

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD
ON TUESDAY 5 AUGUST 2008 AT 7.30
PM

PRESENT: Councillor A P Jackson (Chairman/Leader).
Councillors M R Alexander, M G Carver,
L O Haysey, R L Parker and M J Tindale.

ALSO PRESENT:

Councillors D Andrews, D Clark, N Clark,
R N Copping, J Demonti, R Gilbert,
M P A McMullen, J K Mayes, J O Ranger,
P A Ruffles, J P Warren.

OFFICERS IN ATTENDANCE:

Anne Freimanis	- Chief Executive
Tony Hall	- Interim Deputy Chief Finance Officer
Philip Hamberger	- Director of Internal Services
Martin Ibrahim	- Senior Democratic Services Officer
Lois Prior	- Head of Strategic Direction (shared) and Communications Manager
George A Robertson	- Director of Customer and Community Services
Paul Thomas	- Environmental Health Manager (Commercial)

192 APOLOGY

An apology for absence was submitted on behalf of
Councillor T Milner.

193 LEADER'S ANNOUNCEMENT

The Leader referred to the recent announcement of proposed post office closures, nine of which were located in East Herts. He advised that the Executive Member for Planning Policy and Transport would act as a link between Members and other community partners in challenging the proposed closures. The issue would provide an opportunity for Members to undertake their community leadership role and it would be important for Members to use reasoned arguments in opposing the closures.

194 DECLARATION OF INTEREST

Councillor N Clark declared a personal interest in the matters referred to at Minutes 197 – 203 and 210 relating to the Local Development Framework, in that he was Secretary of the Stop Harlow North Campaign.

RECOMMENDED ITEMS

ACTION

195 EAST HERTS CUSTOMER SERVICE STRATEGY

The Leader of the Council submitted a report seeking endorsement for a Customer Service Strategy for East Herts Council.

The Executive noted that a detailed review of the implementation of the central customer service function and technology had been undertaken at the end of 2007. This review had identified opportunities to exploit the investment made by the Council in customer focused technology, including website, intranet, telephony and customer relationship management. The Customer Service Strategy, now proposed, was designed to take advantage of these opportunities to enhance service quality and improve efficiency.

The Leader detailed the proposed Strategy at Appendix 'A6' of the report now submitted. The Strategy would deliver a vision:

'We will deliver the same excellent level of customer service, regardless of how and where customers contact us, to deal with at least 80% of customer enquiries at the first point of contact'.

The Leader also detailed the Customer Service Improvement Programme, which had been established to deliver the Strategy. This was also detailed in the report now submitted.

In response to a query from Councillor R Gilbert, the Leader acknowledged that a more sophisticated analysis of public queries was required and that the Strategy would help to attain this.

Councillor D Clark suggested that the wording used in the Strategy was not clear and that the document could have been more accessible. She also suggested that the Strategy be referred to the Corporate Business Scrutiny Committee.

The Leader accepted that, whilst the document could have been more user friendly, it was not necessarily aimed at the public. He suggested that Officers should consider how best to communicate information to the public.

The Executive endorsed the Strategy as now detailed.

RECOMMENDED - that the proposed Customer Service Strategy and establishment of the Customer Service Improvement programme to deliver its vision and objectives be endorsed.

DCCS

**196 ADOPTION OF NEW BYELAWS FOR THE
REGULATION OF ACUPUNCTURE, ELECTROLYSIS,
TATTOOING, COSMETIC PIERCING AND SEMI-
PERMANENT SKIN COLOURING BUSINESSES**

The Executive Member for Community Safety and Protection submitted a report seeking approval for new byelaws governing the activities of acupuncture, electrolysis, tattooing, cosmetic piercing and semi-permanent skin colouring.

The Council had previously adopted Part VIII of the Local Government (Miscellaneous Provisions) Act 1982, which required persons undertaking acupuncture, tattooing, ear piercing and electrolysis to be registered with the Council. Byelaws regulating these activities were adopted in 1984.

The Local Government Act 2003 had amended the 1982 Act to include cosmetic piercing businesses (piercing of the body including the ear) and semi-permanent skin colouring (including micro-pigmentation, semi-permanent make-up and temporary tattooing) businesses in the list of those which local authorities had powers to regulate.

The Department of Health had released an updated set of byelaws which consolidated the previous versions and had been updated to reflect best practice within these areas. The proposed byelaws appended to the report now submitted, followed the model. The current byelaws regulating acupuncture, electrolysis, tattooing and ear-piercing would be repealed once the new byelaws were adopted.

The Executive supported the recommendations as now detailed.

