

MINUTES OF A MEETING OF THE  
POLICY DEVELOPMENT SCRUTINY  
COMMITTEE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD  
ON 16 NOVEMBER 2004 AT 7.30 PM

PRESENT: Councillor J O Ranger (Chairman).  
Councillors K A Barnes, R N Copping, A D Dodd,  
Mrs M H Goldspink, D E Mayes, H Penson,  
T K H Robertson, A Schweizer, J D Thornton,  
N Wilson.

OFFICERS IN ATTENDANCE:

Miranda Steward	- Executive Director
Philip Baxter	- Interim Licensing Manager
Linda Bevan	- Committee Secretary
Will O'Neill	- Head of Housing and Community Development
Mary Orton	- Assistant Director (Policy and Performance)

403 APOLOGIES

Apologies for absence were submitted on behalf of  
Councillors E J Cain, G Francis, D L E Hollebon and  
G McAndrew.

404 DECLARATIONS OF INTEREST

The following Councillor declared a personal and  
prejudicial interest in the matter detailed and left the  
meeting during consideration and voting on it.

<u>Councillor</u>	<u>Minute</u>	<u>By virtue of</u>
R N Copping	Minute 409 - Affordable Housing Supplementary Planning Guidance (SPD) - Consultation Draft - October 2004	Having submitted a planning application for development of affordable housing.

### RESOLVED ITEMS

### ACTION

#### 405 MINUTES

RESOLVED - that the Minutes of the meeting held on 20 October 2004 be confirmed as a correct record and signed by the Chairman.

#### 406 SETTING UP OF SCRUTINY PANELS

Members recalled that Council on 9 November 2004, had agreed that three Scrutiny Review Panels be set up as follows:

- Budget
- Energy Efficiency
- Regional Spatial Strategy (RSS)

Each Panel had been charged with reporting recommendations to the Policy Development Scrutiny Committee. Although Members had been appointed to each Panel, all Members were encouraged to attend and participate in the work of the Panels. Chairmen would be appointed at the first meetings.

The meetings had been arranged as follows:

#### **Budget**

First meeting on 6 December 2004 at 7.30 pm.

Members - Councillors Ashley, Burdett, Graham (substitute Wood), Maves, Taylor, Thornton, Tindale, Warren

ACTION

Wood), Mayes, Taylor, Thornton, Tindale, Warren.

**Energy Efficiency**

First meeting on 2 December 2004 at 7.30 pm.

Members - Councillors Atkins, Ballam, Mrs Goldspink (substitute Francis), Peek, Ruffles, Sapsford and two vacancies.

**Regional Spatial Strategy**

First meeting on 13 December 2004 at 7.30 pm.

Members - Councillors Barnes (substitute Pinnell), Copping, Demonti, Dodd, Newton, Richards, Rutland-Barsby, Wilson.

Councillor Mrs M H Goldspink gave her apologies for the meeting of the Energy Efficiency Scrutiny Panel on 2 December 2004. Councillor R N Copping stated that he would be willing to join this panel. Members thought Vice-Chairman could be appointed to provide extra training for Members but that this should be left to individual panels to decide.

RESOLVED - that the details of the arrangements for the panels be received.

**407 LOCAL CODE OF CORPORATE GOVERNANCE**

The Executive Director presented a revised Local Code of Corporate Governance. The code gave an 'umbrella' statement of arrangements and followed CIPFA/SOLACE guidelines. There was a requirement that the code be monitored and reviewed by Directors Board and any amendments be approved by Council. A number of changes had been identified which reflected the evolving nature of corporate governance arrangements during the review of the Code.

ACTION

Members considered the revised code and agreed it should be recommended for approval subject to the Licensing Policy (which was subject to approval by Council on 15 December 2004) being included as further demonstration of compliance against References 1.4 and 2.5.

RESOLVED - that the Executive be informed that the Policy Development Scrutiny Committee recommends that the proposed amendments to the Local Code of Corporate Governance as detailed in Appendix A(1) to the report as now submitted, be recommended to Council for approval subject to the inclusion of the Licensing Policy as further demonstration of compliance against References 1.4 and 2.5.

