

MINUTES OF A MEETING OF EAST
HERTS COUNCIL HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 12 APRIL
2006 AT 7.30 PM

PRESENT: Councillor A L Burlton (Chairman).
Councillors M R Alexander, W Ashley, D R Atkins,
P R Ballam, H G S Banks, K A Barnes, S A Bull,
N Burdett, E J Cain, M G Carver, D Clark,
R N Copping, A F Dearman, J Demonti,
A D Dodd, R Gilbert, Mrs M H Goldspink,
A M Graham, Mrs D L E Hollebon, Mrs D M Hone,
A P Jackson, G McAndrew, M P A McMullen,
T Milner, Mrs S Newton, R L Parker, D A A Peek,
H Penson, L R Pinnell, J O Ranger, D Richards,
P A Ruffles, S Rutland-Barsby, B W J Sapsford,
G D Scrivener, J J Taylor, J D Thornton,
M J Tindale, A L Warman, J P Warren, M Wood.

OFFICERS IN ATTENDANCE:

Philip Thomas	- Interim Executive Director
Jeff Hughes	- Head of Democratic Services
Martin Ibrahim	- Senior Democratic Services Officer
Nick White	- Communications Officer

Before the meeting commenced, Council held a minute's
silence in memory of the Chairman, Councillor D E Mayes,
who had recently passed away.

779 APPOINTMENT OF CHAIRMAN

In the absence of the Vice-Chairman at the commencement
of the meeting, Council appointed Councillor R N Copping to
chair the opening of the meeting.

ACTION780 ELECTION OF CHAIRMAN OF THE COUNCIL 2005/06

It was moved by Councillor A P Jackson and seconded by Councillor A L Warman that Councillor A L Burlton be elected Chairman of the Council to hold office for the remainder of the Civic Year 2005/06.

RESOLVED - that Councillor A L Burlton be elected Chairman of the Council and hold office for the remainder of the Civic Year 2005/06.

Upon entering the Chamber, the Chairman made the statutory Declaration of Acceptance of Office, and took the Chair.

781 ELECTION OF VICE-CHAIRMAN OF THE COUNCIL 2005/06

It was moved by Councillor M G Carver and seconded by Councillor M R Alexander that Councillor R N Copping be elected Vice-Chairman of the Council to hold office for the remainder of the Civic Year 2005/06.

RESOLVED - that Councillor R N Copping be elected Vice-Chairman of the Council and hold office for the remainder of the Civic Year 2005/06.

The Vice-Chairman made the statutory Declaration of Acceptance of Office.

782 CHAIRMAN'S ANNOUNCEMENTS

The Chairman paid tribute to Councillor D E Mayes and outlined the enormous contribution he had made in his time as Chairman, Vice-Chairman and as a Member. He referred to the numerous civic duties Derek had carried out even whilst he was ill and praised his commitment and dedication to performing his role as the civic leader of the Authority.

ACTION

The Chairman invited the Leader of the Council and the Leader of the Liberal Democrats to address the meeting.

The Leader of the Council also paid tribute to Councillor Mayes' contribution over many years and that his passing away had been a sad loss for the District. He referred to Derek's hard work as a Member, his guidance and judgement during meetings and his regard for the protection of the English language.

The Leader of the Liberal Democrats echoed these sentiments. He stated that he would miss Derek's humour and the friendly and non-political approach he brought to his chairmanship.

783 MINUTES

RESOLVED - that the Minutes of the Council meeting held on 1 March 2006, be approved as a correct record and signed by the Chairman.

784 DECLARATIONS OF INTEREST

Councillor M R Alexander declared a personal and prejudicial interest in the matter referred to at Minute 757 – CCTV, on the basis that he was Chairman of Ware Town Council, if there was any discussion on this matter.

Councillor S A Bull declared a personal and prejudicial interest in the matter referred to at Minute 677 – Commissioning a Patient-led NHS, on the basis that he was a voluntary driver.

