders received and to include a full comparison compared to current income levels.

The Executive Member highlighted the main issues raised by **Torkildsen Barclay**, which were:

- (a) Diversity of Options
- (b) Facility Package
- (c) Length of Contract

- (d) Capital Investment
- (e) Flexibility
- (f) Repairs and maintenance
- (g) National Non Domestic Rates (possible impact)
- (h) Programming
- (i) Financial Basis of Contract
- (j) Timescale
- (k) Evaluation Criteria
- (l) TUPE
- (m) Branding

The Executive Member also drew the Executive's attention to the comments of Unison, as detailed in the report now submitted.

The Executive supported the recommendations as now detailed.

RECOMMENDED - that (A) the tender package contain all five pools to include the operation of all existing outside activities and facilities, ACS

(B) the evaluation of the tenders be undertaken on the basis of a 70:30 price:quality weighting, and that the qualitative elements assessed be as outlined within the attached report as now submitted, ACS

(C) the contract be for a length of five years, with a review option built into year 4 of the contract term facilitating an extension of the ACS

existing contract beyond the original contract termination date,

(D) contractors be requested as a variation to the base tender to propose what investment would be available over the duration of the five year contract, together with supporting evidence as to how this would improve the performance of the facilities, ACS

(E) the Council let the contract on the basis of a deficit/surplus guarantee, and that this mechanism shall: ACS

(1) contain provisions for the sharing of income above that stipulated within the tender, and

(2) a formulae for aggregating the total surplus/deficit tender sum over the period of the contract, taking account of RPI, to achieve a uniform figure for each year of the contract term,

(F) the Council let the contract on the basis of the Council retaining responsibility for the fabric of the building and major items of plant, with the contractor being responsible for all other areas, ACS

(G) the Council retain control of those core prices outlined at Appendix 'A5' of the report now submitted, and also protect the usage of those existing users identified at Appendix 'B5' of the report now submitted, and ACS

(H) the contract documents should ensure compliance with the Code of Practice on Workforce Matters. ACS

94 TOWN CENTRES' CHRISTMAS LIGHTS

In the absence of the Leader/Chairman for this item, Councillor H G S Banks assumed the chairmanship.

The Executive Member for Finance submitted a report on proposals to attract shoppers into East Herts town centres by supporting the towns with one off capital grant payments towards the provision of Christmas lights and a small pilot CCTV project in Bishop's Stortford. This support would also encourage private and public sector leverage in town centre projects.

The Executive noted that the Capital Strategy Group, at its meeting held on 11 May 2004, had supported the provision of Christmas lights to Town Centre Management Boards (TCMBs). This included £2,000 for the purchase of CCTV equipment in Bishop's Stortford to enable a pilot scheme to help monitor retail activity in the Town centre. Currently, the Council had Service Level Agreements (SLAs) with TCMBs in Hertford, Bishop's Stortford, Ware and Buntingford. The SLA with Buntingford was for £5,000 per year with £10,000 provided for each of the other three Boards. The Executive Member for Finance was Chairman of the TCMB Steering Group and had, with support from the Acting Head of Economic Development, conducted recent introductory one to one meetings with the Town Centre Managers. It was becoming clear that the SLA's needed to be reviewed to develop a more outcome-focused approach.

The Executive Member proposed that the issue of Christmas lights provision be approached on the basis of the needs of individual town centres.

In Hertford, it was proposed that a Capital payment of up to £11,750 be made to enable new Christmas lights to be bought. The TCMB has produced a report requesting £23,500 and the Capital Strategy Working Group had recommended support of up to 50% of these costs. The current lights were old and did not

meet current Health and Safety requirements or conform to European Union standards. Hertford TCMB had a small annual income and was unable to cover the costs of replacing the lights. The ongoing maintenance costs would be covered by contributions from local business, the Town Council and the TCMB.

In Ware, it was proposed that an allocation of £5,000 for replacement lanterns be made. In this case, Ware Town Council would be responsible for the purchase and be the recipient of the grant.

