

ACTION

MINUTES OF A MEETING OF THE  
EXECUTIVE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD  
ON TUESDAY, 7 FEBRUARY 2006 AT  
7.30 PM

PRESENT: Councillor A P Jackson (Chairman/Acting Leader). Councillors M R Alexander, N Burdett, M G Carver, T Milner and R L Parker.

ALSO IN ATTENDANCE:

Councillors W Ashley, H G S Banks, R N Copping, J Demonti, R Gilbert, M P A McMullen, D A A Peek, L R Pinnell, J O Ranger, J P Warren, M Wood.

OFFICERS IN ATTENDANCE:

Philip Thomas	- Interim Executive Director
Simon Drinkwater	- Director of Corporate Governance
Jeff Hughes	- Head of Democratic Services
Lorraine Kirk	- Senior Communications Officer
Mary Orton	- Director of Policy and Performance
Georgina Stanton	- Director of Organisational Development
Dave Tweedie	- Director of Resources

583 DECLARATIONS OF INTEREST

Councillor T Milner declared a personal and prejudicial interest in the matter detailed at Minute 590 below – Affordable Housing Provision in Hertford Heath – as he was a Board Member of the Riversmead Housing Association. He left the Chamber whilst this item was considered.

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Councillor M P A McMullen declared a personal and prejudicial interest in the matter detailed at Minute 585 below - Hertfordshire County Council – Minerals Local Plan Review 2002 – 2016 – Consultation On Proposed Modifications And Notice Of Intention To Adopt (December 2005). He did not disclose the nature of the interest and left the Chamber whilst this item was considered.

**RECOMMENDED ITEMS****584 BYELAWS – ST MICHAELS MEAD, BISHOP’S STORTFORD**

**The Executive Member for Environmental Management submitted a report detailing the responses received following a further consultation exercise on proposed byelaws for open spaces on the St Michaels Mead Estate, Bishop’s Stortford.**

**The Executive noted that 13 individual replies, three group responses and a petition had been received during the consultation process. The Executive Member detailed the nature of the representations received. The draft byelaws had been amended, as now detailed, to take account of the representations received.**

**The Executive welcomed the intention to continue to allow recreational fishing at the balancing pond with appropriate control measures. It considered that any management plan identified should encourage participation by young people whilst ensuring that potential litter problems would be addressed. It was felt that the involvement of a formal Angling Society may not be the best way forward to achieve the objective of encouraging youth angling. The suggestion now detailed by a Member on this aspect would be explored by officers.**

ACTION

The Executive noted that the British Model Aircraft Association had suggested amendments to the proposed byelaws to permit the use of small electronically powered aircraft. Given the legal process to be followed to confirm the byelaws, the Association would be making representations on this matter direct to the Office of the Deputy Prime Minister.

The Executive supported the recommendations as now detailed.

**RECOMMENDED** - that (A) the draft open space byelaws as amended to reflect the findings from the consultation process, be approved, and

DCG

(B) proposals to implement a management plan for the Southern Country Park that seeks to control fishing on the balancing pond, be approved.

DCG/DR

**585 HERTFORDSHIRE COUNTY COUNCIL – MINERALS LOCAL PLAN REVIEW 2002 – 2016 – CONSULTATION ON PROPOSED MODIFICATIONS AND NOTICE OF INTENTION TO ADOPT (DECEMBER 2005)**

The Executive Member for Regions and Partnerships submitted a report seeking the views of the Executive on Hertfordshire County Council's proposed modifications to the Minerals Local Plan. The public consultation exercise on the proposed modifications ended on 23 January 2006. The County Council had, however, agreed an extension of this deadline to enable this Authority to comment.

The Executive Member advised that the Authority had previously objected to drafts of the Minerals Local Plan on the basis that land adjoining Rickneys Quarry, Hertford had been identified as a Preferred Area for mineral extraction. Notwithstanding the Council's objection, the Inspector considering the draft Plan had

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recommended that the Rickneys Quarry site should be identified as a Preferred Area. The Inspector had concluded that the site selection process was robust and that objections raised could be dealt with at the detailed planning application stage. The Minerals Planning Authority, in accordance with Government policies and the Minerals Local Plan Review policies, would be able to refuse planning permission for minerals extraction at this site if it was found that any environmental impacts were not outweighed by the benefits of extraction.

The Executive Member stated that at this stage of the consultation process there was no opportunity to raise matters discussed at the Inquiry. Comment could only be made on the proposed modifications to the Plan. He suggested that there was no reason to object to the proposed modifications relating to the Rickneys Quarry site. However, it would be opportune to confirm in any submission on the proposed modifications, the Council's continued objection to the designation of land adjoining Rickneys Quarry as a Preferred Area for mineral extraction.

