

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD
ON TUESDAY 17 JULY 2007 AT 4.00 PM

PRESENT: Councillor A P Jackson (Chairman/Leader).
Councillors M R Alexander, T Milner, R L Parker
and M J Tindale.

ALSO PRESENT:

Councillors S A Bull, D Clark, N Clark, J Demonti,
R Gilbert, N C Poulton, J O Ranger.

OFFICERS IN ATTENDANCE:

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| Anne Freimanis | - Chief Executive |
| Simon Chancellor | - Head of Accountancy Services |
| Philip Hamberger | - Director of Internal Services |
| Martin Ibrahim | - Senior Democratic Services Officer |
| Will O'Neill | - Head of Community and Cultural Services |
| Andrew Pulham | - Acting Head of Parking Services |
| Tracy Strange | - Head of Health and Housing |

ALSO IN ATTENDANCE:

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| John Dyson | - Stevenage Leisure Limited |
| Roz Hawkes | - Stevenage Leisure Limited |

140 APOLOGIES

Apologies for absence were submitted on behalf of
Councillors M G Carver and L O Haysey.

141 LEADER'S ANNOUNCEMENT

The Leader advised Members of the outcome of the tendering exercise for the Hertfordshire Consultation contract. The contract had been divided into three lots: Lot 1, comprising general consultation, had been awarded to Opinion Research Services; and Lots 2 and 3, comprising special and thematic consultation, had been awarded to Ipsos MORI.

RECOMMENDED ITEM

ACTION

142 CONTRACT TO PROVIDE CHOICE-BASED LETTINGS

The Executive Member for Housing and Health submitted a report seeking approval to enter into a five year contract with 'Locata' to operate a Choice-based Lettings (CBL) scheme and to adopt a revised housing allocation policy.

The Executive recalled that on 12 September 2006, the Executive had agreed that a Choice-based Lettings scheme should be developed for East Herts. Officers had been authorised to proceed to seek tenders for the provision of this service as part of a consortium of six local authorities and that the results of the tender exercise should be reported back to the Executive.

The Executive Member advised that a Consortium of Hertfordshire and Essex local authorities (East Herts, Broxbourne, Epping Forest, Chelmsford, Uttlesford and Brentwood) and 25 registered social landlords had come together to initiate a Choice-based Lettings scheme for local home seekers. The Consortium had achieved Government funding of £96,000 to help cover the scheme's set up costs. Running costs would be met by each Local Authority on the basis of their own transaction volumes. An Operational Group had been established to work on proposals to deliver the new scheme.

The Executive Member detailed how the scheme would work in the report now submitted. He also detailed the outcome of the tendering exercise and the evaluation undertaken by Officers. On the basis of this evaluation, he recommended that the Council enters into a contract with Locata for the provision of a CBL scheme, this being the most financially advantageous and best quality submission. It was noted that Locata had a good track record of providing these services in a number of Authorities and Housing Associations elsewhere. A copy of the draft contract between East Herts Council and Locata was attached at Appendix 'C6' of the report now submitted.

In response to a Member's query, the Executive Member confirmed that the contract contained a break clause.

The operation of a CBL scheme had required the Council to review its housing allocations policy to cater for the fact that housing applicants now had more 'choice' rather than simple 'allocation'. In addition, the pointing framework had been amended to take into account that CBL would greatly reduce the level of discretion the Senior Housing Options Manager had when assessing housing need between one or more applicants from the register and allocating to a vacant housing association property for the best use of that vacancy. The Executive Member detailed these amendments in the report now submitted.

Finally, the Executive Member referred to the financial implications and clarified that the additional £20,000 required would be included in the 2008/09 base budget.

The Policy Development Scrutiny Committee, at its meeting held on 3 July 2007, had supported the recommendations, subject to Officers being requested to submit at least an annual report reviewing the scheme. This recommendation was accepted by the Executive.

The Executive supported the recommendations as now detailed.