In Buntingford, it was proposed that £5,000 be allocated for the replacement of looms at Market Hill. The Christmas lights were replaced three years ago.

In Bishop's Stortford, it was proposed that £9,000 be allocated for replacement lights, the purchase of new wiring and the installation of 2 CCTV cameras to monitor Christmas shopping patterns in the Town Centre.

As far as Sawbridgeworth was concerned, the Executive noted the current position and that the TCMB Steering Group would continue to invite Sawbridgeworth representatives to meetings, in order to involve and include them. However, at this stage, a stated need had not been identified.

The Executive Member highlighted the need for the proposed support to be conditional as follows:

- the promotion of the Towns as centres for Christmas shopping,
- the monitoring of footfall to help determine local trends and the sharing of information obtained with the membership of the TCMB Steering Group,
- the attraction of additional leverage where a funding gap existed

funding gap existed,

- the acknowledgement of the funding support provided by East Herts Council to be included in any promotional material, and in any other communication to residents and/or to the press,
- that this was a one-off payment, and
- that ongoing revenue costs were the responsibility of the grant recipients.

The Executive supported the proposals as now detailed.

RECOMMENDED – that the Capital Strategy Group recommendation that capital funding, up to a maximum £30,750, be added to the Capital Programme, to support the provision of Christmas lights in the Town Centres, including £2,000 for a CCTV pilot project in Bishop’s Stortford, be endorsed.

APP/AFS

95 ON-STREET CHARGES

The Executive Member for Community submitted a report outlining a number of new charges which would be required arising from the adoption of decriminalised parking enforcement.

He referred to a separate report on the agenda, which sought approval for parking enforcement guidelines (see Minute 96 below). This report was based on an assumption that those guidelines would be approved. Those guidelines for the enforcement of parking would come into force when this Authority was empowered to undertake decriminalised parking enforcement, both by decision of the Secretary of State for Transport and by signing of an agency agreement with Hertfordshire County Council.

The Executive Member detailed the proposed charges as set out at appendix 'A7' of the report now submitted. In respect of the penalty charge notice, the Executive Member clarified that the proposed charge was £60 (£30 within 14 days).

He also detailed the consultation with residents carried out, particularly in those areas where Permit Holder Parking Zones were proposed. In respect of on-street charging, 8 stakeholder meetings had been held with Town Councils, Town Centre Management Boards, Chambers of Commerce, Civic Societies and other representatives to consider the introduction of on-street charging at limited waiting spaces in Hertford, Bishop's Stortford, Ware and Sawbridgeworth. The Executive Member stated that the latter two towns did not desire to move forward with on-street charging.

The Executive noted that Ware had different parking issues, and while it might be appropriate to introduce charges to all locations over the coming years, at this time, Amwell End seemed to offer the best location for initial introduction.

The Executive further noted that Hertfordshire County Council had also been consulted and had agreed to the proposed charging structure.

The Executive supported the proposals as now detailed.

RECOMMENDED – that (A) the charges and exemptions set out at Appendix 'A7' of the report now submitted, be adopted, and

ACS

(B) on-street charging be introduced to all existing locations in Hertford, Bishop's Stortford and Amwell End in Ware.

ACS

96 PARKING ENFORCEMENT GUIDELINES

The Executive Member for Community submitted a report on proposals for the adoption of Parking Enforcement Guidelines, to inform the management of both off-street and on-street parking, after adoption of responsibility for Decriminalised Parking Enforcement (DPE).

The Executive recalled that, in July 2003, Council had agreed to request Hertfordshire County Council to seek authorisation for this Authority, to undertake the regulation of on-street parking within the District. The submission for DPE required certain information to be included on how this would be enforced. In addition, early consultation on the location and operation of Controlled Parking Zones (CPZ's) also required further information on key issues relating to enforcement. The County Council had expressed a preference for enforcement procedures and protocols across the County to follow similar rules. Therefore, the proposed guidelines were based on those in use in Watford, Dacorum and Three Rivers Councils, and related closely to those being developed in other neighbouring authorities.

