

MINUTES OF A MEETING OF EAST
HERTS COUNCIL HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 25 JUNE
2008 AT 7.30 PM

PRESENT: Councillor Mrs D L E Hollebon (Chairman).
Councillors M R Alexander, D Andrews,
W Ashley, P R Ballam, K A Barnes, S A Bull,
A L Burlton, M G Carver, D Clark, N Clark,
R N Copping, A F Dearman, J Demonti,
A D Dodd, R Gilbert, A M Graham, P Grethe,
L O Haysey, D M Hone, A P Jackson,
G Lawrence, G McAndrew, M P A McMullen,
J Mayes, T Milner, R L Parker, D A A Peek,
M Pope, N C Poulton, W Quince, R Radford,
J O Ranger, P A Ruffles, S Rutland-Barsby,
J J Taylor, R I Taylor, M J Tindale, A L Warman,
J P Warren, N Wilson, M Wood, B Wrangles.

OFFICERS IN ATTENDANCE:

Anne Freimanis	- Chief Executive
Simon Drinkwater	- Director of Neighbourhood Services
Tony Hall	- Interim Head of Business Support Services
Philip Hamberger	- Director of Internal Services
Jeff Hughes	- Head of Democratic and Legal Support Services
Martin Ibrahim	- Senior Democratic Services Officer
George A Robertson	- Director of Customer and Community Services
Lois Prior	- Head of Strategic Direction (shared) and Communications Manager

86 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to the recent "Pop Luck" competition and welcomed the winner, Anna Sinfield. Anna performed her winning song, which she had composed herself.

The Chairman then referred to various other events she had attended since her election as Chairman. In particular, she highlighted the Yellow Woods Challenge, a joint environmental campaign, involving schools throughout the District. Over 3,000 old "Yellow Pages" directories had been collected for recycling and the best performing schools were detailed by the Chairman. She also referred Members to the display of the best artwork at the back of the chamber.

The Chairman gave advance notice of the Civic Dinner, which would be held on 21 March 2009. She also advised that the Civic Service would be held in September 2008 and final details would be circulated to Members in due course.

The Chairman invited all Members and Officers to join her for some light refreshment at the conclusion of the meeting.

Referring to the agenda for the meeting, the Chairman advised that she had accepted two items of urgent business. The first item concerned the East of England Plan, on the grounds that Hertfordshire County Council's legal challenge had only been agreed on Monday of this week and that the Council would wish to avoid delay in considering this matter. As a public petition relating to this matter was already on the agenda, she proposed dealing with item immediately after the petition.

The second item concerned the Annual Governance Statement, which had been referred to this meeting by the Audit Committee meeting held on the previous night. In order to avoid undue delay in its consideration, she proposed that this item be dealt with after the Statement of Accounts 2007/08.

ACTION87 MINUTES

RESOLVED - that the Minutes of the Annual Council meeting held on 14 May 2008, be approved as a correct record and signed by the Chairman.

88 DECLARATIONS OF INTEREST

Councillor N Clark declared a personal interest in the matters referred to below, in that they were all related to the Stop Harlow North Campaign, of which he was the Secretary. Councillor D Clark declared a personal interest in the same matters, as his wife.

- Minute 89 – Petition: Legal Challenge to the East of England Plan
- Minute 90 – Regional Spatial Strategy: Publication of East of England Plan – Legal Challenge by Hertfordshire County Council
- Minute 91 – Question 1 on the East of England Plan
- Minute 30 – Growth Area Funds Bid Round 3 – Programme of Development 2008-2011 and Hertfordshire Infrastructure and Investment Strategy
- Minute 98 – Motion: Purpose of the Council

89 PETITION – LEGAL CHALLENGE TO THE EAST OF ENGLAND PLAN

A petition comprising approximately 1350 signatures, had been submitted by the Parish Councils north of Harlow, comprising Stop Harlow North – Eastwick and Gilston, High Wych and Allen's Green, Hunsdon, Much Hadham, Widford and Sawbridgeworth. The petition read:

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“When the East of England Plan was published earlier this month, the supporters of this organisation were dismayed to see that it still contained specific reference to a major development north of Harlow. This is despite the overwhelming body of technical arguments and public outcry against such proposals that has been presented to the Examination in Public, EERA and subsequently GO-East during preparation of the plan. For this weight of evidence against the proposals, and the conclusion of the independent Planning Inspector, to have been ignored by the ‘final’ plan is not only morally unacceptable but indicates that due process cannot have been followed.

