

ACTION

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD
ON WEDNESDAY 8 MARCH 2006 AT
6.00 PM

PRESENT: Councillor A P Jackson (Chairman/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, R Gilbert, L O Haysey,
M P A McMullen, M J Tindale, J P Warren,
M Wood.

OFFICERS IN ATTENDANCE:

Philip Thomas	- Interim Executive Director
Gerald Balabanoff	- Interim Director of Organisational Development
Simon Chancellor	- Head of Accountancy Services
Simon Drinkwater	- Director of Corporate Governance
Martin Ibrahim	- Senior Democratic Services Officer
Lois Prior	- Head of Communications
Bryan Thomsett	- Head of Planning Policy

672 LEADER'S ANNOUNCEMENTS

The Leader welcomed Gerald Balabanoff, who had been appointed as the Interim Director of Organisational Development, to his first meeting of the Executive. He also referred to the impending departure of Georgina Stanton and wished to record the Executive's appreciation of her work and efforts.

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Finally, he informed Members that Anne Fisher, the newly appointed Chief Executive, would commence her duties on 5 June 2006.

673 DECLARATIONS OF INTEREST

Councillor M P A McMullen declared a personal interest in the matter referred to at Minute 675 - British Airports Authority Consultation (December 2005): Stansted Generation 2: December 2005 Consultation, in that his parish had donated funds towards campaigning against expansion at the airport and that he had spoken publicly in support of such campaigns.

674 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 Minute 678 below on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the said Act.

RECOMMENDED ITEMS675 **BRITISH AIRPORTS AUTHORITY CONSULTATION (DECEMBER 2005): STANSTED GENERATION 2: DECEMBER 2005 CONSULTATION**

The Executive Member for Regions and Partnerships submitted a report on the consultation document published by the British Airports Authority (BAA) regarding future growth at Stansted Airport, titled “Stansted Generation 2: December 2005 Consultation”. The views of the Executive were sought in order that the District Council’s formal response could be made.

The Executive Member stated that the current consultation document was the first for the “Generation

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2 Project” related to the second runway. The document set out four options for the location of the proposed runway and invited comments on these in advance of a formal planning application currently expected in mid-2007.

All of the options were aligned parallel to the existing runway, with three located to the east and one to the west of the existing runway. The separation between the two runways varied, which had an impact on the capacity of each option, as well as affecting the environmental and other impacts. The three eastern runway options were able to operate in “mixed mode”, where both runways were used for landings and takeoffs at the same time giving, according to BAA, a capacity at 2030 of 76 million passengers per annum (mppa) and 550,000 air traffic movements. The western option, the option closest to Bishop's Stortford, could only operate in segregated mode, where one runway was used for landings and the other for takeoffs giving a reduced capacity of 63 mppa and 465,000 movements.

The Executive noted that the consultation was a form of pre-application consultation and despite the 4 Authorities’ (East Herts and Uttlesford Districts and Hertfordshire and Essex County Councils) opposition to the proposal, it was considered important that as the planning authorities concerned, some response was made. This would help to minimise the impact of any development that might take place whilst maintaining opposition. Failure to respond at this stage might weaken the 4 Authorities’ position at any Planning Inquiry.

The Executive Member stated that the intention was to express concerns regarding the consideration of some of the local issues such as noise, air pollution, minimisation of land take, visual impact and the location of airport related facilities and the continuation of the policy of concentrating airport related development on site. There was no intention to

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express a preference for any of the options. Further, it was intended that a joint response would be made to this consultation by the 4 Authorities.

The Executive Member referred to a draft response prepared by officers, which had been revised and tabled at the meeting for consideration. This had included some comments from the partner Authorities that had been received since the despatch of the agenda. However, in order to take account of further suggested changes, it was recommended that the Head of Planning Policy in consultation with the Executive Member of Regions and Partnerships be given delegated authority to agree to the detailed wording of the response in consultation with the other three authorities, providing that response did not differ materially from the version now detailed.

In response to a question from Councillor R Gilbert, the Executive Member confirmed that the draft response had included reference to the conclusions of the Stansted Airport Consultative Committee that BAA's proposals would result in an environmental disaster.

The Executive supported the recommendations as now detailed.

RECOMMENDED - that in respect of the consultation document entitled "Stansted Generation 2: December 2005 Consultation":

DPP

(A) the joint response of the 4 Authorities, as now submitted, be noted and endorsed; and the Head of Planning Policy, in consultation with the Executive Member for Regions and Partnerships, be authorised to make any necessary minor amendments to the response, which may arise from further consultation between the 4 Authorities; and

ACTION

(B) British Airports Authority be advised that East Herts Council reaffirms its continuing and absolute opposition to a second runway at Stansted Airport and endorses the joint response of the 4 Authorities.