The Executive Member detailed the proposed guidelines to be used by staff considering appeals against Parking Charge Notices, and those issuing such notices. The guidelines were structured to meet the needs of sectors of the community who might have a legitimate need to park on-street, or through exceptional circumstances, fail to comply with the timescale of their purchased car park ticket. The proposed guidelines set clear structures for appeal, which did not involve Senior Officers or Members. This was the usual approach in Parking Enforcement to prevent any accusation of interference or bias in treatment. In this model, Members' involvement was through development of the guidelines adopted, which set the exception, under which officers could make

decisions. Appeals against Officers' decisions were then made through the Parking Adjudication Service. The performance of these guidelines and officer decision-making could be reflected in scrutiny or review of the process, which in turn, could lead to revision of the guidelines or parameters within which the service operated.

The Executive noted that the Policy Development Scrutiny Committee, at its meeting held on 8 June 2004, had supported the proposals.

In response to Members' questions, officers undertook to explore further with the County Council, issues around illegal footway parking and disabled parking.

The Executive supported the Parking Enforcement Guidelines, as now submitted.

RECOMMENDED – that the Parking Enforcement Guidelines, as now submitted, be adopted. ACS

97 **CORPORATE PROCUREMENT STRATEGY**

The Executive Member for Corporate Facilities submitted a report proposing the adoption of a new Corporate Procurement Strategy.

The Executive Member stated that this was the second version of the Council's Procurement Strategy. It extended the previous strategy, taking into account significant developments since the original version was produced. This revised Strategy also took into account the National Procurement Strategy for Local Government.

The Strategy promoted changes which would deliver measurable improvements in procurement performance. It provided for the implementation of the Best Value Action Plan following the Best Value Review in 2003.

The Policy Development Scrutiny Committee, at its meeting held on 8 June 2004, had considered the proposed strategy and endorsed it, subject to the addition of 'Promote joint commissioning' to the list of activities of the Corporate Procurement Strategy Group detailed at Part 2.2 of the Strategy.

The Executive endorsed the proposals as now submitted.

RECOMMENDED – that the Corporate Procurement Strategy, as now detailed, be endorsed.

ALC

98 EAST HERTFORDSHIRE LOCAL PLAN - SECOND REVIEW - DRAFT SUPPLEMENTARY PLANNING GUIDANCE - VEHICLE PARKING AT NEW DEVELOPMENT

The Executive considered and supported the recommendations made by the Local Plan Executive Panel at its meeting held on 2 June 2004 in relation to the East Hertfordshire Local Plan – Second Review – Draft Supplementary Planning Guidance – Vehicle Parking at New Development.

RECOMMENDED – that (A) the draft Supplementary Planning Guidance - Vehicle Parking at new development as detailed at Appendix A4 to the report before the Panel be agreed as a basis for public consultation (to run concurrently with the six week consultation on the Revised Deposit Local Plan);

APP

(B) the responses received to the public consultation, along with any proposed changes to the draft SPG be the subject of a further report to the Local Plan Executive Panel prior to final adoption of the SPG by the Council, and

APP

(C) Appendix A4 page 91 and B page 117 be amended to include "Other shops - one space

APP

per 30 m²".

99 EAST HERTFORDSHIRE LOCAL PLAN - SECOND REVIEW - APPENDIX 1 - (CAR PARKING STANDARDS) - RESPONSES TO DEPOSIT CONSULTATION 2001 AND REVISED DEPOSIT APPENDIX 1 (PARKING STANDARDS)

The Executive considered and supported the recommendations made by the Local Plan Executive Panel at its meeting held on 2 June 2004 in relation to the East Hertfordshire Local Plan - Second Review - Appendix 1 - (Car Parking Standards) - Responses To Deposit Consultation 2001 And Revised Deposit Appendix 1 (Parking Standards).