We therefore believe that the East of England Plan should be challenged through the judicial system, and that the inclusion of development north of Harlow is a prime and specific instance of improper preparation of the plan. We understand that Hertfordshire County Council, with the support of ten of its District Councils, is considering mounting such a legal challenge to the East of England Plan, and **the undersigned urge you to vigorously seek and actively support such proposition.**

The East of England Plan is a devastating threat to the environment and quality of life for all in East Herts. We expect the District and County Councils to do all in their power to oppose it and look forward to receiving confirmation that this is your intended plan of action.”

Sam Clark and Ian Brett were in attendance to present the petition. They referred to the dismay that the Plan had been published despite the public outcry about its contents and urged the Council to support the legal challenge mounted by Hertfordshire County Council.

The Executive Member for Planning Policy and Transport thanked the petitioners and responded to their comments. He also referred to the exceptional volume of signatories to

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the petition and advised the petitioners of the additional item that would be considered next (see Minute 91 below). He stated that this demonstrated the Council's commitment to continue to challenge the East of England Plan.

Councillor D Clark, as the local ward Member, thanked the petitioners and expressed her appreciation to the hard work and dedication shown by representatives of all the local parish and town councils in seeking to protect their quality of life. She also thanked the County Council for initiating a judicial review.

90 REGIONAL SPATIAL STRATEGY: PUBLICATION OF EAST OF ENGLAND PLAN – LEGAL CHALLENGE BY HERTFORDSHIRE COUNTY COUNCIL

The Executive Member for Planning Policy and Transport submitted a report on a legal challenge to the East of England Plan that had been initiated by Hertfordshire County Council.

Council recalled that the Government had published the final version of the Regional Plan for the East of England on 12 May 2008. Most Hertfordshire local authorities had opposed the scale of growth proposed for the County throughout the process and particularly that directed to a range of growth locations, including the land north of Harlow, in East Hertfordshire District.

The Executive Member advised that Hertfordshire County Council had authorised a legal challenge to the Regional Plan on 23 June 2008. The County Council, in consultation with District Councils, had sought Counsel's opinion as to the legitimacy of the Secretary of State's Revision to the Regional Spatial Strategy for the East of England and had been advised that there were grounds to challenge the Regional Plan on the method used in reaching the policies contained in the Regional Plan.

The Executive Member proposed that East Herts Council

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should endorse the action taken by the County Council.

Councillor N Clark expressed his support for the proposal on the basis that the East of England Plan was illegal, irrational and improper.

Councillor M Wood, on behalf of his group, also expressed support for the proposal.

Council approved the proposal as now detailed.

RESOLVED - that East Hertfordshire District Council fully endorses the action taken by Hertfordshire County Council in legally challenging the decision of the Secretary of State for Communities and Local Government, to approve and publish the Regional Spatial Strategy for the East of England.

91 MEMBERS' QUESTIONS

Councillor N C Poulton asked the Executive Member for Planning Policy and Transport if he agreed that the announcement of the East of England Plan housing numbers was very disappointing, especially as this Authority had presented such a well reasoned representation to the East of England Plan enquiry in Public.

In reply, the Executive Member referred to the various statutory and non-statutory bodies that had supported the Council's submission to the public examination. He reminded Members of the strength of feeling demonstrated by the huge number of comments made by residents challenging the housing numbers proposed.

He commented on the major failings of the East of England Plan and the lack of rationale in the housing numbers. He also referred to the fragility of the economy and the increasing Government interference in the planning system as demonstrated by Parliament approving the formation of another planning quango today. The Executive Member questioned the Government's motives and reaffirmed his

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commitment to using the planning process for the benefit of residents.

Councillor P R Ballam referred to free countrywide bus travel under the Government scheme. She was aware that there had been funding problems with the previous countywide half price scheme and asked the Executive Member for Resources and Internal Support to assure Council that the present free travel scheme was adequately funded by the Government and was not placing a financial burden on the Council and its council taxpayers.