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| <u>RECOMMENDED</u> - that (A) East Hertfordshire District Council enter into a five year contract with Locata to provide a Choice Based Lettings scheme; | DNS |
| (B) the revised housing allocation policy be approved; | |
| (C) an additional £20,000 item be included in the 2008/2009 base budget to fund this scheme; and | DIS |
| (D) Officers be requested to submit an annual report reviewing the scheme. | DNS |

RESOLVED ITEMS

143 MINUTES

RESOLVED - that the Minutes of the Executive meetings held on 29 May and 12 June 2007 be confirmed as correct records and signed by the Chairman.

144 ISSUES ARISING FROM SCRUTINY

The Executive received a report detailing those issues referred to the Executive by the Scrutiny Committees. Issues relating to specific reports for the Executive were considered and detailed at the relevant report of the Executive Member.

In respect of other issues raised by scrutiny, the following comments were made:

(A) Leisure Service Operations

The Executive received the recommendations of the Policy Development Scrutiny Committee of 27 June 2007, in respect of Leisure Service Operations. The Committee had considered this issue as the Executive decisions of 12 June 2007 had been the subject of a call-in. The Executive also considered a further report of the Leader containing additional information.

The Leader suggested that the Executive's original decision of 12 June 2007 should be reaffirmed. He referred to the revised timetables set out in the appendices to the report now submitted and proposed that these be approved for implementation from 1 September 2007.

Councillor N Clark raised a number of questions relating to:

- the budgeted visitor numbers at the five pools;
- consultation with various partner organisations, schools and community groups;
- apparent discrepancies between the figures contained in the main narrative and Appendix 1 of the report now submitted;
- the relevant factors in assessing the cost savings identified in the report now submitted;
- the rationale for opening Ward Freman pool on Sunday for fun sessions but closing Leventhorpe pool; and
- travel times between Sawbridgeworth and Grange Paddocks pool on a Sunday by bus.

He undertook to e-mail his detailed questions to the Leader. Councillor N Clark also referred to the Scrutiny Committee's concerns over inadequate information and requested that a full set of attendance, income and cost data by session for

each pool be provided before any decisions were made.

Councillor S A Bull referred to the proposals as they affected Ward Freman pool and expressed the view that the lack of public transport meant that using alternative pools was not an option. He suggested that consideration be given to the use of club volunteers as a way of reducing costs.

John Dyson, Stevenage Leisure Limited, commented that whilst clubs used volunteers, this would be unusual for casual swimming as there would be health and safety issues.

Councillor D Clark expressed her disappointment that the Executive was proposing to make a decision based on the information before it, which she believed to be inadequate.

The Leader responded to the comments made. He referred to the low usage figures for casual swimming at Leventhorpe and Ward Freman pools, which had resulted in the Executive's original decisions. He commented on the responses received by town councils, which had been as he had expected. No community groups had contacted him. He referred to the wider responsibilities of the Council in providing quality services at as low a cost as possible and the wider provision of leisure services beyond swimming pools. Finally, he updated Members on the ongoing discussions with the County Council on the future use of the dual use pools.

The Executive agreed to reaffirm its original decisions of 12 June 2007 and that the revised timetables for Leventhorpe and Ward Freman pools, as detailed in the report now submitted, be approved. It was also agreed to request Officers to give further consideration to the feasibility of fun sessions at Leventhorpe pool on Sundays being made available and to report to the Executive in September 2007, if necessary.

RESOLVED – that (A) the decisions of the Executive of 12 June 2007 be reaffirmed and implemented from

1 September 2007; and

(B) the revised timetables for Leventhorpe and Ward Freman pools, as detailed in the report now submitted, be approved. Officers be requested to give further consideration to the feasibility of fun sessions at Leventhorpe pool on Sundays being made available and to report to the Executive in September 2007 if necessary.

DCCS

(B) Car Park Pay on Foot/Pay on Exit Feasibility Study

The Executive noted and accepted the Policy Development Scrutiny Committee's recommendation that, without setting a precedent, Bircherley Green Shopping Centre be identified for a pay on exit charging scheme and that Officers be requested to prepare a detailed analysis of the costs associated with such a charging scheme (together with any associated implications for car parking charges) and report thereon to a future meeting. It was further noted that a report on this matter was due to be considered by the Executive on 4 September 2007.

RESOLVED – that the report be received.

(C) Public Housing – Stock Housing Undertakings

The Executive noted and accepted the Policy Development Scrutiny Committee's recommendation that the Housing Associations be requested to present their Annual Reports to Council each year in future.