The Executive supported the recommendations as now detailed.

**RECOMMENDED** – that Hertfordshire County Council be advised that (A) East Herts Council raises no objections to the Hertfordshire Minerals Local Plan 2002 to 2016 Proposed Modifications (December 2005), and

DRS

(B) notwithstanding the impending adoption of the Minerals Local Plan and inclusion of Rickneys Quarry, Hertford as a Preferred Area for mineral extraction, the District Council still maintains its strong objections to such a proposal, and will continue, where it considers it appropriate, to respond robustly with its views on any planning applications submitted in

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respect of this and other sites within the District.

**586 PPS3: HOUSING – GOVERNMENT CONSULTATION PAPER (DECEMBER 2005)**

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**The Executive Member for Regions and Partnerships submitted a report detailing a suggested response to the Government’s Consultation Paper entitled “PPS3: Housing – December 2005” and the accompanying guidance documents entitled “Housing market Assessments” and Housing Land Availability Assessments”.**

**The Executive Member stated that the new PPS3 would replace the existing PPG3: Housing, and Circular 6/98 ‘Planning for Affordable Housing’. It would set out the broad national policy framework for housing within which regional planning bodies and local authorities should develop regional spatial strategies and local development frameworks. Local authorities would be expected to follow the new approach, as soon as practicable after PPS3 is published, in preparing Development Plan Documents (which would replace the Local Plan in the future). A further ‘companion guide’ to accompany PPS3 was also planned, to provide clear advice on the new approach – in particular, advice on how the new sub-regional housing market areas would be identified. A date for the publication of the final PPS3 or the companion guide was not known.**

**The Executive Member commented that the Government’s proposals as detailed in the document would likely have a detrimental impact on key Council social/economic/environmental and planning policy objectives.**

**The Executive Member highlighted the key issues within the document covering:**

- a) regional spatial strategies and sub-regional**

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- housing market areas;
- b) Local Development Frameworks;
- c) Efficient Use of Land;
- d) Household Type;
- e) Affordable housing;
- f) Rural housing;
- g) Designing for Quality;
- h) Greening the residential environment, and
- i) Managing delivery and development.

The Executive noted the suggested response on each of these issues as now detailed. The Executive further noted the suggested comments in relation to Housing Land Availability Assessments and Housing Market Assessments.

The Executive supported the recommended responses as now detailed.

**RECOMMENDED** - that in respect of the Government's Consultation Paper entitled: PPS3: Housing – December 2005, and the accompanying draft guidance documents 'Housing Market Assessments' and 'Housing Land Availability Assessments', the Office of the Deputy Prime Minister, be advised of East Herts Council's response to the consultation, as set out in *italics* and in Appendix 'A9', as now submitted.

DPP

ACTION**587 PLANNING GAIN SUPPLEMENT – GOVERNMENT CONSULTATION PAPER (DECEMBER 2005)**

The Executive Member for Environmental Management submitted a report detailing a suggested response to the Government's Consultation Paper entitled "Planning-gain Supplement: a consultation".

The Executive Member explained that the consultation paper contained details of how the Government intended to use the increase in land value created by planning decisions to help finance the infrastructure needed to stimulate and service development growth. Further, the Government envisaged that the Planning Gain Supplement (PGS) would be used to ensure that local communities shared in the benefits that growth brought, particularly in terms of improved affordability of housing.

The Executive Member outlined the main features of PGS.

The Executive Member highlighted the key issues within the document covering:

- a) Valuing Planning Gain;
- b) Paying PGS;
- c) Scope;
- d) Financing Infrastructure through the Planning System, and
- e) Allocating PGS revenues.

The Executive Member commented on the implications of introducing a system of PGS compared to using the current method of "section 106 obligations". The

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Executive noted that, as a consequence, the Authority would no longer receive payments for obligations direct, but would have to bid for them. The Executive supported a Member's suggestion that the Council's response on this matter should reflect the need to obtain, through staged pre-payments, monies to fund the cost of infrastructure provision.

The Executive supported the recommendations as now detailed, and as amended, in relation to the suggested response to the Government on this matter.

**RECOMMENDED** - that that in respect of the Government's Consultation Paper entitled: Planning-gain Supplement: a consultation, the Office of the Deputy Prime Minister, be advised of East Herts Council's response to the consultation, as set out in *italics* in this report, and as now amended.