In reply, the Executive Member for Resources and Internal Support stated that he could not provide such assurance and that the scheme would be a financial burden on council taxpayers. This year's budget included £740,000 for the scheme. However, this figure was based on projections of likely usage and the full liability would not be known until the end of the year.

Councillor A D Dodd asked the Executive Member for Planning Policy and Transport if he was aware of the loophole in planning forced on the District Council by Central Government, which allowed 'Permitted Development' without District Council approval and was resulting in unsightly and obtrusive development in a number of residential gardens in East Hertfordshire. He asked whether the Executive Member regarded this enforced law as detrimental to good residential planning in East Herts and whether he would be prepared to make representation to the District Councils Association to campaign to overturn this disastrous and unnecessary planning law.

In reply, the Executive Member for Planning Policy and Transport referred the question to the Executive Member for Community Safety and Protection.

The Executive Member for Community Safety and Protection confirmed that he was aware of permitted development rights on minor forms of development. This scheme had been intended to reduce bureaucracy on minor improvement

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projects. He believed that, in the correct circumstances, permitted development rights were a reasonable approach. He stated that the Council would continue to monitor and provide a challenge, if the Government sought to loosen the rules under which permitted development rights operated.

As a supplementary question, Councillor A D Dodd asked the Executive Member if he was aware of a major garden centre promoting permitted development for temporary living accommodation. He asked what was meant by temporary. He also asked whether all permitted development applications were checked by Officers and if a list was circulated to Members.

In reply, the Executive Member commented that he was not aware of the specifics referred to in the question and that there were no details of permitted developments as they were permitted.

Councillor N Clark referred to the item on additional funding for the St Andrews Street Car Park Pedestrian Bridge Improvements. The Minutes of Council on 16 April 2008, stated that "the Executive Member confirmed that he had not been aware of this matter at the time that the capital programme had been agreed in February 2008." The Minutes of Council on 14 May 2008 showed that "the Executive Member stated that he had been aware of the need for additional funding at the time the capital budget had been agreed". Councillor N Clark stated these answers were mutually exclusive and contradictory and could not both be true. He asked the Executive Member for Resources and Internal Support which one was correct.

In reply, the Executive Member for Resources and Internal Support replied that the latter was correct.

Councillor N Clark referred to the budget of £20,000 for the Shaping Bishop's Stortford Board in 2007/08 and asked the Leader of the Council, how much of this budget had been spent and what outcomes that residents would recognise

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were delivered from this spending.

In reply, the Leader stated that he would provide a detailed response in writing. In summary, £12,000 had been spent to date on various items, including a business exhibition, the MORI residents survey, a space and landscape study of waterways, a schools competition to design a logo and improvements at Snowley Parade. He stated that the expectation was that these investments would provide a long term return.

Councillor D Clark referred to the question she had asked the portfolio holder for Development Control in May 2008, who was also a member of the Development Control Committee, to assure Members that he had followed the Council's own guidance on site visits and meetings with applicants and third parties. The portfolio holder had responded that his memory was not that good. With the benefit of notice and time to check the records, she asked the Executive Member for Community Safety and Protection if he could now answer the question and if he could assure Council that he had not heard any representations from applicants or interested third parties during site visits this year, without an Officer being present.

In reply, the Executive Member for Community Safety and Protection reminded Members that the guidance on site visits was advisory and not mandatory. He referred to busy Officers and Members and believed that there were insufficient resources for accompanied site visits. He expressed his pride in the abilities of Development Control Committee Members and commented that their training was mandatory. Finally, he commented on the practicalities of accompanied site visits and questioned their value for the applicants.

As a supplementary question, Councillor D Clark asked for a "yes" or "no" answer to her original question.

In reply, the Executive Member stated that he had forgotten.

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Councillor D Clark asked the Leader of the Council if he could update Council on discussions with the Citizens Advice Bureaux (CAB) concerning their future funding.

In response, the Leader stated that the position was unchanged. Discussions were ongoing with a view to moving forward and had reached a critical stage. There was an opportunity for further discussions which he believed would have a happy resolution.

