

MINUTES OF A MEETING OF EAST  
HERTS COUNCIL HELD IN THE  
COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON WEDNESDAY 3  
NOVEMBER 2004 AT 7.30 PM

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

OFFICERS IN ATTENDANCE:

Miranda Steward	- Executive Director (Returning Officer)
Rachel Stopard	- Executive Director (Head of Paid Service)
Phillipa Brent-Isherwood	- Graduate Management Trainee
Alison Brown	- Communications Officer
Shirley Clark	- Assistant Director (Direct and Contract Services)
Simon Drinkwater	- Assistant Director (Law and Control)
Paul Harris	- Head of Direct Services
Jeff Hughes	- Head of Democratic Services
Martin Ibrahim	- Senior Democratic Services Officer

Georgina Stanton	- Assistant Director (Communications and Customer Services)
David Tweedie	- Assistant Director (Financial Services)

340 MINUTES

RESOLVED - that the Minutes of the Council meeting held on 29 September 2004 be approved as a correct record and signed by the Chairman.

341 CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked the Vice Chairman for the cover he had provided during the period of his recent holiday.

The Chairman asked Members to note that agenda item 7 relating to the portfolio report by the Executive Member for Economic and Regional Development had been deferred. Unfortunately, Councillor Clark was attending a meeting of the Hertfordshire East of England Regional Assembly representatives, on behalf of the Leader of the Council, and had submitted her apologies. The portfolio report and any Members' questions would be held at the extraordinary meeting of the Council on 9 November 2004.

The Chairman referred Members to the presentation due to be given by Georgina Stanton, the Assistant Director (Communications and Customer Services) on A Public Engagement Strategy. This was originally scheduled to be given prior to the Council meeting at 6.30 pm. However, due to the urgent need for the additional Executive meeting held earlier, the presentation would now be given immediately after his announcements.

Finally, in respect of agenda item 8(B), a report of the recommendations agreed at the Executive meeting held earlier today, had been placed around the table. The Leader of the Council would be referring to these

recommendations when presenting this item.

342 PRESENTATION – A PUBLIC ENGAGEMENT STRATEGY FOR EAST HERTS COUNCIL

Georgina Stanton, Assistant Director (Communications and Customer Services), gave a presentation on 'A Public Engagement Strategy for East Herts Council', which was the subject of an Executive recommendation to be determined by Council elsewhere on the agenda (Minute 346 refers).

The Assistant Director outlined the feedback from the research undertaken, the key themes and issues that had arisen, and priorities identified for the proposed strategy. She stated that there was insufficient time to cover the full details of the research in her presentation, but that these were available from her on request.

343 DECLARATIONS OF INTEREST

Members made the following declarations of interest:

- Councillor M P A McMullen declared a personal and prejudicial interest in the matter referred to at Minute 286 – Markets Policy Consultation, in that he supplied honey to farmers' markets. He left the Chamber whilst this matter was considered.
- Councillor S A Bull declared a personal and prejudicial interest in the matter referred to at Minute 331 – Large Scale Voluntary Transfer (LSVT) promises, in that he was a member of the Stort Valley Housing Association. He left the meeting before this matter was considered.
- Councillor A D Dodd asked Council to note the declaration he made at the Performance Scrutiny Committee meeting held on 26 October 2004, in respect of the matter detailed at Minute 326 – Highways Maintenance Issues.
- Councillors S Newton and P A Ruffles declared personal interests in the matter referred to at Minute 326 – Highways Maintenance Issues, in that they were

Hertfordshire County Council Members.

- Councillors M R Alexander, J D Thornton and J P Warren declared personal interests in the matter referred to at Minute 286 – Markets Policy Consultation, in they were Town Centre Management Board members.
- Councillors R Gilbert and D A A Peek asked Council to note their declarations made at the Development Control Committee meeting held on 13 October 2004.

The Chairman reminded Members of the advice given at the previous meeting that there was no need to make a declaration in respect of resolved matters.

#### 344 MEMBERS' QUESTIONS

Councillor M Wood asked the Leader of the Council if he would join him in welcoming the decision of the House of Commons to ban hunting with dogs.

