

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD
ON TUESDAY, 12 OCTOBER 2004 AT
4.00 PM

PRESENT: Councillor M G Carver (Leader in the Chair).
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,
R Gilbert, Mrs M H Goldspink, M P A McMullen,
P A Ruffles, J P Warren.

OFFICERS IN ATTENDANCE:

Miranda Steward	- Executive Director
Phillipa Brent-Isherwood	- Graduate Management Trainee
Simon Chancellor	- Head of Accountancy Services
Jeff Hughes	- Head of Democratic Services
Mary Orton	- Assistant Director (Policy and Performance)
Salina Seeparsand	- Legal Officer
Bryan Thomsett	- Head of Environmental Planning

284 DECLARATIONS OF INTEREST

Councillor M P A McMullen declared a personal and prejudicial interest in the matter referred to at Minute 286 below (Markets Policy Consultation) and left the Chamber whilst this matter was considered. Councillor McMullen stated that he supplied honey to Farmers' Markets.

Councillors M R Alexander, A L Burlton, M G Carver and J Warren declared personal interests in the matter referred to at Minute 286 below (Markets Policy Consultation). They explained that they were all involved with various Town Centre Management Boards within the district.

RECOMMENDED ITEMS

ACTION

285 A PUBLIC ENGAGEMENT STRATEGY FOR EAST HERTS COUNCIL

The Executive Member for Corporate Facilities submitted a report upon a proposed Public Engagement Strategy for the Authority.

The Executive Member commented that the extent to which local people related positively to local councils was regarded by many to be as essential to effective local government as the delivery of high quality services.

The Authority had established a corporate priority of improving opportunities for public involvement with the Council. In accordance with that objective, work had been undertaken to:

- establish levels of awareness of current democratic and public engagement processes amongst key stakeholder groups;**
- determine perceptions of current processes and any demands for change;**
- solicit ideas and suggestions for improvement in this area of the Council's business.**

The Executive noted that a range of consultation activities had been undertaken to support the preparation of the strategy. The Executive Member detailed the consultation undertaken and the findings arising from that exercise.

ACTION

The Executive Member stated that evidence from the consultation pointed towards a gap between the perceptions of those within the Council and members of the public. The proposed public engagement strategy (appended to the report now submitted) had been drafted with the intention of bridging this gap. The strategy focussed on practical steps for improvement in pursuit of the corporate objective of improving opportunities of engagement.

The Executive Member stated that the proposed strategy had been considered at a recent meeting of the Policy Development Scrutiny Committee. Suggestions made by the Scrutiny Committee would be incorporated within the proposed strategy to be presented to Council in November 2004 for approval.

Additionally, the following suggestions made by a Member would also be considered as part of the proposals within the draft Strategy to be submitted to the next Council meeting:

- **councillor open days;**
- **re-issuing of “who’s who” to Members;**
- **regularly updated officer features on the extranet;**
- **new officer protocols on Member Information;**
- **adaptations to media protocols to enable local ward councillors to be featured in news releases and the LINK magazine, as appropriate;**
- **adaptations to the agenda management of Community Voice meetings (including advance questions);**
- **renewed emphasis on marketing Community**

ACTION

Voice meetings.

The Executive agreed to recommended that the public engagement strategy for East Herts Council be approved for implementation.

RECOMMENDED - that the public engagement strategy for East Herts Council be approved for implementation.

ACO

286 **MARKETS POLICY CONSULTATION**

The Executive Member for Finance submitted a report detailing the results of the Markets Policy Consultation exercise.

The Executive Member reminded the Executive that, at its June 2004 meeting, the Policy Development Scrutiny Committee had discussed a draft Markets Policy. That Committee had agreed that an amended draft should be the subject of public consultation.

The Executive noted the details of the feedback received from various interested parties on the draft policy.

The Executive Member highlighted feedback received from the National Farmers Retail and Markets Association (FARMA) questioning whether or not three miles minimum distance between same day markets was sufficient. FARMA had made a suggestion that ten miles be established to enhance the viability of individual markets. The proposed policy, however, retained the three miles distance as it was the Council's view that economic reasons would determine the success of Farmers' Markets.

The Executive Member further highlighted that a question relating to the regulation of Farmers' Markets had reminded the Authority of the need to produce an operational document that would provide guidelines

ACTION

for markets as well as clarity on licensing processes. Food safety guidance would need to be developed as part of this approach.