ALC

408 STATEMENT OF LICENSING POLICY - RESULT OF CONSULTATION

---

The Assistant Director (Regulatory Services) submitted a report which gave details of the draft Licensing Policy, following the consultation process that was carried out during August and September 2004. When discharging its function under the Licensing Act 2003, the Council had to have regard to promoting licensing objectives, its own licensing policy and any guidance from the Secretary of State. The Council was required to produce a statement of licensing policy by legislation. It was also required to consult numerous organisations before it adopted the policy and East Herts Council had also consulted many other interested parties apart from those required by statute.

A significant number of comments received from residents tended towards a wish to see greater control of licensed premises. Some comments from commercial respondents expressed concern that the policy exceeded statutory guidance.

ACTION

The policy had been submitted for Counsel’s opinion. Counsel thought it well written and suggested some minor amendments. The amended policy had also been submitted for Counsel’s opinion, which was awaited.

Members considered the report and noted that fees would be set by Central Government. Present proposals for fees did not appear to cover costs, which was raised as a matter for concern. Members also thought a summary of key points of the new regulations should be included in a guidance note for the public.

The Committee thanked officers for their work on introducing the new regulations for East Herts.

RESOLVED - that (A) the Committee’s concern at the low level of fees which would not cover costs, be drawn to the attention of the Local Government Association (LGA); and

ARS

(B) guidance notes on the key points of the regulations be prepared for the public.

ARS

409 AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT (SPD) - CONSULTATION DRAFT - OCTOBER 2004

---

The Assistant Director (Policy and Performance) submitted a report seeking the Committee’s consideration of the Affordable Housing Supplementary Planning Document Consultation Draft. Its comments and suggestions would be passed to the Executive.

The Housing Needs Survey 2004 had highlighted the need for additional affordable housing in the District. The Council had produced a draft Supplementary Planning Document (SPD) under the new legislation for planning, the Planning and Compulsory Purchase Act 2004, to influence the provision of this housing in new developments. The percentage of affordable housing

ACTION

provided in new developments needed to be increased. The Council had achieved some success in negotiating the provision of such housing but needed this document to give more support to its efforts.

Members considered the percentage which should be requested. Some felt 40% rather than 30% would be unrealistic in the short term, although this might be a long term goal. A target that was too high could discourage developers from building which would force house prices up making housing less affordable. Some Members thought options for the Council purchasing land and providing affordable housing itself should be considered. Some Members thought the wording of the document should be strengthened to prevent developers avoiding the provision of affordable housing.

Members agreed that the Executive be recommended to approve the document, and a report be submitted to the Policy Development Scrutiny Committee on purchasing land for affordable housing.

RESOLVED - that (A) the Executive be informed that the Affordable Housing Supplementary Planning Document Consultation Draft October 2004 Consultation Statement and Sustainability Appraisal, be approved, subject to the drafting amendments suggested; and

APP

(B) a report be submitted to the Policy Development Scrutiny Committee on the Council purchasing land to provide affordable housing.

APP

410 DIVISIONAL ESTABLISHMENTS ROUND 1 REVENUE ESTIMATES - PROBABLE 2004/05: ESTIMATE 2005/06

The Chairman commented that the report on the revenue estimates submitted by the Executive Member for Finance would be considered in detail this year by the newly appointed Budget Scrutiny Panel. He invited Members to

ACTION

raise any questions they wished the Panel to investigate.

Members considered the new format and requested a standard format be used each year with a full explanation of any changes to it which would help Members to understand the estimates better. Members raised queries on the shortfall in funding for Development Control, the estimate for fees and charges for Law and Control which appeared high for 2005/06, in view of probable income for 2004/05, the high cost of using external services for Law and Control, and details of the split between Communications and Customer Services.

The Committee agreed to refer the report and the queries raised to the Budget Panel.

RESOLVED - that (A) the report be referred to the Budget Scrutiny Panel, and

ALC

(B) the Panel be asked to consider the queries raised as part of its discussions.

ALC/AFS

411 FORWARD PLAN FOR POLICY DEVELOPMENT  
SCRUTINY PANEL

The Committee Chairman submitted a Forward Plan for the work of the Committee.

A report on the Community Safety Strategy would be submitted to the meeting on 18 January 2005.

RESOLVED - that the Forward Plan for Policy Development Scrutiny Committee, as set out in Appendix C(i) of the report now submitted, be approved as amended.

The meeting closed at 9.15 pm.

ACTION

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

Nps\Policy Dev Scrutiny\16 Nov 2004\Minutes 16 November 2004