Councillor S A Bull declared a personal and prejudicial interest in the matter referred to at Minute 741 – Adjustments to Capital Programme 2006/07 for Private Sector Housing Grants, on the basis that he was a Stort Valley Housing Association board member.

ACTION

Councillor Mrs M H Goldspink declared a personal interest in the matter referred to at Minute 675 – British Airports Authority Consultation (December 2005): Stansted Generation 2: December 2005 Consultation, on the basis that she was a member of the Stop Stansted Expansion campaign.

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.

Councillors P R Ballam, T Milner and J J Taylor declared personal interests in the matter referred to at Minute 757 – CCTV, in that they were members of Ware Town Council.

Councillor L R Pinnell declared a personal interest in the matter referred to at Minute 757 – CCTV, in that he was a member of Bishop's Stortford Town Council.

785 PETITION

The Chairman reported that a petition comprising 158 signatures had been submitted as follows:

“Councillor Mrs Norma Symonds and a resident of the Havers Estate and the undersigned object to a copse of trees being planted in an area set aside as a games area for the children of the estate.”

Councillor Mrs Norma Symonds (Bishop's Stortford Town Council), who had submitted the petition on behalf of local residents, was in attendance to present the petition. She referred to the area of land in question and recalled the formation of the Havers Action Group some years ago. Previously, the area had been used for ad hoc football games, but following discussions with Stort Valley Housing

ACTION

Association, the area had been designated as a play area. Play equipment had been installed and the area had been fenced in to prevent children running into the road. The design had been approved by the Royal Society for the Prevention of Accidents (ROSPA). She referred to the planting of trees and stated that these were not indigenous to the area. She requested that the trees be moved elsewhere.

In response, the Executive Member for Environmental Management referred to the Council's tree planting programme across the District and the need to redress the number of trees lost during developments. He stated that individual residents were not consulted unless a specific property was affected. In this particular instance, consultation on the tree planting had taken place with Circle Anglia Housing Association and local ward Members and no objections had been raised. He concluded by commenting on the importance of play facilities in respect of the prevention of anti-social behaviour.

Local ward Members sought permission to speak on this matter. The Chairman advised that the Council's Rules of Procedure did not permit a debate on petitions. However, this could be amended as part of the review of the Constitution, which would be considered by the Policy Development Scrutiny Committee on 25 April 2006, prior to approval by Council at its Annual meeting.

Councillors K A Barnes and Mrs M H Goldspink asked for it to be recorded that they had requested and been denied permission to speak on this matter.

786 MEMBERS' QUESTIONS

Councillor M Wood referred to the DEFRA(East) bulletin of 27 February 2006, which had mentioned that Broxbourne Council had issued 86 fixed penalty notices for litter and 23 fixed penalty notices for offences involving dogs in the period April 2004 to March 2005 and that East Herts Council had issued none whatsoever. He asked the Executive

ACTION

Member for Environmental Management to explain why East Herts was not utilising the powers that the neighbouring Council had adopted.

In reply, the Executive Member for Environmental Management commented that of the 109 notices issued, 23 had been paid and 8 had resulted in prosecutions. Therefore, two thirds of the notices issued had been ineffective and had resulted in a waste of resources. He believed that Broxbourne Council employed three street wardens at an approximate cost of £75,000, where all the proceeds from fixed penalty notices were given to the Government.

The Executive Member referred to national performance indicators, which had revealed Broxbourne Council to have one of the worst litter problems. He reminded Council that in respect of a recent CPA Inspection for its Use of Resources, East Herts had been the only Authority in Hertfordshire to achieve a score of 3 out of 4.

The Executive Member questioned whether the use of fixed penalty notices was an effective use of resources as the Government had set up a system that was wholly unsatisfactory. This had resulted in last week's implementation of the Clean Neighbourhoods and Environment Act. He believed that the only response should be fair and proportionate and that East Herts did not share the problems of other Authorities. However, he stated that more could be done and to this end, he had requested that a report on possible measures against environmental crime, be submitted to a future meeting of the Policy Development Scrutiny Committee.