DPP

**588 ADJUSTMENTS TO CAPITAL PROGRAMME FOR PRIVATE SECTOR HOUSING GRANTS**

The Executive Member for Community Development submitted a report on a proposal to vire monies from the Council's budgets for Discretionary Disabled Facilities Grants (£55,000) and Decent Home Grants (£45,000) to its Mandatory Disabled Grants budget.

The Executive Member advised that the demand for mandatory Disabled Facilities Grants (DFG's) in the current financial year had increased compared to the previous financial year. He explained the reason for this increase. In particular, he highlighted that a number of referrals had been received for DFG's from tenants of Circle Anglia Housing Association as that Association's budget (agreed as part of the housing transfer process) was insufficient to meet demand.

The Executive Member commented that sufficient monies could be transferred within the overall budget



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for private sector housing grants to meet the anticipated demand for mandatory DFG's in the current financial year.

The Executive noted that the demand for expenditure on DFGs was expected to increase in 2006/7. In December 2005, the Government Office for the Eastern Region had advised that the region's subsidy allocation for 2006/7 would be 70.2% of the regions total bids, and that each council in the Eastern region would receive 70.2% of its bid. Council had bid for a spend of £410,000, and could therefore expect Specified Capital Grant for DFGs of £172,692, instead of the £246,000 sought. As the subsidy was 60% of spend, any expenditure over £287,820 would need to be fully funded by the Council.

The Executive supported the recommendations as now detailed.

**RECOMMENDED** - that a virement of £55,000 from the Discretionary Disabled Facilities Grants budget, and £45,000 from the Decent Home Grant budget be made into the current mandatory Disabled Facilities Grant budget.

DRS

**589 SOCIAL HOUSING GRANT CAPITAL PROGRAMME UPDATE**

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The Executive Member for Community Development submitted a report on proposals to fund affordable housing development schemes in return for 100% nomination rights to first lets and 75% thereafter in Ware.

The Executive noted the background information submitted in relation to the schemes now detailed and the Executive Member's confirmation that the schemes represented "value for money".

ACTION

The Executive supported the proposals to fund affordable housing development schemes at Star Street and Crane Mead, Ware.

The Executive also supported the proposal to approve the early payment of £307,000 capital funding to Circle Anglia Housing in relation to the housing project at the Herts and Essex Hospital site, Bishop's Stortford. It noted the reasons detailed in the report now submitted for making this early payment based on receipt of completion certificates for the first phase of 37 units.

**RECOMMENDED** – that (A) the following funding for affordable housing development schemes in return for 100% nomination rights to first lets and 75% thereafter, with funding to be profiled and unit types as detailed in the report, be approved:

DPP

Star Street, Ware - £543,500 for 20 units,

Crane Mead, Ware - £27,250 for 1 unit, and

(B) on receipt of completion certificates for the first phase of 37 units, the early payment of £307,000 capital funding to Circle Anglia on the Herts & Essex project, be approved.

DPP/DR

**590 AFFORDABLE HOUSING PROVISION IN HERTFORD HEATH**

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The Executive Member for Community Development submitted a report seeking approval to waive a claw back provision in relation to land value in respect of a site at 103-111 London Road, Hertford Heath.

The Executive Member explained that in return for waiving the claw back land value, the Authority would receive 100 % nomination rights to two new units of affordable housing to be provided at this site.

The Executive Member detailed the financial

ACTION

implications of the proposal now detailed.

The Executive supported the recommendation as now detailed.

**RECOMMENDED** - that the right to a claw-back of land value under the terms of the stock transfer agreement with Riversmead Housing Association on land formerly owned by the Council at 103 - 111 London Road, Hertford Heath, be waived, in return for 100% nomination rights to the two new units of affordable housing to be developed on that site.

DPP/DR

RESOLVED ITEMS591 MINUTES

RESOLVED - that the Minutes of the Executive meeting held on 10 January 2006 be confirmed as a correct record and signed by the Chairman.

592 CONCESSIONARY FARES

The Executive Member for Regions and Partnerships and the Acting Leader of the Council submitted a joint report on a proposal for a free fare concessionary travel scheme for the District.

The Executive noted the details of the proposed scheme and the associated costs.

The Executive Members updated the Executive on the latest discussions with the bus operators on the proposed scheme. The Executive noted the monies being sought by the bus operators for a scheme and the budget available to the Authority through the Council's grant settlement. Any scheme costing more than the monies made available through the grant settlement would need to be funded by the taxpayers of the District.

ACTION

The Executive supported the suggestion that no decision be made with regard to a concessionary fare scheme on the basis that officers be requested to continue discussions with relevant parties to determine a position favourable to the District of East Herts and to report on the outcome of these discussions at the earliest opportunity.