Councillor M Wood asked the Leader of the Council if he would agree to review the decision to axe the press cuttings service as recently advised by the Communications department.

In reply, the Leader commented that Officers should be allowed to configure how they worked and provided services. He referred to IT developments and the ability for Members to access the internet sites for all of the local newspapers. He stated that other items of significance, such as those contained in the Local Government Chronicle and Municipal Journal could be sent. He referred to the time taken to prepare the cuttings and commented that the change would not be hugely detrimental. He asked Members to give it a try and to feedback any comments to Officers.

Councillor M Wood asked the Executive Member for Planning Policy and Transport if he could advise Council on when the first of the sponsored roundabouts would come on stream.

In reply, the Executive Member referred to a report submitted to the Highways Joint Member Panel in April 2008, in which progress had been detailed. The new grounds maintenance contractor had now taken over the service and outstanding planning issues had been resolved. However, some delays had occurred because of minor legal issues, which had now been resolved. The Executive Member stated that Hertfordshire Highways had to be satisfied with the location of the signs and he anticipated a

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commencement in July 2008.

Councillor M Wood asked the Executive Member for Environment and Conservation if he could confirm that East Herts Council would not be joining that small list of Councils who issued fixed penalty notices to householders who left their wheelie bin lids slightly open.

In reply, the Executive Member for Environment and Conservation reminded Members that side waste was not collected and that residents were required to ensure that lids on wheelie bins were closed in order to prevent smells, the escape of waste and for the health and safety of refuse workers.

He commented that fixed penalty notices could be issued. However, the Council's enforcement policy required a measured and proportionate response. The Council hoped to use persuasion and education with residents and no fixed penalty notices had been issued. He assured Members that staff were fully trained and that penalty notices would only be issued in extreme cases.

92 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 27 May 2008.

In respect of Minute 25 – Council Budget and Integrated Service Planning Process 2009/10 – 2012/13, Councillor D Clark reminded Members of her concerns with the budget process. She commented that although there had been some changes to this year's process, she had no confidence that there would be any improvement.

Councillor N Clark referred to the proposed cut in funding for the CAB and asked if, in view of the CAB's recent statement that the service would have to close, it would be appropriate to reconsider the funding question.

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In reply, the Leader expressed his disappointment with the question. He had been in contact with the CAB Chairman earlier that day and the discussions had been constructive. He believed that Councillor N Clark's assertion was not constructive and was mischief making.

Councillor N Clark commented that his assertion was based on the presentation made by CAB at the recent scrutiny meeting. He refuted the suggestion that he was mischief making. The Leader apologised for his comment, which was accepted by Councillor N Clark.

Councillor N Clark referred to recommendation (B) and commented that Corporate Business Scrutiny Committee had recommended inserting the word "appropriately" before the word "re-invested". He moved, and Councillor J O Ranger seconded, an amendment to recommendation (B) as now detailed.

Council approved this amendment so that recommendation (B) read:

"net savings are appropriately re-invested in priority services;"

Councillor N Clark referred to budget assumptions reported in September 2007, which he believed were subsequently changed without being reported to Members. He asked when such assumptions to include baseline data would be submitted to Council.

The Executive Member for Resources and Internal Support referred to one assumption relating to investment returns, which had been challenged by the Independent Group. The Independents had challenged the assumption of a rate of 5.3% as risky. He advised that some investments had been fixed at a return of 6%.

In response to a question from Councillor A M Graham, the Leader provided an update on discussions with the CAB.

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In respect of Minute 30 – Growth Area Funds Bid Round 3 – Programme of Development 2008-11 and Hertfordshire Infrastructure and Investment Strategy, Councillor N Clark asked if the Rye Meads Water Cycle Study had commenced and when it would be published.

In reply, the Executive Member for Planning Policy and Transport undertook to provide a written response.

In response to a request from Councillor A D Dodd, the Executive Member undertook to circulate the Study to all Members when it became available.

In respect of Minute 32 – Review of Working Arrangements, Councillor N Clark asked whether in accordance with the Council policy, an independent appraisal would be undertaken on the financial appraisal and property options.

The Executive Member for Resources and Internal Support responded by stating that the Executive would only be considering options and would not be making a decision.

