

MINUTES OF A MEETING OF EAST
HERTS COUNCIL HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 19 JULY
2006 AT 7.30 PM

PRESENT: Councillor A L Burlton (Chairman).
Councillors M R Alexander, W Ashley,
P R Ballam, H G S Banks, K A Barnes, S A Bull,
N Burdett, M G Carver, D Clark, R N Copping,
J Demonti, G L Francis, 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, J Mayes,
T Milner, Mrs S Newton, R L Parker, D A A Peek,
L R Pinnell, N C Poulton, J O Ranger, D Richards,
P A Ruffles, S Rutland-Barsby, G D Scrivener,
J J Taylor, J D Thornton, M J Tindale,
A L Warman, J P Warren, N Wilson, M Wood.

OFFICERS IN ATTENDANCE:

Anne Fisher	- Chief Executive
Gerald Balabanoff	- Interim Director of Organisational Development
Simon Drinkwater	- Director of Corporate Governance
Jeff Hughes	- Head of Democratic Services
Martin Ibrahim	- Senior Democratic Services Officer
Dave Tweedie	- Director of Resources
Nick White	- Communications Officer

ACTION138 MINUTES

Council noted the following errors in the Minutes of the Annual Council meeting held on 17 May 2006:

Page 7, Minute 8, 3rd paragraph – delete ‘BA’ and replace with ‘BAA’

Page 12, Minute 10, Recommendation (A) – delete ‘or a joint Member/Officer panel chaired by the Chief Executive’

Page 22, Minute 13, 4th paragraph – delete ‘Centre’ and replace with ‘Council’

Council approved these amendments.

RESOLVED - that the Minutes of the Annual Council meeting held on 17 May 2006, as now amended, and the Extraordinary meeting held on 28 June 2006, be approved as a correct record and signed by the Chairman.

139 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Members, the press and public to the meeting.

He referred to the youth project cards and reminded Members that they should wear their identification badges at any events they were attending.

The Chairman informed Members that his civic service would be held on 22 April 2007, at Standon and that the civic dinner would be held on 17 March 2007. Notices for both of these would be circulated shortly.

ACTION140 DECLARATIONS OF INTEREST

Councillor S A Bull declared a personal interest in the matter referred to at Minute 108 – Amendments to the Council’s Housing Allocation Policy and Pointing System, as he was a Board member of Stort Valley Housing Association.

Councillors M R Alexander, P R Ballam, T Milner and J J Taylor declared personal and prejudicial interests in the matter referred to at Minute 110 – Ware Town Council Capital Grant, on the basis that they were Ware Town Council Members. They left the chamber whilst this matter was considered.

Councillor T Milner declared a personal and prejudicial interest in the matter referred to at Minute 108 – Amendments to the Council’s Housing Allocation Policy and Pointing System, as he was board member of Riversmead Housing Association.

Councillor D A A Peek asked Council to note his declaration in the matter referred to at Minute 40 – Application 3/06/0629/CM, on the basis that he was a Hertfordshire County Council member.

141 MEMBERS’ QUESTIONS

Councillor N C Copping referred to recent press coverage of “sinister new powers allowing the State to confiscate family homes” by issuing Empty Dwelling Management Orders. It had been stated that this could apply to an inheritance which was still empty 6 months after the death of the former owner. He asked the Executive Member for Community Development if the Authority intended to consider adopting the controversial new legislation which would enable them to steal people’s homes.

In response, the Executive Member for Community Development outlined the implementation of the new Empty Dwelling Management Orders (EDMO) that had been

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introduced in April 2006. These were intended to be used as a back up to existing measures that operated in partnership with Registered Social Landlords (RSLs).

The Executive Member referred to the numbers of empty properties within East Herts and commented that a significant number had been empty for over ten years. The Council's Empty Property Strategy intended to maximise the number of properties brought back into use. This was pursued via publicity, partnership working with RSLs and where necessary, enforcement action which was carried out in accordance with the Government's 'Good Enforcement Concordat'. The process followed was outlined by the Executive Member.

The Executive Member gave examples of when it would be appropriate for enforcement action to be taken and when it would not. He also detailed a list of exceptions where enforcement action would not be pursued.

The Executive Member referred to the problems caused by empty properties, such as vandalism, squatting and the general detrimental impact on neighbourhoods. He also reminded Council of the substantial housing needs within the District and the need to welcome such efforts to bring empty properties back into use.