Following comments from Members, the Executive Member undertook to include, within the finalised version of the policy, a clause regarding the maximum size of market stalls that would be allowed in order to preclude access problems in highways.

The Executive agreed to recommend that the Markets Policy, in accordance with amendments suggested as a result of the consultation, be approved.

RECOMMENDED - that the draft Markets Policy, in accordance with the amendments suggested as a result of consultation, be approved.

APP

**287 DEPARTMENT FOR TRANSPORT CONSULTATION:
NIGHT FLYING RESTRICTIONS AT HEATHROW,
GATWICK AND STANSTED: STAGE 1 OF
CONSULTATION ON RESTRICTIONS TO APPLY FROM
30 OCTOBER 2005**

The Leader of the Council submitted a report inviting the Executive to formulate a response on the Government's consultation paper regarding the proposed future regime for restrictions on night flying at the three main airports in the south east: Heathrow, Gatwick and Stansted.

The Leader advised that night flights were restricted in terms of both the overall number and the types of aircraft used. The current movement limits at Stansted were 5,000 during the winter and 7,000 during the summer. In tandem to this limit there was a noise quota of 3,550 during winter and 4,950 during summer. Each aircraft had a noise quotient figure for landing and for take off. The intention of the quota restrictions was to encourage an increase in the number of quieter aircraft at the expense of more noisy types during the

ACTION

night quota period of between 2330 hours at 0600 hours whilst keeping total movements within the overall movement limit.

The Executive noted that the regime for restrictions on night flights generally ran for a five year period with the current regime originally intended to end on 31 October 2004. However, the current regime period had been extended by one year to 30 October 2005 to allow public consideration of the Government's Air Transport White Paper, the ruling of the European Court on night flights at Heathrow and the new European Community Legislation on noise related operating restrictions for airports.

The Executive Member outlined the current consultation process.

The Leader commented that it had been the Authority's position that all night flights should be banned. He stated that night flights, for both passengers and freight, formed an important part of the aviation industry's operations and were considered by some to have particular economic benefits.

The Leader commented that the view that Stansted Airport was a "regional economic driver", as espoused in the emerging Regional Planning Guidance for the East of England (RPG14), was increasingly being questioned.

The Executive Member highlighted the elements within the report now submitted in relation to the issue of economic benefits brought to the area by Stansted Airport.

The Executive welcomed the Leader's comments on a particular issue of concern relating to the length of the night quota period. The Leader highlighted that the two "shoulder" periods (the thirty minutes between 2300 hours and 2330 hours and the hour before 0700

ACTION

hours) were vitally important. These were particularly sensitive periods when people were often trying to get to sleep and when noise disturbance could be particularly acute. Any revision to the period should consider residents' usual sleep patterns and be able to monitor aircraft noise and movements during the sensitive period.

The Executive supported the Leader's suggestion that the Council should reiterate its stance that night flights should be banned. The Executive recognised that whilst this recommendation would be unlikely to be the outcome of the consultation process, its next stage must head towards the setting of more rigorous limits on all aspects of night flights (the number and size of aircraft as well as their timing within the night period) to protect properly the quality of life and residential amenity of those living around the airport.

The Executive also supported the Leader's suggestion that a copy of the report now submitted be forwarded to the Department for Transport outlining the Council's views and concerns prior to Stage 2 of the consultation process.

RECOMMENDED - that, in respect of the consultation document entitled "Night Flying Restrictions at Heathrow, Gatwick and Stansted: Stage 1 of Consultation on restrictions to apply from October 2005:

APP

(A) the Department for Transport be advised that East Herts Council remains of the view that night flights at Stansted Airport should be banned because of the unacceptable noise impact on local residents and they should be phased out as soon as possible, and

(B) a copy of the report now submitted be forwarded to the Department for Transport outlining the Council's views and concerns prior

ACTION

to Stage 2 of the consultation process.

RESOLVED ITEMS288 MINUTES

RESOLVED - that the Minutes of the Executive meeting held on 14 September 2004 be confirmed as a correct record and signed by the Chairman.