Councillor L Pinnell referred to the Council meeting held on 14 December 2006, when he had asked the Deputy Leader and Executive Member for Finance why this Authority had been reluctant to allow sponsored roundabouts in East Herts. Council had been informed that some work had already been carried out on this subject, that officers had been requested to look at opportunities in the area and that

ACTION

there would be more information in early 2006. It was now well into 2006 and the growing season was, at last, underway. He asked Leader to give an update on progress on this matter and whether there had been further progress towards sponsored roundabouts in East Herts and if not, why not.

In reply, the Leader commented that the most challenging aspect of this matter was the need to liaise with Hertfordshire County Council as it was responsible for roundabouts. He had hoped that some progress would have been made by now. However, he had been preoccupied with other events. He gave an assurance that he would ask officers to look at this issue.

Councillor Mrs M H Goldspink asked the Executive Member for Community Development how many of the 'new' units announced by him on 4 April 2006 had already been included in the 4 year figures, in view of the fact that the Council was failing to meet its target of providing 200 units of affordable social housing per year and that the figures given to the Executive last week showed a shortfall of 141 over 4 years. In other words, how many really new units of social housing would the Council be providing in the 5th year of the programme?

In reply, the Executive Member for Community Development reiterated that the targets were for 200 units per year over a five year programme and detailed the number of completed units to date and their location. By the end of the five year period, a total of 1117 affordable units would have been provided. This included 219 units within the Bishop's Stortford Goods Yard site, which would be occupied by the end of the five year period.

In respect of his announcement last week, the Executive Member clarified that all planned units were now fully funded. This meant that the Council had allocated over £6.7m in social housing grant and the Housing Corporation had allocated over £22m to enable affordable housing units to be built. He compared this to Three Rivers District

ACTION

Council, which had been allocated £308,000 to provide 10 new units of affordable housing.

The Executive Member detailed a number of other schemes that were in the pipeline, which involved working with partners for the provision of affordable housing. In total, the Council would be providing between 1221 – 1235 affordable units in the five year period, which was well above the target. He hoped that Members appreciated the efforts of Officers in achieving this.

In response to a supplementary question, the Executive Member for Community Development undertook to provide details of the statistics he had referred to, in writing to all Members.

787 REPORT OF THE EXECUTIVE

The Leader of the Council reported on the work of the Executive and presented the Minutes of the Executive meetings held on 8 March and 4 April 2006.

As this was the last Council meeting of the civic year, the Leader referred to a number of the year's achievements. These included:

- lobbying on the East of England Plan and consultation documents on Stansted and Luton Airports;
- the outcome of the CPA Use of Resources inspection;
- the expanded provision of playscheme services;
- enhanced partnership working with the police in support of community safety initiatives;
- enhanced meals on wheels and the provision of free bus travel for the elderly;

ACTION

- working towards achieving affordable housing targets as referred to by the Executive Member for Community Development (see Minute 786 above); and
- ‘unsung’ services, such as waste and recycling.

The Leader referred to the forthcoming White Paper on local government structures and commented that there was still much work to do in the final year of this Council’s life.

In response, Councillor M Wood, as Leader of the Liberal Democrat group, acknowledged that much had been achieved in this past year and that his group had supported the budget for 2006/07. However, he reminded Members of the damage caused to the Council by the senior management dispute.

RESOLVED – that the Minutes of the Executive meetings held on 8 March and 4 April 2006, be received, and the recommendations contained therein, be adopted.

788 MINUTES OF COMMITTEES(A) PERFORMANCE SCRUTINY COMMITTEE –
28 FEBRUARY 2006

RESOLVED – that the Minutes of the Performance Scrutiny Committee meeting held on 28 February 2006, be received.