Councillor N Clark referred to the use of the Improvement Fund to finance the Programme Director post and asked if the rules on delegations had been changed.

In reply, the Leader stated that the Chief Executive only had delegated authority up to £50,000 and that Council approval was required for the funding of this post as it exceeded the delegation limit.

Councillor N Clark questioned why the report containing the Programme Director post had not been submitted to Corporate Business Scrutiny Committee.

In reply, the Executive Member for Resources and Internal Support commented that this question had been asked at the Corporate Business Scrutiny Committee and that his answer was the same.

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In respect of Minute 38 – Joint Provision Pools Weekend Casual Swimming Review, Councillor N Clark asked if specific data on the number of direct debit customers who used the joint-use pools was available.

In reply, the Executive Member for Community Development, Leisure and Culture commented that a market research survey would be undertaken and that a written response would be provided.

RESOLVED – that (A) in respect of Minute 25 – Council Budget and Integrated Service Planning Process 2009/10 – 2012/13, recommendation (B) be amended to read:

“net savings are appropriately re-invested in priority services;”

(B) the Minutes of the Executive meeting held on 27 May 2008, be received, and the recommendations contained therein, be adopted.

93 MINUTES OF COMMITTEES

(A) JOINT MEETING OF THE EXECUTIVE, COMMITTEES, SUB-COMMITTEES, PANELS AND COMMUNITY VOICE – 14 MAY 2008

RESOLVED – that the Minutes of the joint meeting held on 14 May 2008, be received.

(B) CORPORATE BUSINESS SCRUTINY COMMITTEE – 20 MAY 2008

In respect of Minute 19 – CPA Improvement Plan, Councillor D Clark asked why the Improvement Plan had claimed that customer satisfaction had increased when the residents survey had shown a decline. She also asked why an action that had been completed in February 2007 had been used to tick off an action in the 2007-08 Plan. Finally, she asked

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whether the Committee Chairman or the Leader had a proper understanding of what had or had not been achieved.

In reply, the Leader confirmed that he did have an understanding of what had been achieved. He commented that he had no reason to believe that the information contained in the Plan was inaccurate, but that he would check and provide a written response.

RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 20 May 2008, be received.

(C) DEVELOPMENT CONTROL COMMITTEE
– 4 JUNE 2008

RESOLVED – that the Minutes of the Development Control Committee meeting held on 4 June 2008, be received.

(D) ENVIRONMENT SCRUTINY COMMITTEE
– 10 JUNE 2008

In respect of Minute 64 – Update on the Procurement of a Suitable Composting Plan and/or Transfer Facility, Councillor N Clark asked the Committee Chairman if, given that it had been confirmed that no facility would be available before mid 2009, he would take the opportunity to review the policy on waste collection and recycling by reconvening the task and finish group.

In response, the Committee Chairman stated that he would not.

RESOLVED – that the Minutes of the Environment Scrutiny Committee meeting held on 10 June 2008, be received.

ACTION94 STANDARDS COMMITTEE – APPOINTMENT OF INDEPENDENT MEMBERS

The Monitoring Officer submitted a report seeking the appointment of independent members of the Standards Committee.

Council recalled that, at its Annual meeting held on 14 May 2008, it had established a Standards Committee consisting of 4 District councillors, 1 Town Council Member, 2 Parish Council Members and 3 independent members. In noting the resignation of Mr Walker and the legislative changes arising from the provisions of the Local Government and Public Involvement in Health 2007, it was proposed that the size of the Committee be increased to include 4 independent members in total.

Mr Morphey had been re-appointed until 2011 to one of the seats allocated to independent members. The Monitoring Officer advised on the recruitment process and proposed that Steven Bouette, Dennis Farrell and Tony Vickers be appointed as independent members of the Standards Committee.

Council approved the appointments now detailed.

RESOLVED – that Steven Bouette, Dennis Farrell and Tony Vickers be appointed as independent members of the Standards Committee for a term expiring at the Annual meeting in May 2011.

95 APPOINTMENT OF SECTION 151 OFFICER

The Chief Executive submitted a report seeking approval to appoint the Section 151 Officer.