289 AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT - CONSULTATION DRAFT - SEPTEMBER 2004 AND HOUSING NEEDS SURVEY 2004

The Executive Member for Community submitted a report seeking the Executive's approval of the Housing Needs Survey (HNS) 2004 findings and also the Affordable Housing Supplementary Planning Document (SPD): consultation draft and associated documents for public consultation.

The Executive Member stated that the associated documents were the sustainability appraisal reports and consultation statement that could be found as an appendix to the report now submitted. These documents were required to be available for public consultation and, together with the SPD, were termed "SPD documents". The SPD would provide guidance to supplement the adopted Local Plan Policies on affordable housing and would aid the implementation of the HNS 2004 recommendation.

The Executive Member outlined the legal background for each of the documents now detailed.

The Executive Member stated that, also appended to the report now submitted, was a summary of representations received in relation to the Authority's draft supplementary planning guidance for affordable housing. The proposed Council response was detailed alongside the summary of representations. The Executive Member highlighted a

ACTION

number of proposed amendments to the responses identified as now detailed.

In response to questions from Members, the Executive Member explained the reasoning behind a number of responses to the representations received.

The Executive supported the Executive Member's recommendations on this matter.

RESOLVED - that (A) the Affordable Housing Supplementary Planning Document (SPD): Consultation Draft – September 2004, Sustainability Appraisal Report and Consultation Statement be agreed for the purpose of public consultation for a six week period; APP

(B) the responses received to the public consultation, along with any proposed changes to the Supplementary Planning Document: Consultation Draft and associated documents, be the subject of a further report to the Executive, prior to final adoption of the Document by Council; APP

(C) the Housing Needs Survey 2004 carried out on behalf of the Council by David Couttie Associates (DCA), be approved and published as a technical study for the purpose of informing the Local Plan Second Review process and future decisions concerning affordable housing provision in the District; APP

(D) the findings set out in the Executive Summary of the Housing Needs Survey 2004 as set out in Appendix 'C' of the SPD be accepted; and APP

(E) the Adopted Local Plan policies, related reasoned justification, and the latest Housing Needs Survey 2004, be used as a: APP

ACTION

- (1) valid basis for assessing the level of affordable housing requirements and seeking a provision of 40% affordable housing on suitable sites;
- (2) valid material consideration for seeking affordable housing through development control process; and
- (3) basis for negotiating the maximum level of economically viable affordable housing through the planning process.

290 QUARTERLY BUDGET MONITORING

The Executive Member for Finance submitted a report drawing the Executive's attention to certain budget areas that warranted monitoring more closely over the coming months as a consequence of significant "potential" variances from the estimates.

The Executive Member commented that the Directors Board received a monthly budget monitoring report and was reminded of the financial procedures in the event of adverse variances. As a consequence, at a meeting held in September 2004, the Directors Board had made recommendations in respect of the budgetary areas now identified. The Executive noted that, subject to all other budgets being equal, there would be a general fund overspend on the services identified of £443,000 at the end of this financial year based on current predictions.

The Executive welcomed the actions recommended by the Directors Board in respect of a number of the budgets to address potentially adverse variances.

RESOLVED - that (A) the report be received as required under the Council's financial procedures quarterly monitoring arrangements,

ACTION

(B) all items, as identified in the report now submitted, continue to be monitored, and

AFS

(C) the actions recommended by the Directors Board to address potential adverse variances be noted.

291 TABLE OF FARES FOR HACKNEY CARRIAGES (FROM 15 OCTOBER 2004)

The Executive Member for Finance submitted a report seeking approval of the Executive to correct a typographical error that appeared in the substantive report relating to changes to the table of fares for hackney carriages.

The Executive recalled that, at its meeting held on 14 September 2004, it had approved a number of changes to the table of fares for hackney carriages. The new rates of fare would take effect from the 15 October 2004. Subsequently, a typographical error had been noticed. The initial yardage and incremental yardage should be the same for all four rates of fare. Unfortunately, the initial yardage for rate 1 fares read "1,250 yards" and should have read "1,225 yards".

The Executive agreed that the initial yardage rate for rate 1 should be changed to read 1,225 yards.

RESOLVED - that the initial yardage for rate 1 fares agreed by the Executive on the 14 September 2004, to be introduced on the 15 October 2004, be changed from "1,250 yards" to read "1,225 yards".

ARS

The meeting closed at 5.10 pm.

Chairman
Date