RESOLVED – that the report be received.

145 CHILDREN AND YOUNG PEOPLE'S PLAY STRATEGY

The Executive Member for Community Development, Leisure and Culture submitted a report seeking approval for a new East Herts Children and Young People's Play Strategy and accompanying Action Plan.

The Executive noted that the Council had been notified of an allocation of £222,000 from the Big Lottery's Children's Play Initiative to enhance and improve play opportunities for children and young people in East Hertfordshire. This allocation was dependent on the Council submitting a formal application and approving a Play Strategy that met Big Lottery criteria and a Policy Statement.

The Big Lottery's new grant programme was specifically targeted at improving opportunities for children and young people who found it difficult to access play opportunities, such as those in rural areas, areas of deprivation or with disabilities.

Officers and a group of external stakeholders had developed the first Children and Young People's Play Strategy under the Cultural Strategy umbrella. This would meet the Council's legal obligations under the Children's Act 2004 and define how play would be provided in the future.

The Strategy and Action Plan were detailed in the report now submitted. The Executive also considered and supported the play development options as detailed in the report now submitted.

The Executive approved the proposals as now detailed.

RESOLVED – that (A) the proposed final draft of the 'East Herts Children and Young People's Play Strategy' be approved; DCCS

(B) the proposed Play Policy Statement (Section 6 of Play Strategy) be endorsed; and

(C) the portfolio of projects "Playing on the Wild Side" be endorsed for submission to the Big Lottery's Children's Play Initiative. DCCS

146 SHAPING BISHOP'S STORTFORD

The Leader of the Council submitted a report seeking endorsement for the creation of a multi agency board to oversee the development of a long term vision and strategy for the future 'Shaping' of Bishop's Stortford.

In recognition of the threats and opportunities associated with the period of growth being experienced by Bishop's Stortford, the Leader had requested the Chief Executive to set up an officer steering group to develop a framework of responses. This group had met several times over the last six months or so and had established a range of potential short and medium term issues and actions covering a range of social, environmental and economic activity. The Leader had also identified the need to develop a longer term vision to shape the future of the town and had recognised that this vision and the implementation of it could only be addressed through a high level, coordinated multi-interest approach.

The Executive was invited to approve the creation of a multi agency board to be known as the 'Shaping Bishop's Stortford Board' (SBSB). He recommended that membership of the board should include agencies and individuals that had the ownership, status, engagement and skills to take a strategic longer term view. Membership would be drawn from all the tiers of government including the local Member of Parliament, statutory agencies, leading business and enterprise representatives and representatives of the community.

It was recommended that the Leader, together with senior Officers, be tasked with identifying the most able and most representative individuals and agencies for membership of the board. The terms of reference would be presented to the SBSB at its first meeting, probably in October 2007.

In response to a query from Councillor R Gilbert, the Leader commented that the Bishop's Stortford Town Plan, being developed by the Town Council, would provide a valuable input into the work of the SBSB. The Town Council were

already aware of these proposals.

In response to a comment from Councillor J O Ranger, the Leader agreed that defining “long-term” would be an important initial step for the Board.

In response to a query from Councillor N Clark on the practical manifestation of the high level strategy, the Leader referred to the activities detailed at paragraph 3.1 of the report now submitted as examples of the types of projects that could ensue.

In response to queries from Councillors D Clark and N Clark on the amount of Officer time that would be devoted to this project and the financial scrutiny of their activities, the Chief Executive commented that Officers at the appropriate level were involved and that it was her responsibility to manage priorities. It was difficult to be specific at this early stage of the project.

The Executive approved the proposals as now detailed.

RESOLVED - that the establishment of a multi-agency board to develop a long-term vision for the future of Bishop’s Stortford, on the basis detailed in the report now submitted, be endorsed.

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147 CAPITAL PAYMENTS AND FINANCING 2006/07

The Executive Member for Resources and Internal Support submitted a report on the actual capital expenditure in 2006/07, comparing this with the approved estimates, bearing in mind that the Capital Programme was a three year funded programme. He also advised Members of the financing arrangements that had been determined and the items of slippage which should be carried forward into the 2007/08 programme.