RECOMMENDATION - that (A) the representation submitted in respect of Appendix 1 (Car Parking Standards) of the East Hertfordshire Local Plan - Second Review - Deposit Version (December 2000) as detailed at Appendix A5 to the report before the Panel be received and considered;

(B) the officer comments made in response to the representations referred to in (A) above as detailed in Appendix A5 to the report be agreed, **APP**

(C) the draft Revised Deposit Version of Appendix 1 (Vehicle Parking Standards) - subtitled Maximum Demand Based Parking Standards (including guidance on cycle parking and parking for powered two wheelers) as detailed at Appendix B5 to the report be agreed as a basis for inclusion in the Revised Deposit Local Plan with the content being finalised when the consolidated revised deposit local plan is agreed in June 2004, subject to the amendment of Appendix B5, page 32, to include "Other shops - one space per 30 m²", and **APP**

(D) officers investigate suitable standards for "parent and child" parking spaces and include **APP**

reference on this matter within the Draft SPG on Vehicle Parking at New Development.

**100 EAST HERTS RETAIL AND TOWN CENTRES
STUDY 2004**

The Executive considered and supported the recommendations made by the Local Plan Executive Panel at its meeting held on 2 June 2004 in relation to the East Herts Retail and Town Centres Study 2004.

RECOMMENDED – that (A) the report be received,

(B) the Retail and Town Centre Study 2004 carried out on behalf of the Council by Donaldsons be approved as the basis for informing Chapter 7 (Shopping and Town Centres) for the Revised Deposit Version of the Local Plan Second Review, **APP**

(C) the Retail and Town Centre Study 2004 be approved as the basis for informing future decisions concerning retailing in town centres in the district, and **APP**

(D) the comments of the Panel be noted and the consultants be asked to examine further the night time economy of the towns. **APP**

101 EAST HERTFORDSHIRE LOCAL PLAN - SECOND REVIEW - CHAPTER 7 - (SHOPPING AND TOWN CENTRES) - RESPONSES TO THE DEPOSIT CONSULTATION 2001 AND REVISED DEPOSIT CHAPTER 7 (SHOPPING AND TOWN CENTRES)

The Executive considered and supported the recommendations made by the Local Plan Executive Panel at its meeting held on 2 June 2004 in relation to the East Hertfordshire Local Plan – Second Review – Chapter 7 – (Shopping and Town Centres) – Responses To The Deposit Consultation 2001 and

Revised Deposit Chapter 7 (Shopping and Town Centres).

RECOMMENDATION – that (A) the representations submitted in respect of Chapter 7 (Shopping and Town Centres) of the East Hertfordshire Local Plan Second Review Deposit Version (December 2000) as detailed at Appendix ‘A’ to the report before the Panel be received and considered;

(B) the officer comments made in response to the representations referred to in (A) above as detailed in Appendix ‘A’ to the report be agreed, and **APP**

(C) the draft Revised Deposit Version of Chapter 7 (Shopping and Town Centres) as detailed at Appendix ‘B7’ to the report be agreed as a basis for inclusion in the revised Deposit Local Plan with the content being finalised when the Consolidated Revised Deposit Local Plan is agreed in June 2004 subject to the revision of page 49(Appendix B7) to include further shopping centres and pages 59 and 60 (Appendix B7) to provide better protection for businesses providing a local service. **APP**

102 EAST HERTFORDSHIRE LOCAL PLAN - SECOND REVIEW - CHAPTER 13 (WARE) - RESPONSES TO DEPOSIT CONSULTATION 2001 AND REVISED DEPOSIT CHAPTER 13 (WARE)

The Executive considered and supported the recommendations made by the Local Plan Executive Panel at its meeting held on 2 June 2004 in relation to the East Hertfordshire Local Plan – Second Review – Chapter 13 – (Ware) – Responses to Deposit Consultation 2001 and Revised Deposit Chapter 13 (Ware)