RESOLVED - that no decision be made with regard to a concessionary fare scheme on the basis that officers be requested to continue discussions with relevant parties to determine a position favourable to the District of East Herts and to report on the outcome of these discussions at the earliest opportunity.

DR/DPP

593 CHILDREN AND YOUNG PEOPLE'S PLAN

The Executive Member for Community Development submitted a report seeking the Executive's endorsement of the countywide Children and Young People's Plan (CYPP).

The Executive noted that the Children Act 2004 placed a duty on local authorities (in this case, County Councils) to produce a Children and Young People's Plan covering all services for children and young people. The plan should address the five outcomes for children and young people set out in the Government's *Every Child Matters* programme:

- Be healthy
- Stay safe
- Enjoy and achieve
- Make a positive contribution
- Achieve economic well-being.

ACTION

The Executive Member commented that whilst ultimate responsibility for producing the Plan was with the Director and Lead Member for Children's Services, it was felt that, in order to foster ownership of the priorities and co-operation in delivering the outcomes within the plan, by all partners, the Hertfordshire Children's Trust Partnership (HCTP) should take the lead role on its development and implementation.

The Executive noted the governance arrangements for the countywide Trust as detailed in the report now submitted.

The Executive agreed to endorse the Plan and the governance arrangements for the Trust.

RESOLVED – that (A) the countywide Children and Young People's Plan be endorsed prior to sign off by the Hertfordshire Children's Trust Partnership Executive Group in March 2006, and

DPP

(B) the governance arrangements for the countywide Children's Trust, as appended to the report now submitted, be endorsed.

DPP

594 FORWARD PLAN: MARCH - JUNE 2006

The Executive Member for Public Engagement submitted a report seeking approval for the publication of the Forward Plan for the period March - June 2006.

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

RESOLVED - that the Forward Plan for March – June 2006, as set out at Appendix 'A' to these Minutes be approved for publication.

DCG

ACTION

The meeting closed at 9.40 pm

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Chairman .....

Date .....



# Forward Plan

Published for March 2006

**FORWARD PLAN  
(Council and Executive)**

<b>No</b>	<b>Subject</b>	<b>Decision Maker (Date)</b>	<b>Consultation (who will be consulted and by what method)</b>	<b>Contact Executive Member</b>	<b>Contact Lead Officer</b>
1.	<b>Corporate Strategic Plan</b>	Council – 17 May 2006 on recommendation from Executive – 2 May 2006	Performance Scrutiny Committee – 21 March 2006	Councillor Tony Jackson	Mary Orton
2.	<b>Performance Indicators</b> 2006/07 Targets and Estimates for 2005/06	Council – 12 April 2006 on recommendation from Executive – 4 April 2006	Performance Scrutiny Committee – 28 February 2006	Councillor Tony Jackson	Mary Orton
3.	<b>Council Tax</b> Approval of 2006/07 levels	Council – 1 March 2006	Representatives of business and local constituents via budgetary processes.	Councillor Tony Jackson	Dave Tweedie



No	Subject	Decision Maker (Date)	Consultation (who will be consulted and by what method)	Contact Executive Member	Contact Lead Officer
4.	<b>Bishop's Stortford Transport Study</b>	Executive – 7 March 2006		Councillor Mike Carver	Mary Orton
5.	<b>Constitution</b> Annual Review	Council – 17 May 2006	Internal consultation	Councillor Terence Milner	Simon Drinkwater
6.	<b>Best Value Performance Plan 2006</b>	Council – June 2006 On recommendation from Executive – 30 May 2006	Performance Scrutiny Committee – 23 May 2006	Councillor Tony Jackson	Mary Orton
7.	<b>Appointment of Chief Executive</b>	Council – 1 March 2006		Councillor Tony Jackson	Philip Thomas
8.	<b>Food Safety Service Plan</b>	Executive – June 2006		Councillor Nicola Burdett	Neal Hodgson