In reply, the Leader advised Councillor M Wood that he was not prepared to give either personal support or opposition, nor a Council position, on a subject which was a matter for Government at a National level. At that level, the decision process was a matter for a free vote. Therefore, he was surprised that Councillor M Wood was trying to engage collective support on what should be a free individual vote issue, but then perhaps he was not really surprised, as the official Liberal Democrat policy was to ban hunting with dogs.

In response to a supplementary question on whether fox hunting was a cruel sport, the Leader declined to respond.

Councillor A M Graham asked the Deputy Leader of the Council if he welcomed the latest Government strategy to combat anti-social behaviour, by giving greater powers to town and parish councils to fine offenders and, if he did support this, whether he could outline how or if East Herts District Council would be supporting the parishes.

In reply, the Deputy Leader stated that he was aware of the recent Government announcement on this matter, and was awaiting details of the legislation, which would enable the Council, as a first step, to consult with all Town and Parish Councils in an informed manner. The implementation of such legislation could be both complicated and costly, so he hoped that the Government was not once again, trying to 'offload' its responsibilities for Law and Order onto local Council taxpayers by stealth.

He added that the Council was prepared to play its part, in whatever controls or procedures were put in place to combat anti-social behaviour, but these would be worthless unless backed up by a proper Police presence.

In response to a supplementary question on whether the Council was one of the 50 authorities that would get additional funding, the Deputy Leader stated that it was a question of 'wait and see'.

Councillor A M Graham asked the Deputy Leader of the Council if he and the Executive acknowledged that, whilst there were some initiatives being taken to combat anti-social behaviour in the District, more could be done by the District Council and potential partners and, this being the case, did the Deputy Leader agree that, whilst there were a large number of activities available to young people promoted by the varied organisations, some of which the Council supported, there were not enough up to date state of the art facilities, and would he set up a dynamic group of potential partners to explore a visionary approach to addressing this problem.

In reply, the Deputy Leader stated that partnership activity between the Council, the police and other partners in the Crime and Disorder Prevention Partnership was focused strongly on preventing anti-social behaviour, as well as tackling it when it occurred. Diversionary activities for young people were a key aspect of the Partnership's prevention policy.

The Summer Activities Programme ran for young people again this summer and saw more young people engaging in a variety of events across the district. Police and youth football matches were organised in the summer and the October half term. Also, the success of this year's 'Pop Luck' competition for aspiring singers in the district would be repeated next year on a bigger scale. The venue would be Castle Hall, and all schools within East Herts would be given the opportunity to apply to take part.

Youth shelters had been installed at three locations in the District, and there were funds available through the Building Safer Communities programme to install more youth facilities of this type, where the local community wanted them.

However, tackling anti-social behaviour was also an important priority. The Crime and Disorder Partnership was keen to maximise the available legislation to tackle the problem of anti-social behaviour and, where appropriate, would take the necessary action, including Section 30 dispersal orders (three were now in place in Sawbridgeworth and Bishop's Stortford) and Acceptable Behaviour Contracts (ABCs) and Anti Social Behaviour Orders (ASBOs). He believed that the twin tracks of partnership with young people and tackling anti-social behaviour, to be the best way forward.

However, there were still many activities that could be offered to young people in East Herts, such as a music studio. A group specifically focused to address facilities in the district, would prove a useful tool in meeting the needs of young people. It would be important for the group to have specific aims and objectives and a broad range of partners needed to be included. The group could look at future projects, but also on how to develop and support those that already existed. The views of young people would also be of much benefit when looking at what activities to offer. To this end, the Council set up the Youth Council, which continued to build links with young people.

Specifically, Steve Wilson, the Arts Development Officer, had recently set up an Arts Forum where arts groups got together on a regular basis. Steve was based at Wallfields, and was happy for Members to contact him about any future events or projects.

In response to a supplementary question, which suggested that there was a lack of arts facilities, the Deputy Leader stated that activities could only be organised if the demand was demonstrated. The Council was listening and moving forward to meet requests for such facilities.