Council recalled that it was required to appoint formally, the statutory position of the Chief Financial Officer (Section 151 Officer) under Section 151 of the Local Government Act 1972. The current post holder had requested to be relieved

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of this responsibility.

The Executive Member for Resources and Internal Support proposed that, as part of the Council's drive for partnership working and sharing resources, Mike Collier from Hertfordshire County Council be appointed as the Council's Section 151 Officer.

The Executive Member advised that he had been given prior notice of a number of questions by Councillor D Clark. He stated that he would respond to some of them now and the remaining questions would be referred to the Chief Executive to provide a written response. He stated that the appointment would be on a part-time basis and be reviewed at the end of March 2009 and confirmed that Mr Collier had the necessary qualifications to undertake the responsibilities.

Councillor D Clark expressed her disappointment that despite having given written notice, many of her questions had not been answered. She asked:

- how many hours Mr Collier would allocate to East Herts;
- would he have input to all financial reports and attend committee meetings;
- what experience he had of District services;
- how conflicts of interest would be resolved;
- who he would report to;
- would the Head of Financial Services report to him;
- which responsibilities would remain with the Head of Business Support Services;
- whether the appointment conformed with CIPFA best

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practice and statutory requirements; and

- what savings would accrue and what the County Council would be paid.

Councillor D Clark suggested that the proposal was the latest example of the Council diluting its professional base by not believing financial expertise was a key element in decision making. She asked the Leader if the Council was having difficulty in recruiting good quality Officers, and if so, why.

In response, the Leader commented that the Council employed good quality Officers and to suggest otherwise was scandalous.

Councillor D Clark responded by suggesting that Officers worked under political direction from the Executive. She expressed disappointment with the Leader's response in suggesting that her comments about Officers were personal, when in fact, she had asked honest questions and had not criticised Officers. She reminded Members of the CIPFA definition of a chief finance officer.

The Executive Member for Resources and Internal Support questioned Councillor D Clark's financial judgement and advised that the External Auditor was happy with the proposed arrangement.

After being put to the meeting, and a vote taken, Council approved the appointment of Mike Collier as Section 151 Officer.

RESOLVED – that Mike Collier be appointed as the Council's Section 151 Officer effective from 26 June 2008.

(Note – Councillors K A Barnes, D Clark, N Clark, A M Graham, R Taylor and M Wood asked that their abstention from the decision taken be recorded.)

ACTION96 STATEMENT OF ACCOUNTS 2007/08

The Executive Member for Resources and Internal Support submitted a report seeking approval of the Statement of Accounts 2007/08.

Council noted that the Accounts and Audit Regulations 2003 required the Authority's Statement of Accounts to be approved by the end of June 2008. The Accounts were detailed at Appendix 'A' of the report now submitted and included supporting comments for each of the main statements.

The Audit Committee, at its meeting held on 24 June 2008, had also considered the Statement of Accounts and had supported it.

The Executive Member drew attention to the revenue outturn position, which indicated an underspend of £2.7m. He also referred to the capital outturn, where 78% performance had been achieved against a target of 85%, caused in the main, by slippage on large scale items such as the River Stort bridge and the Rhodes Arts Complex.

He drew Members' attention to a typographical error in paragraph 4.5 of the report now submitted.

Councillor N Clark referred to the Executive report in October 2007 on the River Stort bridge project and asked whether the issue of the commuted sum of £317,000 payable to Hertfordshire County Council to secure the adoption of the bridge had been resolved and if so, how.

In reply, the Executive Member commented that questions of a technical nature should have been submitted in advance, as requested at paragraph 4.4 of the report now submitted.

Councillor N Clark replied that he had asked Officers a month ago and had yet to receive a reply.

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Councillor D Clark referred to the underspend and suggested that this had not all been caused by uncontrollable items, but by panic savings being made. She suggested that this panic approach to savings had resulted in planned service improvements not being carried out and expressed concern that such an approach towards the CAB would have disastrous consequences.

In response to Councillor D Clark seeking to move an amendment on the use of balances, the Chairman advised that this was not relevant.

Council approved the Statement of Accounts 2007/08 as now submitted.

RESOLVED – that (A) the comments of the Audit Committee of 24 June 2008 regarding the Statement of Accounts for the financial year ended 31 March 2008 be received; and

(B) the Statement of Accounts as amended for the financial year 2007/08 be approved and signed by the Chairman at the conclusion of the meeting.