In response to a Member’s question in respect of the recommendation not to include site 428 2 (land east of

recommendation not to include site 428.2 (land east of Hoe Lane, Ware) as reserved housing land, the Leader outlined the basis for this recommendation. He stated that although the objector (representation 1793/008) had lobbied Members for the site to be considered as 'brownfield' and therefore allocated for development, the Council's recommendation had been made in accordance with Annex C to PPG3: Housing 2000. This site was a former mineral extraction site, the permission for which carried a planning condition relating to a Scheme of Working and Restoration. Footnote 4 to the Annex C definition excluded such sites from the 'brownfield' definition, and classified them as 'greenfield', by virtue of the planning condition.

The Leader added that this and other issues would be subject to objection at the Revised Deposit Plan Stage and challenge at the Inquiry Stage.

RECOMMENDED - that (A) the summary of appraisal of potential housing sites for Ware and the sites identified in the conclusion to Appendix 'B8' be considered in relation to the representations submitted in respect of Chapter 13 (Ware) of the East Hertfordshire Local Plan Second Review Deposit Version (December 2000);

(B) the representation submitted in respect of Ware referred to in (A) above as detailed in Appendix 'A8' to the report before the Panel be received and considered;

(C) the conclusion in respect of recommended housing sites contained in Appendix 'B8' together with the officer comments made in response to the representations referred to in (B) above as detailed in Appendix 'B8' to the report before the Panel be agreed; and

APP

(D) the draft Revised Deposit Version of Chapter 13 (Ware) as detailed at Appendix 'C8' to the report before the Panel be agreed as the basis for inclusion in the Revised Deposit Local Plan with the content being finalised when the Consolidated Revised Deposit Local Plan is agreed in June 2004.

APP

103 EAST HERTFORDSHIRE LOCAL PLAN - SECOND REVIEW - CHAPTER 16 - (BUNTINGFORD) - RESPONSES TO DEPOSIT CONSULTATION 2001 AND REVISED DEPOSIT CHAPTER 16 (BUNTINGFORD)

The Executive considered and supported the recommendations made by the Local Plan Executive Panel at its meeting held on 2 June 2004 in relation to the East Hertfordshire Local Plan – Second Review – Chapter 16 – (Buntingford) – Responses to Deposit Consultation 2001 and Revised Deposit Chapter 16 (Buntingford).

RECOMMENDATION - that (A) the summary of appraisal of potential housing sites for Buntingford and the sites identified in the conclusion to Appendix 'A9' of the report before the Panel be considered in relation to the representations submitted in respect of Chapter 16 (Buntingford) of the East Hertfordshire Local Plan Second Review Deposit Version (December 2000);

(B) the representations submitted in respect of Buntingford referred to in (A) above as detailed in Appendix 'B9' to the report be received and considered;

(C) the conclusion in respect of recommended housing sites contained in Appendix 'A9' together with the officer comments made in response to the representations referred to in (B) above as detailed in Appendix 'B9' to the report be

APP

agreed; and

(D) the draft Revised Deposit Version of Chapter 16 (Buntingford) as detailed at Appendix 'C9' to the report be agreed as a basis for inclusion in the Revised Deposit Local Plan with the content being finalised when the Consolidated Revised Deposit Local Plan is agreed in June 2004.

APP

**104 ANTI-FRAUD AND CORRUPTION STRATEGY,
CONFIDENTIAL REPORTING CODE AND
CODE OF CONDUCT**

The Executive considered and supported the recommendations made by the Local Joint Panel at its meeting held on 17 May 2004 in relation to the Anti-Fraud and Corruption Strategy, Confidential Reporting Code and Code of Conduct.

RECOMMENDED – that the Anti-Fraud and Corruption Strategy, the revised Confidential Reporting Code, and the Code of Conduct, be approved.