The Executive Member stated that the overall outturn for the year (including creditors) of some £5.446 million represented spend of 80% of the Original Estimate (£6.829 million) and 90% of the Probable Estimate (£6.08 million). He reminded

the Executive that the performance target for 2006/07 had been set at 80%.

The Executive noted those areas where officers were seeking to carry forward slippage, as detailed at Appendix 'A9' of the report now submitted. These details had been scrutinised by the Capital Strategy Group which had supported the Programme being amended accordingly.

The Executive approved the proposals as now detailed.

RESOLVED – that (A) the actual Capital Payments in 2006/07 be noted,

(B) the method of financing the Capital Programme 2006/07 be noted, and

(C) the items of “slippage” identified in the appendix to the report, which have been agreed by the Capital Strategy Group, be noted.

148 GENERAL FUND OUTTURN 2006/07

The Executive Member for Resources and Internal Support submitted a report on the General Fund Revenue Outturn for 2006/07, providing explanations for significant variances against the approved Estimates and reporting the level of balances held by the Council at 31 March 2007.

The final outturn for the year (which was still subject to audit) had resulted in net expenditure of nearly £16.442m (before Government Grant), representing an adverse position of some £0.417m. Details of the variances were set out in the report now submitted.

In response to a query from Councillor R Gilbert on the adverse variance on car parking, it was clarified that the shortfall in income had arisen from a lower than anticipated use of car parking following the withdrawal of season tickets.

In response to a query from Councillor D Clark on the

progress made towards achieving a balanced budget position, the Leader commented that it was too early in the year but that Officers were mindful of this need.

Councillor N Clark referred to the number of variances and asked if there was a need for the Council to improve its budget-setting process. In response, the Leader agreed that budgets were being continuously looked at and challenged. However, some issues, such as The Causeway Rent Review, and the Local Authority Business Growth Initiative were beyond the Council's control.

The Executive Member for Resources and Internal Support added that some of the variances represented only a small percentage of the overall budgets.

The Executive approved the proposals as now detailed.

RESOLVED – that the General Fund Revenue Outturn for 2006/07, together with the Fund balances held at 31 March 2007, be approved.

149 CANCELLATION OF NON-RECOVERABLE PENALTY CHARGES 2005/06

The Executive Member for Planning Policy and Transport submitted a report seeking approval for the writing off of non-recoverable penalty charges.

The Executive noted the enforcement activity relating to Penalty Charge Notices (PCN) issued during the period 17 January 2005 – 31 March 2006, for which it had not been possible either to recover payment of the penalty charge, or resolve it by other means, such as cancellation according to the Council's Enforcement Guidelines. The report also compared East Herts' performance in these key areas to that of nearby local authorities.

The Executive further noted the details of the circumstances resulting in a number of unresolved PCNs from the period in question and the reasons as to why they were

unrecoverable.

In respect of the legal position, the Executive noted the Judicial Review decision in September 2006 and the impact this had had on a number of local authorities.

The Executive approved the proposals as now detailed.

RESOLVED - that (A) the Council's enforcement activities in 2005/06 be noted; and DCCS

(B) the proposal to not pursue unresolved penalty charges issued during this period and the methodology used to qualify and quantify these, be approved. DCCS

150 REVISED COMPREHENSIVE PERFORMANCE ASSESSMENT (CPA) IMPROVEMENT PLAN 2007/08

The Leader of the Council submitted a report on the updated 2007/08 Comprehensive Performance Assessment (CPA) Improvement Plan for East Herts Council, following the Authority's recent use of resources and direction of travel results for 2006.

The Leader reported that the Council's External Auditors, Robson Rhodes, had conducted an assessment of the Council's use of resources and direction of travel results for 2006. He summarised the findings and it was noted that these results had been reported to the Audit Committee on 27 March 2007. As a result of the findings, it was proposed that the CPA Improvement Plan be revised to take account of the results. The Leader detailed this in Appendix 'A12' of the report now submitted.

The Executive approved the revised Plan as now detailed.

RESOLVED - that the revised CPA Improvement Plan for 2007/08 be approved. CE

The meeting closed at 5.40 pm

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| Chairman | |
| Date | |