676 DEDICATION OF LAND FOR FOOTPATH AND CYCLE TRACK, ST MICHAEL'S MEAD, BISHOP'S STORTFORD

The Leader submitted a report in respect of the dedication of land for use as a footpath and cycle track to Hertfordshire County Council.

The District Council owned a large area of public open space at St Michael's Mead, Bishop Stortford. The County Council had recently constructed a cycle track and footpath across the Northern Parkland from Drovers Way to Great Hadham Road as part of the wider cycle network and had requested that the land forming this path be dedicated to them. The Council has dedicated other land to the County Council for similar uses over other areas of open space in Bishop's Stortford.

This land had been the subject of a report to the Executive on 7 December 2004 (Minute 421 refers). The Executive had recommended that the land be dedicated to the County Council subject to a continued easement protecting the Council's interest. Since then, it had not been possible for the respective solicitors to achieve the dedication on this basis, as a dedication was a permanent arrangement and could not be subject to other rights, which might affect the land in the future. In order for the dedication to proceed, it would need to be without the requirement for an easement. The Executive Member commented that an easement was not in fact necessary, as the route was a right of way across public open space. Therefore, access to the land was not restricted.

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The Executive noted that the provision of the foot and cycle path formed part of the Bishop's Stortford Transportation Plan. The path had been funded by proceeds from various Section 106 Agreements. As a County Council responsibility, it was considered appropriate to dedicate the land to the Authority. Furthermore, the path had already been constructed and provided a surfaced path with lighting linking St Michael's Mead to the Great Hadham Road, extending a larger area of cycle and footpath provision. The effect of the dedication would be to establish the route as a footpath and cycle track under the maintenance and control of the highway authority on a permanent basis. If the route became unnecessary in the future, the land would revert back to the District Council. The subsoil remained with the District Council so reservations of easements, etc, for the running of pipes and cables across the route was unnecessary.

In response to a question from Councillor R Gilbert, the Leader commented that the County Council would be responsible for maintenance.

The Executive supported the recommendation as now detailed.

RECOMMENDED – that the Council dedicate the land which forms the footpath and cycle track at Northern Parkland, St Michael's Mead, Bishop's Stortford to Hertfordshire County Council without the requirement for an easement.

DCG/DR

**677 COMMISSIONING A PATIENT-LED NHS –
CONSULTATION RESPONSE**

The Executive Member for Public Engagement submitted a report proposing a response to the consultations regarding the restructuring of Primary Care Trusts (PCTs), Ambulance Trusts and the Strategic Health Authorities (SHAs).

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The Executive Member detailed the consultation arrangements and the proposed timetable for implementing any changes. He stated that the SHA was consulting on the following options:

- One SHA for the Eastern Region
- One Ambulance Trust for the Eastern Region
- One or two PCTs for Hertfordshire – the two would be split into East and North Hertfordshire and West Hertfordshire.

The Executive Member detailed the consultation he had undertaken with Members in formulating a draft response, which had been tabled at the meeting. The issue had also been discussed at a meeting of the Royston, Buntingford And Bishop's Stortford Primary Care Trust (PCT) Joint Scrutiny Committee on 20 February 2006. Its views concurred with the draft response as now submitted.

The Executive Member commented that since the consultation offered only one option for the SHA and Ambulance Trust, he proposed that the Council should rely on the work already done by the SHA in arriving at these proposals and support them.

With regard to the choice of one or two PCTs, he proposed that the Council should express a preference for two PCTs for the reasons detailed in the draft response now submitted.

The Executive Member invited Members to submit any further comments to him.

The Executive supported the recommended draft response as now detailed.

ACTION

RECOMMENDED - that the response on behalf of East Herts Council to the current NHS consultation documents, as now detailed, be approved.

DPP

678 FUNDING FOR SEVERANCE PAYMENT ARISING FROM DECISION OF THE HUMAN RESOURCES SUB-COMMITTEE

The Leader of the Council submitted a report on the funding implications of a decision taken by the Human Resources Sub-Committee on a severance payment to a former employee.

The former employee had raised a grievance against the level of enhanced severance awarded by the Human Resources Sub-Committee on 16 July 2005. Following an appeal hearing heard by the Human Resources Sub-Committee on 18 January 2006, the level of enhanced severance awarded had been increased to the maximum level of enhancement (in relation to pensionable service) which could be awarded without impacting on the redundancy payment.