AHR

**105 CHIEF OFFICER GRIEVANCE AND DISCIPLINARY
PROCEDURE**

The Executive considered and supported the recommendations made by the Local Joint Panel at its meeting held on 17 May 2004 in relation to the Chief Officer Grievance and Disciplinary Procedure.

RECOMMENDED – that the Chief Officer Grievance and Disciplinary procedure be approved.

AHR

106 HEALTH SAFETY AND WELFARE POLICY

The Executive considered and supported the recommendations made by the Local Joint Panel at its meeting held on 17 May 2004 in relation to the Health

Safety and Welfare Policy.

RECOMMENDED – that the revised Health Safety and Welfare Policy be approved. **AHR**

107 **HOUSING OPTIONS REVIEW**

The Executive Member for Community submitted a report presenting the findings of an Officer working group, which had been set up in September 2003, to investigate the options for delivering housing advice, homelessness and related housing services after the expiry of the current service contracts on 31 March 2005.

The Executive Member stated that the review had not covered the totality of housing services the Council was responsible for, but had focussed on those areas for which contracts were due to expire in March 2005. These were:

- Housing Register and Allocations Policy
- Independent Housing Advice
- Homelessness Service
- Hostels
- Piper Alarms
- Home Improvement Agency

The Executive Member outlined the objectives of the review. The Executive noted that a second stage of work would be undertaken by the review team, and would focus on how to improve the synergy and working links between the social housing and private sector housing responsibilities of the Council.

The Executive Member also outlined the current service structure and the responsibilities exercised by

service structure and the responsibilities exercised by Stort Valley Housing Association, Riversmead Housing Association and the Papworth Trust.

It was noted that the starting point of the review was an objective to align the housing services provided with the Local Strategic Partnership's vision and Community Strategy, and to design a whole District, and cross-tenure approach. The review team had identified and analysed a wide range of options for the future delivery of each of the service elements. The options appraisal was attached as Appendix 'A17' of the report now submitted.

The review team had identified preferred options for each service area. In doing this, the review team had sought to design a whole service portfolio that had at its core, a multi-agency approach to service delivery, and one that optimised the skills base and specialist expertise of each principal partner. The preferred service options should be viewed as components of the whole service, and not as individual, stand-alone items.

The Policy Development Scrutiny Committee, at its meeting held on 8 June 2004, had considered the Options Review. It had supported the proposals subject to:

- a Policy Development Scrutiny Panel being set up in the autumn 2004, to investigate choice-based lettings and to make recommendations by April 2006;**
- a decision on the homelessness service being deferred subject to a further report on the costs;**
- disposal of the Council's hostels being investigated further, and a further report being submitted to the Policy Development Scrutiny Committee in September 2004, following these investigations which should include details of**

need for hostels and providing a hostel for those with special needs;

- the provision of Piper alarms being negotiated with the Papworth Trust alongside their handyperson scheme; and
- the recruitment of a home energy officer by East Herts Council and a decision on future provision for home energy efficiency be postponed until the Policy Development Scrutiny Committee has considered the issue of energy efficiency at its meeting in July 2004.

The Executive agreed to receive these comments. Furthermore, the Executive supported the proposals, as now detailed.

RECOMMENDED - that (A) the findings of the Housing Options Review be received;

(B) a single, District-wide housing register and allocations system be established in-house to go live on 1 April 2005, and that the Council's IT Strategy Group be recommended to oversee the procurement of a suitable IT software system;

APP

(C) an Executive Director be authorised to enter into negotiations with a voluntary organisation to incorporate the independent housing advice service within a Service Level Agreement between the Council and a voluntary organisation from 1 April 2005;

ED

(D) the statutory homelessness service be provided in-house from 1 April 2005, and that the Assistant Directors (Policy and Performance) and (Law and Control) be authorised to oversee the staff transfer arrangements, and report back to a future meeting with details of the finalised staffing

APP/ALC

structure;