Councillor A M Graham asked the Leader of the Council if he would welcome the initiative shown by Liverpool City Council to ban smoking in public places at the earliest possible time.

In reply, the Leader stated that he was somewhat surprised at a Party who stood so fervently for liberalism were so keen on restricting people's freedom, by seeking to ban things they disapproved of. However, thinking about it, he supposed he should not be surprised, as in that, the current Liberal Democratic Party were 'liberals' in the American sense of left wing, rather than classic English Liberals, even though they were supposed to be the political heirs of the latter.

This Council believed firmly, in the freedom of choice but was equally responsible, in the manner of handling this particular subject, as evidenced by its work as an Authority in this field.

East Herts Council had supported 'No Smoking Day' for a number of years, and a variety of displays and events had been held to help people stop smoking. This national event was held in March each year. In recent years, the Council had put on several displays in council buildings, and had received good press coverage. These had included mailings to all local businesses, including materials to help them help their staff stop smoking, and to encourage the adoption of 'smoke-free workplace policies'.

The Leader also referred to the 'Clean Air Fayre Guide', which was a booklet that was available in hard copy or on the Council's website. It listed and promoted eating places where there was either 100% no smoking, or a substantial portion that was no smoking. The Council had produced this guide for the past 10 years, and it currently contained details of 79 local eateries. Those that provided 100% no smoking eating areas had a photograph of their business included in the guide. Each participating business was supplied with a door and window sticker to identify their involvement and a supply of guides for their customers to use. 6000 copies had been distributed this year through businesses, tourist information offices, Council premises and libraries.

The Leader also referred to the Heartbeat Award, made to business for three criteria, including smoke free eating areas. The other criteria required good food hygiene and the provision of healthy food choices on the menu. East Herts currently had 21 businesses, which had the Heartbeat Award and had 100% smoke-free eating areas. Five others had 50% smoke-free eating areas. These businesses currently provided around two million meals a year in smoke-free or smoke controlled areas.

The Leader also referred to the 'Totally Smoke Free' Hertfordshire Website. This was a site to promote completely smoke-free eating places across Hertfordshire. It contained 100 entries, of which 40 were in East Herts. The site was relatively new. East Herts was part of a partnership undertaking this work, for which external funding was provided by the Department of Health. Partners included District Councils, Primary Care Trusts, Hertfordshire County Council education and trading standards.

The Leader concluded that the choice should be left to the individual to avoid trying to produce an even greater 'nanny state'.

In response to a supplementary question on the risks to the health of workers in bars, clubs and restaurants and the subsequent stress placed on the National Health Service, and whether the Council would be sending a clear message

by supporting such a ban, the Leader reiterated his comments in that further interference impinged on personal freedom.

345 PORTFOLIO REPORT

Council noted that the portfolio report by the Executive Member for Economic and Regional Development had been deferred, due to the need of the Executive Member to attend a meeting elsewhere. Furthermore, Council noted that the presentation would be given at the Extraordinary Council meeting on 9 November 2004.

346 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 12 October 2004.

The Leader referred to the reasons for the absence of the Executive Member for Economic and Regional Development. She was representing the Authority at a meeting that was in preparation for the Regional Assembly meeting on 5 November 2004, at which the East of England Plan would be considered. The Leader reiterated the importance of continuing to challenge the process under which East Herts faced enormous development pressures. This would include challenging the validity of the process being undertaken by an un-elected quango. He undertook to continue to update Members on the outcome of the Regional Assembly meeting at the next Council meeting.

The Leader of the Opposition expressed his support for much of the Leader's comments. However, he did question the use of the term 'un-elected quango' to describe the Regional Assembly, as two-thirds of the body comprised elected representatives.

In respect of Minute 285 – A Public Engagement Strategy for East Herts Council, Councillor A M Graham referred to the presentation given by the Assistant Director (Communications and Customer Services) earlier during the

meeting (Minute 342 above refers). He asked about the level of engagement of young people in the Citizens Panel used in the survey, and stated that there was only reference to youth in the proposed strategy. In response, the Assistant Director highlighted the participation of young people in the Citizens Panel. She also referred to the role of the Youth Council, web-based surveys and summer activities for young people.