97 ANNUAL GOVERNANCE STATEMENT

The Leader of the Council submitted a report on the Annual Governance Statement. It was noted that this had replaced the Statement of Internal Control.

Council noted that the preparation and publication of an Annual Governance Statement in accordance with the Delivering Good Governance in Local Government Framework, was necessary to meet the statutory requirements set out in Regulation (4)2 of the Accounts and Audit Regulations 2003, as amended by the Accounts and Audit (Amendment)(England) Regulations 2006.

The Leader detailed the necessary information that should be included within a governance statement in the report now

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submitted.

Council noted that the Audit Committee, at its meeting held on 24 June 2008, had supported the Statement and had requested that the report be submitted to Council, in order that it be considered alongside the Statement of Accounts.

Councillor W Quince, who had chaired the Audit Committee, in the absence of the Committee Chairman, drew Members' attention to an additional arrow that would be added to the flowchart.

Council approved the Annual Governance Statement.

RESOLVED – that (A) the Executive be recommended to approve the process for the production of the Council's Annual Governance Statement;

(B) the Annual Governance Statement be adopted;

(C) the Leader and Chief Executive be authorised to sign the Statement; and CE

(D) the Annual Governance Statement be submitted to Corporate Business Scrutiny. DNS

98 MOTION – PURPOSE OF THE COUNCIL

Councillor N Clark moved, and Councillor D Clark seconded, a motion as follows:

“The purpose of this Council is to serve residents by doing everything in its power to improve the quality of people's lives and preserve all that is best in East Herts.”

Councillor N Clark commented that the purpose of his motion was, a year into the new Administration, to emphasise the vision of the Council. He referred to a recent

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comment by Eric Pickles MP, advising Conservative Councils to stand up to the Government and to start behaving like Conservative Councils. He compared this to a Link article by the Leader, in which he had stated that in some areas, central government directives had to be accepted. Councillor N Clark asked which approach the Council was taking. He cited the Council's response to the publication of the East of England Plan as an example of providing a challenge to the Government.

Councillor N Clark referred to the last Direction of Travel Statement, which had emphasised the need for the Council to focus on outcomes that residents would recognise. He quoted various issues, such as Shaping Bishop's Stortford, the Bishop's Stortford moat, sponsored roundabouts, CAB, playschemes, swimming pools, recycling, car park charges, as examples of how the Council did not appear to be focusing on outcomes that residents would recognise.

Councillor N Clark posed the question as to whether the Administration was in control. He referred to the budget variances of the last two years, the number of red or amber performance indicators being reported to the next Executive meeting and the increases in council tax levels. Finally, he commented on the increases in Members' special responsibility allowances and questioned whether these could be justified.

Councillor N Clark concluded by asking whether Members had done everything in their power to improve the quality of people's lives and to preserve all that was best in East Herts.

The Leader of the Council indicated his broad support for the motion but took issue with some of Councillor N Clark's comments. He believed that the Administration exercised many responsibilities and took tough decisions when they were needed. He commented that the Administration would be judged over its four year term and that some issues, such as the CAB, should be given time for the benefits to unfold.

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Some Members questioned the necessity of the motion and took issue with the suggestion that they were not doing their best for the people they represented.

Councillor J Mayes moved, and Councillor T Milner seconded, an amendment that deleted the words “by doing everything in its power” from the motion.

Councillor D Clark, in seconding the motion, commented on the time spent by the Council on chasing Government targets instead of doing what was best for residents. She questioned whether residents were interested in matters such as the LAA stretch targets and being consulted on issues only to have their views ignored.

She believed that the proposed motion encapsulated the purpose of the Council and that this meant spending taxpayers’ money wisely. She referred to the budget underspend as an example of the Administration’s lack of control.

After being put to the meeting and a vote taken, the proposed amendment was CARRIED.

After being put to the meeting and a vote taken, the substantive motion was CARRIED.

RESOLVED – that the purpose of this Council is to serve residents to improve the quality of people’s lives and preserve all that is best in East Herts.

The meeting closed at 9.25 pm

Chairman
Date