Councillor A Graham asked the Leader if he could inform the Council of the latest developments regarding Aspire and the latest developments related to the swimming pools saga where Members seemed to be getting more information from the Herts Mercury than from his good self. He asked if it was true that there had been resignations by key personnel and if so, why had he not informed Council and more importantly, what was the impact on the rest of the staff and ultimately on the Council taxpayers of East Herts.

In reply, the Leader stated that one of the Council's aims was for its leisure centres to enjoy success. Members could play a part in this by positively promoting those facilities managed by Aspire not by knocking them, directly or

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indirectly. He wanted to remind residents that the centres were open for business and that a summer swim or a gentle work out would contribute to leading a healthy lifestyle, which he wished for all residents, especially young people during the school summer holidays.

In relation to management changes at Aspire, the Council had been advised verbally that the Managing Director had secured a promotion to a directorship at a London Borough Council. This had yet to be confirmed in writing and the usual processes associated with new appointments were still to be finalised. It was understood that he had some weeks' notice to serve and that Aspire had promised to keep the Council informed of the arrangements to be put in place. Officers had received some tentative information which it would not have been appropriate to publicise at this stage. This included information relative to one other Aspire management official leaving the Trust.

Council officers were continuing to discuss the leisure centres' operations with Aspire senior management. When these discussions resulted in proposals needing Member level decisions, then there would be a report accordingly. In the meantime, Members had the opportunity to contact officers at any time for the up to date position.

Councillor A M Graham asked a supplementary question in respect of whether the Leader was still confident in Aspire's ability to deliver services under the terms of the contract without the need for the Council to bale them out with additional funds.

In response, the Leader referred to ongoing discussions where Aspire were being held to account in the same way as any other contractor was. These discussions covered various issues and information on them would be shared as appropriate. He committed to report to Members when it was appropriate to do so. At present, Aspire were able to deliver services and it was incumbent on Members to promote this.

ACTION

Councillor Mrs M H Goldspink asked the Executive Member for Environmental Management if he felt that parking attendants were being over-zealous in the way that they issued tickets for fines.

In response, the Executive Member for Environmental Management gave a definition of the word 'over-zealous' as being 'fanatically enthusiastic' and commented that if parking attendants were enthusiastic in performing their duties, then this was a good thing. He believed that tickets were being issued where necessary and did not understand what the problem was with this.

He commented that parking attendants were an easy target for critics when in fact, the truth was not as it seemed. He believed that for every complaint about the issuing of a ticket, this could be matched by a request from a resident or a trader for enforcement action to be taken.

The Executive Member referred to the parking enforcement guidelines and detailed the appeals mechanism for aggrieved motorists. In the event of a failed appeal, there was also an appeal to the independent National Parking Adjudication Service. During the first year of decriminalised parking enforcement, there had been 19 appeals to the independent adjudicator, which represented 0.06% of all penalty charge notices issued. Of the 19 appeals, only one had been upheld. East Herts topped the national table for the lowest number of appeals allowed, which indicated that parking attendants were doing a very good job in accordance with enforcement guidelines.

Councillor Mrs M H Goldspink asked a supplementary question by referring to a couple of recent cases that had been publicised and whether parking attendants could temper mercy with justice.

In reply, the Executive Member commented that any discretion would lead to inconsistency in enforcement which would be bound to lead to more appeals.

ACTION142 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 4 July 2006.

The Leader referred to his attendance at the recent Local Government Association conference where David Cameron and Ruth Kelly had both addressed the assembly. He had been reassured by the Conservative Party's Leader of his commitment to local government and scaling back Whitehall's control regime. He stated that the Council would continue to take its seat at the Regional table, despite its misgivings on regional government.

The Leader commented that the Council was committed to delivering focussed local services and referred to the recent Audit Commission inspection of housing services. He expressed his confidence that the findings would be good.

He also referred to a recent article in the Local Government Chronicle which had highlighted the Council's actions on promoting markets and in particular, Ware market, as an example of best practice. The forthcoming introduction of 'smart cards' for use in car parks was also further evidence of the Council's commitment to improving services.

In response, the Leader of the Liberal Democrat Group reminded Council of the impact of the last Conservative government on local government.

In respect of Minute 110 – Ware Town Council Capital Grant, Councillor A M Graham suggested an amendment to recommendation (B) to the effect of providing additional emphasis on the use of the facility for community use.

After some discussion, Council agreed an amendment as follows:

Insert 'Council' before the word 'usage'

ACTION

In respect of Minute 115 – General Fund Outturn 2005/06, the Leader of the Council, in response to a question from Councillor Mrs M H Goldspink, shared her concerns in relation to transportation expenditure. He referred to the work being undertaken by the Executive Member for Regions and Partnerships on a wider strategy that would assist in the provision of a more joined up approach to the various initiatives in this area, including improving bus services.