(E) the Assistant Directors (Law and Control) and (Policy and Performance) be requested to submit a report to the next meeting of the Executive detailing all available options for the provision of temporary accommodation for homeless people, to include more detailed analysis of retention versus disposal of the hostels, as well as new-build temporary accommodation, private-sector leasing arrangements and any other available options; **ALC/APP**

(F) the Assistant Director (Policy and Performance) be authorised to negotiate terms for the transfer of the Piper Alarm installation service to the Papworth Trust from 1 April 2005, and to report back to the Executive; and **APP**

(G) a further 3-year Service Level Agreement be offered to the Papworth Trust, on the same terms as the current agreement, to run the Home Improvement Agency from 1 April 2005 to 31 March 2008. **APP**

108 GROUND MAINTENANCE CONTRACT PERFORMANCE

The Executive Member for Environment submitted a report advising the Executive on the latest position on this contract and on proposals for funding additional contract monitoring resources.

The Executive recalled that the grounds maintenance contract was let to Sodexo Land Technology Ltd in April 2001, and covered the following activities:

- maintenance of parks and open spaces, including grass cutting, pitch maintenance, shrub bed maintenance, annual bedding, weed spraying, litter picking and bin emptying;

- play area inspections;
- sheltered housing site grass and shrub maintenance;
- public footpath clearance;
- woodland management; and
- highways grass cutting, and shrub maintenance.

Highways maintenance was the responsibility of Hertfordshire County Council, but was carried out by East Herts under a contractual agency agreement. This required this Council to maintain grass on all highways verges except unrestricted (high speed) A roads which were maintained by the County's Highways department. Most maintenance activities within the contract were 'performance based', which meant that the contractor was required to keep the grass or shrubs to a defined standard on a continuous basis, (e.g. grass must not exceed 120mm in length in certain areas). The quality of the work was also defined, in detail, within the contract.

The Executive Member highlighted the measures put in place in October 2003 to deal with the poor contractor performance. As a result, performance across the contract had improved significantly since last year, but was still not up to the required standards. Details were set out in the report now submitted.

Analysis of performance showed that most problems were with highways verge cutting on all types highways across the district. This had been exacerbated this year, as a result of a dispute with the contractor in relation to the maintenance of restricted A roads. These were the lower speed sections, mainly through towns and villages that were maintained by this Council on behalf of the County Council.

The Executive Member detailed the nature of the contractor's claim for additional costs. In accordance with the agency agreement this had been passed on to the County Council to settle. It was up to the County Council to decide whether they wanted this work to continue or not. This dispute had resulted in delays in getting grass cut on some A roads. To date, the County Council had not agreed to fund the additional costs, and therefore, to prevent a significant financial liability falling upon this Council, it was proposed that this work be suspended until the matter was resolved.

The Executive Member also proposed that the maintenance of unrestricted A roads be passed back to the County Council, unless agreement on the financial risks was reached.

In respect of contract monitoring, the Executive Member stated that there was currently only one full time equivalent member of staff allocated to grounds maintenance contract monitoring. This limited the client's ability to monitor and issue instruction to the contractor, to fully ensure that contract standards were being maintained across all elements of the contract. Therefore, he proposed that additional temporary staff be brought in for a period of up to 10 - 12 weeks, commencing in July 2004, to increase the level of monitoring during the summer period. This would cost up to £20,000 for 4 staff and would require a supplementary vote.

The Executive supported the proposals as now detailed.

RECOMMENDED - that (A) the performance of the contract to date be noted,

(B) the maintenance of unrestricted A roads by the contractor, Sodexo, be suspended with immediate effect,

ACS

(C) unless agreement on the financial risks is reached, the maintenance of unrestricted A roads be passed back to Hertfordshire County Council, and ACS

(D) additional temporary staff be recruited for a period of up to 10 - 12 weeks to provide additional monitoring of the contract, at a cost not exceeding £20,000, which will require a supplementary vote. ACS/AFS

109 CAPITAL PAYMENTS AND FINANCING 2003/04

The Executive Member for Finance submitted a report informing Members of the actual expenditure on items of a capital nature during the last financial year, and how this compared with the approved estimates. He also advised Members of the intended financing arrangement to be adopted, and the items of slippage which should be carried forward into the 2004/05 programme.