The Leader detailed the financial implications of the decision, which were set out in paragraph 4.2 of the report now submitted.

The Executive supported the recommendation as now detailed.

RECOMMENDED – that, following the decision taken by the Human Resources Sub-Committee on 18 January 2006, the funding for the severance payment, as detailed in the report now submitted, be met from the salaries budget over the next 3 years.

DR

ACTIONRESOLVED ITEMS679 MINUTES

RESOLVED - that the Minutes of the Executive meeting held on 22 February 2006 be confirmed as a correct record and signed by the Chairman.

680 BANKING SERVICES

The Leader of the Council submitted a report seeking the renewal of the Council's banking contract with Nat West.

The Executive noted that Nat West had provided the main banking services and had successfully retendered the contract over five years ago. This had been extended and would expire at the end of March 2006. The market had changed during this period with banks revising their services over this time. Focus on Banking Ltd had been consulted as to the state of the current banking market.

From Focus on Banking's work with other local authorities, it had appeared that only two High Street banks would tender for the business. Focus on Banking's analysis of the market indicated that tendered prices would increase by 25%. Therefore, it had concluded that a considered approach would be to see if Nat West would attach some loyalty incentive to keep the Council's account with them. This had resulted in Nat West offering to maintain the current prices with just an annual inflationary rise for a three year term. It was noted that the current cost of the core banking service was £24,500 per annum.

The Executive approved the recommendation.

RESOLVED - that the Banking Contract with Nat West be extended for a further three years and the financial procedures for obtaining three tenderers be suspended on this occasion.

DR

ACTION681 WRITE-OFF OF HOUSING BENEFIT OVERPAYMENT

The Leader of the Council submitted a report seeking approval for the write-off of irrecoverable overpayments of Housing Benefit.

A claimant, as detailed in the report now submitted, had been invoiced in June 2004 for overpaid Housing Benefit of £3,276.86. The overpayment had arisen as a result of the identification of previously undisclosed capital. Repayment arrangements had been made and the debt had reduced to £2,756.86 when the claimant died. The claimant's executor had been approached to attempt recovery from the claimant's estate, but it was confirmed that following funeral expenses, no funds remained.

The Executive approved the recommendation as now detailed.

RESOLVED – that the write-off of an overpayment of Housing Benefit of £2,756.86, which was no longer recoverable due to the death of the claimant, be authorised. DR

682 FORWARD PLAN: APRIL – JULY 2006

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

He asked the Executive to note amendments to the consultation arrangements for Forward Plan Items 1 and 3, as now detailed. He also advised that Item 9 would be submitted to the Council meeting on 17 May 2006 and not 12 April 2006.

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

ACTION

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

DCG

683 RE-BRANDING OF CASTLE HALL

The Executive Member for Community Development submitted a report seeking approval for a new design for the re-branding of Castle Hall.

The Executive recalled that, at its meeting held on 21 June 2005, it had agreed that a marketing strategy in order to enhance the financial viability and usage of Castle Hall in the short-term, be established and implemented. The Castle Hall Working Party, at its meeting on 21 December 2005, had agreed a schedule and process for the re-branding of the venue, which had incorporated research, brand development and implementation ahead of a launch scheduled for a weekend in April 2006. The Working Group had further agreed that the branding should not change the name of the venue at this stage, but that the potential for a new name be taken into account during the design process. Following the development of a design brief and consultation with the Executive Member for Community Development, three options were on display for consideration by all Members ahead of the Council meeting on 1 March 2006.

The Executive Member reported that a clear majority of Members had favoured the design, as now displayed.

In response to a question from Councillor M J Tindale in respect of the impact of the new design for the possible renaming of the venue in the future, the Executive Member for Community stated that the brief given to Blue Fin, the Council's consultants, was to take account of the potential for a new name during the design process.

The Executive approved the recommendation as now detailed.

ACTION

RESOLVED - that (A) the design, as now submitted, be approved as the favoured option for the re-branding of Castle Hall; and

DOD

(B) officers now expedite the application of the new branding within the venue, on the outside of the venue (subject to funding and planning approval) and in all communications on a replacement, not replenishment basis during 2006/07.

DOD

684 ROYSTON, BUNTINGFORD AND BISHOP'S STORTFORD JOINT PRIMARY CARE TRUST SCRUTINY COMMITTEE - MINUTES OF THE MEETING HELD ON 16 JANUARY 2006

RESOLVED – That the Minutes of the Royston, Buntingford and Bishop's Stortford Joint Primary Care Trust Scrutiny Committee meeting held on 16 January 2006, be received.

The meeting closed at 6.45 pm

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Chairman
Date