RESOLVED – that (A) in respect of Minute 110 - Ware Town Council Capital Grant, recommendation (B) be amended by the insertion of the word ‘Council’ before the word ‘usage’,

(B) the Minutes of the Executive meeting held on 4 July 2006, be received, and the recommendations contained therein, be adopted.

143 MINUTES OF COMMITTEES(A) PERFORMANCE SCRUTINY COMMITTEE –
23 MAY 2006

RESOLVED – that the Minutes of the Performance Scrutiny Committee meeting held on 23 May 2006, be received.

(B) DEVELOPMENT CONTROL COMMITTEE
– 31 MAY 2006

RESOLVED – that the Minutes of the Development Control Committee meeting held on 31 May 2006, be received.

(C) POLICY DEVELOPMENT SCRUTINY COMMITTEE
– 7 JUNE 2006

RESOLVED – that the Minutes of the Policy Development Scrutiny Committee meeting

ACTION

held on 7 June 2006, be received.

(D) LICENSING COMMITTEE – 13 JUNE 2006

RESOLVED – that the Minutes of the Licensing Committee meeting held on 13 June 2006, be received.

(E) POLICY DEVELOPMENT SCRUTINY COMMITTEE – 14 JUNE 2006

RESOLVED – that the Minutes of the Policy Development Scrutiny Committee meeting held on 14 June 2006, be received.

(F) AUDIT COMMITTEE – 27 JUNE 2006

Council noted that Councillor R Gilbert had not been recorded as being present at this meeting.

RESOLVED – that the Minutes of the Audit Committee meeting held on 27 June 2006, be received and the recommendations contained therein, be adopted.

(G) DEVELOPMENT CONTROL COMMITTEE – 28 JUNE 2006

RESOLVED – that the Minutes of the Development Control Committee meeting held on 28 June 2006, be received.

(H) PERFORMANCE SCRUTINY COMMITTEE – 11 JULY 2006

In respect of Minute 119 – Youth Issues, the Committee Chairman, in response to a question from Councillor A M Graham, commented that the strategy was being developed and would be reported to Members later in 2006.

ACTION

RESOLVED – that the Minutes of the Performance Scrutiny Committee meeting held on 11 July 2006, be received and the recommendations contained therein, be adopted.

(I) STANDARDS COMMITTEE – 11 JULY 2006

RESOLVED – that the Minutes of the Standards Committee meeting held on 11 July 2006, be received.

(J) AUDIT COMMITTEE – 12 JULY 2006

RESOLVED – that the Minutes of the Audit Committee meeting held on 12 July 2006, be received.

144 REVIEW OF ALLOCATION OF SEATS ON COMMITTEES

The Director of Corporate Governance submitted a report reviewing the allocation of seats on committees following the recent election of Councillor J Mayes. It was noted that Councillor J Mayes had joined the Conservative Group.

The Director detailed the impact on the allocation of seats in the report now submitted.

The Leader of the Council referred to the vacant seat on the Audit Committee allocated to the Conservative Group. He commented that this seat would be offered to the Liberal Democrat Group to fill. The Leader of the Liberal Democrat Group undertook to nominate to the seat in due course.

Council supported the proposals as now detailed.

RESOLVED - that (A) the allocation of seats on Scrutiny Committees and the Development Control and Licensing Committees be as follows:

ACTION

<u>Committee</u>	<u>Seats</u>	<u>Cons</u>	<u>Lib Dem</u>	<u>Ind</u>	<u>Total</u>
Policy Scrutiny	12	10	1	1	12
Performance Scrutiny	12	10	1	1	12
Development Control	16	13	2	1	16
Licensing	15	12	2	1	15
Human Resources	7	6	1	0	7
Audit	7	6	0	1	7
Total	69	57	7	5	69

(B) no alteration be made to the allocation of seats on Sub-Committees and the Highways Joint Member and Local Joint Panels to political groups as agreed at the Annual meeting of the Council held on 17 May 2006; and

(C) as a consequence of the decisions at (A) and (B) above, the membership of Scrutiny Committees, Regulatory Committees, Joint Member/Employee Panel and the Highways Joint Member Panel be as set out in the papers now submitted, with Members being appointed in accordance with the wishes of the political groups to whom the seats on these bodies have been allocated.

The meeting closed at 8.28 pm

Chairman
Date