The Executive Member detailed actual expenditure for 2003/04. This revealed an overall outturn of some £4.86M, representing a spend of just over 80% of the Original Estimate (£6.05M) and was broadly in line with the Probable Estimate (£4.75M). He suggested that overall this was a good performance and demonstrated a trend of continued improvement.

The Executive Member also outlined those areas where officers were seeking to carry forward slippage. These details had been scrutinised by the Capital Strategy Group, which had recommended the Programme being amended accordingly. Adjustments would also be made to 2004/05 budgets for schemes where spending in 2003/04 was ahead of profile.

The Financing Strategy adopted had been to make full use of available credit approvals and Government Grants, with the balance principally being met from “usable” Capital receipts. This approach had been

taken because it maximised flexibility by retaining both the General Reserve Balance as well as the “earmarked” General Fund Balance. Details were set out in the report now submitted.

The Executive recommended that the proposals be agreed.

RECOMMENDED - that (A) the actual Capital Payments in 2003/04 be noted,

(B) the method of financing the Capital Programme 2003/04 be noted, and

(C) the items of “slippage” identified in the appendix to the report now submitted, which had been supported by the Capital Strategy Group, be approved.

AFS

RESOLVED ITEMS

110 MINUTES

RESOLVED - that the Minutes of the Executive meeting held on 25 May 2004 be confirmed as a correct record and signed by the Chairman.

111 FORWARD PLAN – AUGUST 2004

The Executive Member for Corporate Facilities submitted a report seeking approval for the publication of the Forward Plan for the period August - November 2004.

The Executive agreed that the Forward Plan, as now detailed, should be approved.

RESOLVED - that the Forward Plan for August - November 2004, as set out at Appendix ‘A’ to these Minutes, be approved for publication.

ALC

112 LOCAL PLAN EXECUTIVE PANEL MINUTES – 2 JUNE 2004

The Executive received the Minutes of the Local Plan Executive Panel meeting held on 2 June 2004.

RESOLVED – that the Minutes of the Local Plan Executive Panel meeting held on 2 June 2004, be received.

(see also Minutes 98 - 103 above)

113 LOCAL JOINT PANEL MINUTES – 17 MAY 2004

The Executive received the Minutes of the Local Joint Panel meeting held on 17 May 2004.

RESOLVED – that the Minutes of the Local Plan Joint Panel meeting held on 17 May 2004, be received.

(see also Minutes 104 - 106 above)

114 TABLE OF FARES FOR HACKNEY CARRIAGES

The Executive Member for Finance submitted a report on the Table of Fares for Hackney Carriages. The Executive recalled that this matter had been deferred from the previous meeting, in order that further discussions with trade representatives could be held (Minute 21 refers)

The Executive Member referred to discussions Councillor M P A McMullen and he had had with representatives of the hackney carriage trade on 8 June 2004. The concerns raised by the Licensing Committee, at its meeting held on 19 May 2004 (Minute 36 refers), were also considered. The Licensing Committee had felt that the overall proposed charge increases should not exceed 3% per annum and should not include a 3% increase for both years since the last increase in 2002. Also, the Committee did not agree to

the proposed increase in the waiting time charge.

The Executive Member detailed the current and proposed alterations to the Hackney Carriage Tariffs, as now detailed. It was proposed that the proposed increases in charges be approved for the purposes of consultation, and that a further report be submitted to the Executive. This was agreed by the Executive.

RESOLVED - that the recommended changes to the Table of Fares as detailed in Appendix 'A14' of the report now submitted, be approved for the purposes of consultation.

ARS

The meeting closed at 6.10 pm.

Nps\Executive\22 June 2004\Minutes 22 June 2004

Chairman
Date