Councillor A D Dodd offered his congratulations to the staff involved in drawing up the proposed strategy, and stated his view that there had been a lack of involvement by Ward Members, which might need further Member consideration.

Councillor M Wood suggested that a more robust strategy was needed, particularly in respect of public engagement at Area Committees rather than Community Voice. In response to a comment by Councillor Mrs M H Goldspink on the issue of public involvement at Development Control Committee meetings, the Executive Member for Corporate Facilities stated that the Best Value Review of Development Control was considering this issue.

The Leader of the Council also gave an oral report on the proceedings of the Executive meeting held on 3 November 2004. The recommendations from three separate reports all related to the implementation of Decriminalised Parking Enforcement (DPE) in East Herts.

In respect of the recommendation relating to the award of the contract, Councillor Mrs M H Goldspink queried the decision to contract out the service. In response, the Leader confirmed that a vigorous process had been undertaken to achieve the best available price for the required service level.

In response to a comment by Councillor A D Dodd relating to the implementation of DPE on 17 January 2005, the Executive Member for Community confirmed that advance publicity, including an article in Link magazine, would provide sufficient warning to the public of the new service. As residents had demanded action to be taken against

illegal parking, he expected the parking wardens to carry out their duties from the implementation date.

RESOLVED – that (A) the Minutes of the Executive meeting held on 12 October 2004, be received, and the recommendations contained therein, be adopted, and

(B) the oral report of the proceedings of the Executive meeting held on 3 November 2004, be received, and the recommendations contained therein, be adopted.

### 347 MINUTES OF COMMITTEES

#### (A) DEVELOPMENT CONTROL COMMITTEE – 13 OCTOBER 2004

Council noted an error in that Councillor K A Barnes was shown as being present, when he had submitted his apologies for absence.

RESOLVED - that the Minutes of the Development Control Committee meeting held on 13 October 2004 be received.

#### (B) POLICY DEVELOPMENT SCRUTINY COMMITTEE – 20 OCTOBER 2004

RESOLVED - that the Minutes of the Policy Development Scrutiny Committee meeting held on 20 October 2004 be received.

#### (C) PERFORMANCE SCRUTINY COMMITTEE – 26 OCTOBER 2004

RESOLVED - that the Minutes of the Performance Scrutiny Committee meeting held on 26 October 2004 be received.

(D) CALL-IN SCRUTINY COMMITTEE – 27 OCTOBER 2004

RESOLVED - that the Minutes of the Call-in Scrutiny Committee meeting held on 27 October 2004 be received, and the recommendation contained therein, be adopted.

348 ESTABLISHMENT OF SCRUTINY REVIEW PANELS

Council considered a report of the Monitoring Officer proposing the establishment of Scrutiny Review Panels.

The Policy Development Scrutiny Committee, at its meeting held on 20 October 2004, had considered the issue of improving member engagement in the scrutiny process. The Committee Chairman had informed the meeting that currently, two investigative initiatives were underway to seek examples of best practice in scrutiny arrangements. Firstly, a Regional Assembly Scrutiny Review Panel, in which East Herts was participating. Secondly, a benchmarking exercise of 'excellent' authorities was being undertaken by Councillor Terence Milner.

The Chairman had proposed a third trial initiative, which could be undertaken between now and the end of the current civic year, namely the establishment of three scrutiny review panels to determine whether Members found this form of scrutiny engagement to be worthwhile and useful. The three Panels proposed were:

- Budget 2005/06
- Regional Spatial Strategy
- Energy Efficiency

It was suggested that the Panels would be able to develop a more detailed approach on the specific issues identified.

Each Panel would report its final deliberations to the Policy Development Scrutiny Committee.

It was proposed that Terms of Reference for each of the Panels would be:

Budget	'to scrutinise in detail the Council's budget proposals for 2005/06 and to make recommendations to the Policy Development Scrutiny Committee.'
Regional Spatial Strategy	'to scrutinise in detail the Regional Spatial Strategy consultation document and to make recommendations to the Policy Development Scrutiny Committee.'
Energy Efficiency	'to determine the scope and content for a new energy efficiency policy for the Council and to make recommendations to the Policy Development Scrutiny Committee.'