(B) DEVELOPMENT CONTROL COMMITTEE
– 8 MARCH 2006

RESOLVED – that the Minutes of the Development Control Committee meeting held on 8 March 2006, be received.

ACTION

(C) PERFORMANCE SCRUTINY COMMITTEE – 21 MARCH 2006

RESOLVED – that the Minutes of the Performance Scrutiny Committee meeting held on 21 March 2006, be received.

(D) STANDARDS COMMITTEE – 22 MARCH 2006

Council noted a typographical error in respect of Minute 723 – ‘Going Local – Investigations and Hearings’, in that the word ‘report’ in the fifth paragraph should be replaced with the word ‘rapport’.

RESOLVED – that the Minutes of the Standards Committee meeting held on 22 March 2006, be received.

(E) POLICY DEVELOPMENT SCRUTINY COMMITTEE – 28 MARCH 2006

Council noted an error in respect of Minute 730 – Parking Enforcement Guidelines, in that the sixth paragraph should have referred to Ware’s Baldock Street car park and not Hertford’s.

RESOLVED – that the Minutes of the Policy Development Scrutiny Committee meeting held on 28 March 2006, be received.

789 APPOINTMENT OF RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER

The Head of Democratic Services submitted a report seeking the appointment of the Authority’s Returning Officer and Electoral Registration Officer for the period until 5 June 2006, when the new Chief Executive commenced her duties.

Council had previously decided to delete the post of Executive Director (Returning Officer). The existing

ACTION

postholder's employment by the Authority would cease on 18 May 2006. The Authority was required to appoint an officer of the Council to be Electoral Registration Officer for any parliamentary constituency or part of a constituency coterminous with or situated in its area (Hertford and Stortford, Stevenage and North East Hertfordshire). Similarly, the Authority was required to appoint an officer of the Council to be the Returning Officer for elections of district councillors and for elections of parish/town councillors. There would be a period of time, commencing on 18 May 2006, when the statutory officers now detailed would be vacant. In order to avoid this situation, Council was invited to appoint Simon Drinkwater to the posts.

Council supported the proposals as now detailed.

RESOLVED - that (A) subject to the qualification detailed in (B) below, Simon Drinkwater be appointed as the Council's Returning Officer and Electoral Registration Officer with effect from 18 May 2006;

(B) the appointment referred to in (A) above cease upon the Council's Chief Executive, Anne Fisher, commencing her duties with the Authority, and

(C) the Director of Corporate Governance be authorised to amend the Constitution to take account of the (interim) appointment detailed in (A) above, if necessary.

DCG

790 THE IMPROVEMENT AND DEVELOPMENT AGENCY (I&DeA) AND LOCAL GOVERNMENT ASSOCIATION (LGA) PROPOSALS FOR A NEW PERFORMANCE MANAGEMENT FRAMEWORK

The Executive Member for Regions and Partnerships submitted a report summarising a consultation document issued by the Local Government Association (LGA) and the Improvement and Development Agency (I&DeA) on proposals for a new performance framework for 2008 onwards. He suggested a draft response at Appendix B of

ACTION

the report, as now submitted.

The Audit Commission had recently consulted on the CPA methodology for District Councils for 2006 – 2008. The Commission, along with central government and other agencies were looking to replace the CPA framework with another model from 2008 onwards. A consultation document, setting out the LGA and I&DeA’s proposals on a new performance framework had been issued to all Councils in March 2006 and circulated to all Members and a selection of officers with an invitation to meet and discuss the document on 4 April 2006.

20 Members and officers had attended this meeting to consider the 6 specific questions posed. A draft response to each of these questions was set out in the Appendix to the report now submitted.

Councillor D Clark suggested that the response to question 1 should include reference to parishes in respect of the definition of the term ‘community’. Council supported this amendment.

Council approved the draft response as now detailed.

RESOLVED - that the response appended to the report now submitted, and as now amended, be approved and sent to the LGA.

DPP

The meeting closed at 8.28 pm

Chairman
Date