<b>No</b>	<b>Subject</b>	<b>Decision Maker (Date)</b>	<b>Consultation (who will be consulted and by what method)</b>	<b>Contact Executive Member</b>	<b>Contact Lead Officer</b>
9.	<b>Strategic Risk</b> Monitoring report (Oct – Dec 2005)	Executive – 7 March 2006	Performance Scrutiny – 28 February 2006	Councillor Tony Jackson	Mary Orton
10.	<b>Strategic Risk</b> Monitoring report (Jan – Mar 2006)	Executive – 30 May 2006	Performance Scrutiny – 10 May 2006	Councillor Tony Jackson	Mary Orton
11.	<b>Health and Safety Service Plan</b>	Executive – June 2006		Councillor Nicola Burdett	Neal Hodgson
12.	<b>Review of Parking Enforcement Guidelines</b>	Executive – 2 May 2006	Policy Development Scrutiny Committee – 28 March 2006	Councillor Malcolm Alexander	Mary Orton
13.	<b>Draft Calendar of Meetings</b>	Council – 12 April 2006 on recommendation from Executive – 7 March 2006	Internal and Town Councils.	Councillor Terence Milner	Simon Drinkwater

## SCRUTINY WORK PROGRAMME

No.	Subject	Committee (Date)	Contact Member	Relevant Portfolio Holder	Support Officer
1.	<b>Leisure Contract</b> - Quarterly monitoring	Performance Scrutiny – 28 February 2006	Cllr Diane Hollebbon	Councillor Bob Parker	Mary Orton
2.	<b>2006/07 Targets and Estimates for 2005/06</b>	Performance Scrutiny – 28 February 2006	Cllr Diane Hollebbon	Councillor Tony Jackson	Mary Orton
3.	<b>Performance Indicators</b> Quarterly monitoring – Oct – December 2005	Performance Scrutiny – 28 February 2006	Cllr Diane Hollebbon	Councillor Tony Jackson	Mary Orton
4.	<b>Community Safety Strategy Action Plan</b>	Performance Scrutiny Committee – 28 February 2006	Cllr Diane Hollebbon	Councillor Nicola Burdett	Mary Orton

No.	Subject	Committee (Date)	Contact Member	Relevant Portfolio Holder	Support Officer
5.	<b>Annual Audit Letter/ Use of Resources Assessment</b>	Performance Scrutiny – 21 March 2006	Cllr Diane Hollebon	Councillor Tony Jackson	Mary Orton/ Dave Tweedie
6.	<b>Hostels</b>	Performance Scrutiny – 21 March 2006	Cllr Diane Hollebon	Councillor Bob Parker	Mary Orton
7.	<b>Community Strategy and Action Plans</b> Progress	Performance Scrutiny – 21 March 2006	Cllr Diane Hollebon	Councillor Mike Carver	Mary Orton
8.	<b>Preserve the unique mix of rural and urban communities, ensuring economic opportunities are generated for the benefit of all</b>	Policy Development Scrutiny – 28 March 2006	Cllr Jim Ranger	Councillor Mike Carver	Neal Hodgson/ Mary Orton

<b>No.</b>	<b>Subject</b>	<b>Committee (Date)</b>	<b>Contact Member</b>	<b>Relevant Portfolio Holder</b>	<b>Support Officer</b>
9.	<b>Performance Indicators</b> Quarterly monitoring – Jan – Mar 2006	Performance Scrutiny – 23 May 2006	Cllr Diane Hollebbon	Councillor Tony Jackson	Mary Orton
10.	<b>Internal Audit Activity 2005/06</b>	Performance Scrutiny – 23 May 2006	Cllr Diane Hollebbon	Councillor Deborah Clark	Simon Drinkwater
11.	<b>Audit Plan 2006/07 &amp; Three Year Strategic Plan</b>	Performance Scrutiny – 23 May 2006	Cllr Diane Hollebbon	Councillor Deborah Clark	Simon Drinkwater
12.	<b>CPA Improvement Plan</b> 1 Oct 2005 – 31 March 2006)	Performance Scrutiny – 10 May 2006	Cllr Diane Hollebbon	Councillor Tony Jackson	Mary Orton
13.	<b>Best Value Action Plan Monitoring</b> (1 Oct 2005 – 31 Mar 2006)	Performance Scrutiny – 10 May 2006	Cllr Diane Hollebbon	Councillor Tony Jackson	Mary Orton

No.	Subject	Committee (Date)	Contact Member	Relevant Portfolio Holder	Support Officer
14.	<b>Strategic Plan Monitoring</b> (1 Oct 2005 – 31 Mar 2006)	Performance Scrutiny Committee – 10 May 2006	Cllr Diane Hollebon	Councillor Tony Jackson	Mary Orton
15.	<b>Energy Efficiency Policy</b>	Policy Development Scrutiny Committee – 28 March 2006	Cllr Jim Ranger	Councillor Malcolm Alexander	Mary Orton
16.	<b>Long Term Leisure Strategy</b> Report from Group	Policy Development Scrutiny Committee – 28 March 2006	Cllr Jim Ranger	Councillor Bob Parker	Mary Orton