Council noted the statutory provisions relating to the allocation of seats on the Panels on a proportional basis, as detailed in the report now submitted.

Councillor J O Ranger stated that although the Panels would be bound by the rules of proportionality, all Members, particularly the Independents, would be welcome to attend and participate.

In response to a request from Councillor M Wood for a provision for substitutes to be allowed, the Leader suggested that some flexibility in membership would be needed, as the Panels represented an opportunity for greater engagement. Council agreed that named substitutes should be allowed.

In respect of the size of the Panels, it was suggested that, in order to provide some flexibility, authority be delegated to the Assistant Director (Law and Control) to determine the

size of the Panels and appoint Members, in consultation with political group leaders.

Council approved the proposals as now detailed.

RESOLVED - that (A) Policy Development Scrutiny Review Panels, be established as follows: ALC

Budget

Regional Spatial Strategy

Energy Efficiency

(B) the Terms of Reference for the Panels in (A) above, as set out in the report now submitted, be approved;

(C) the allocation of seats to political groups on the Panels in (A) above, be on the basis of the proportions agreed by Annual Council on 12 May 2004, with the size of the Panels being delegated to the Assistant Director (Law and Control) to determine, in consultation with political group leaders; and ALC

(D) Members and substitutes be appointed to the Panels in (A) above by the Assistant Director (Law and Control), in accordance with the wishes of the political groups to whom seats have been allocated. ALC

### 349 MOTION – FUNDING FOR POLICE

Councillor G L Francis moved, and Councillor M Wood seconded, a motion as follows:

‘This Council urges the Government not to reduce its allocation of funds to Hertfordshire Constabulary for the financial year 2005-2006 and that this Council support the Chairman of Hertfordshire Police Authority in his efforts to eliminate the reported potential shortfall. This Council also urges the Government to increase its financial support.

ACTION

This Council urges the Hertfordshire Constabulary to increase its allocation of Police Officers in the East Hertfordshire District Council area.'

In moving the motion, Councillor G L Francis referred to recent media reports of a potential shortfall in funding for the police. It had been suggested that funding from the Government might not even cover the cost of inflation or any additional duties that might need to be undertaken.

He also referred to the experiences of his constituents in dealing with the police, including inadequate responses to telephone calls and calls not being logged properly. These types of issues could be tackled by using local people with a knowledge and understanding of the local area.

Councillor G L Francis concluded by suggesting that more police officers on the beat were needed.

In seconding the motion, Councillor M Wood referred to the growth in funding for the police by the Government since 1997, and stated that any budget cuts now would be ludicrous. Councillor M G Carver responded by stating that the proportion of funding from central Government had reduced from 83% in 1995 to 69% in 2004.

Councillor N Burdett supported the spirit of the motion and suggested that any growth in funding had been spent on administration and political correctness. In order to reverse the centralisation of power, she advocated the return of power to police authorities and Chief Constables.

Amendments to the motion were moved by Councillors N Burdett and M J Tindale, and seconded by Councillor M G Carver. The mover of the motion accepted both amendments, so that the substantive motion now read.

'This Council urges the Government to increase its allocation of funds to Hertfordshire Constabulary for the financial year 2005-2006 and that this Council

ACTION

support the Chairman of Hertfordshire Police Authority by calling on the Government to trust him in his ability to allocate resources based on local need.

This Council also urges the Government to increase the numbers of Police Officers on the beat.'

After being put to the meeting, and a vote taken, the substantive motion was CARRIED.

RESOLVED: that the following motion be carried:

APP

'This Council urges the Government to increase its allocation of funds to Hertfordshire Constabulary for the financial year 2005-2006 and that this Council support the Chairman of Hertfordshire Police Authority by calling on the Government to trust him in his ability to allocate resources based on local need.

This Council also urges the Government to increase the numbers of Police Officers on the beat.'

The meeting closed at 8.55 pm

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