RECOMMENDED - that (A) byelaws with respect to acupuncture, electrolysis, tattooing, cosmetic piercing and semi-permanent skin colouring businesses in the form attached at Appendix 'A7' be adopted; and DNS

(B) the Director of Neighbourhood Services be authorised to take all necessary steps in connection with the making of those byelaws, including applying to the Secretary of State for Health for their confirmation. DNS

197 LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY AWARENESS RAISING FEEDBACK: NON CORE STRATEGY ISSUES

The Executive considered and supported the recommendations of the Local Development Framework Executive Panel, made at its meeting held on 17 July 2008, in respect of non-Core Strategy issues.

RECOMMENDED - that (A) the report be received,

(B) the bodies with responsibility for the non-core strategy issues identified during the Local Development Framework Core Strategy Awareness Raising process, be notified accordingly of those issues, and DNS

(C) the appropriate issues from the Local Development Framework Core Strategy Awareness Raising process be forwarded to both the East Herts and Hertfordshire Local Strategic Partnerships for consideration as part of their work on the respective District and Countywide Sustainable Community Strategies. DNS

**198 EMPLOYMENT LAND AND POLICY REVIEW
TECHNICAL STUDY**

The Executive considered and supported the recommendations of the Local Development Framework Executive Panel, made at its meeting held on 17 July 2008, in respect of the Employment Land and Policy Review Technical Study.

RECOMMENDED - that (A) the Executive Summary of the Employment Land and Policy Review, prepared by Halcrow, the Council's consultants, contained at Appendix A10 to the report now submitted, be received, and **DNS**

(B) following satisfactory completion of the Employment Land and Policy Review, the Head of Planning and Building Control, in consultation with the Executive Member for Planning Policy and Transport, be authorised to agree and publish the final document: **DNS**

(1) as a technical study, forming part of the evidence base, to inform and support the East Herts Local Development Framework, and

(2) as a basis for informing future decisions concerning employment land and policy.

199 RETAIL AND TOWN CENTRES TECHNICAL STUDY

The Executive considered and supported the recommendations of the Local Development Framework Executive Panel, made at its meeting held on 17 July 2008, in respect of the Retail and Town Centres Technical Study.

RECOMMENDED - that (A) the Executive Summary of the Retail and Town Centres Study, prepared by Chase and Partners, the Council's consultants, contained at Appendix A11 to the report now submitted, be received, and

(B) following satisfactory completion of the Retail and Town Centres Study, the Head of Planning and Building Control, in consultation with the Executive Member for Planning Policy and Transport, be authorised to agree and publish the final document:

- (1) as a technical study, forming part of the evidence base, to inform and support the East Herts Local Development Framework, and
- (2) as a basis for informing future decisions concerning retail development and town centres.

200 **PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT**

The Executive considered and supported the recommendations of the Local Development Framework Executive Panel, made at its meeting held on 17 July 2008, in respect of the Planning Obligations Supplementary Planning Document.

RECOMMENDED - that (A) the representations submitted in respect of the revised draft Planning Obligations Supplementary Planning Document (January 2008), as detailed in the Statement of Issues at Appendix A5 to the report now submitted, be received and considered;

DNS

(B) the Officer comments made in response to the representations referred to in (A) above, as detailed in the Statement of Issues at Appendix A5 to the report now submitted, be agreed in accordance with Regulation 18 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended); **DNS**

(C) the amended Planning Obligations Supplementary Planning Document (October 2008) as detailed at Appendix C5 to the report now submitted be agreed for adoption in accordance with Regulation 19 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended); **DNS**

(D) the amended Sustainability Appraisal as detailed in Appendix D5 to the report now submitted be agreed for adoption, and **DNS**

(E) the Head of Planning and Building Control in consultation with the Executive Member for Planning Policy and Transport be authorised to make any necessary non-material amendments or corrections to the documents in Appendices A5, C5 and D5 to the report now submitted, which may be subsequently required or identified. **DNS**

**201 OPEN SPACE, SPORT AND RECREATION
SUPPLEMENTARY PLANNING DOCUMENT -
CONSULTATION VERSION AUGUST 2008**

The Executive considered and supported the recommendations of the Local Development Framework Executive Panel, made at its meeting held on 17 July 2008, in respect of the Open Space, Sport and Recreation Supplementary Planning Document.

RECOMMENDED - that (A) the draft Open Space, Sport and Recreation Supplementary Planning Document (August 2008), as detailed at Appendix A6 to this report, together with the Sustainability Appraisal Report (Appendix B6) and the Consultation Statement (Appendix C6), be approved for consultation purposes in August/September 2008, and

DNS

(B) the Head of Planning and Building Control, in consultation with the Executive Member for Planning Policy and Transport, be authorised to make any necessary non-material amendments or corrections to the documents contained at Appendices A6, B6 and C6 to the report now submitted, which may be subsequently required or identified, prior to consultation taking place.

DNS

202 HOUSING CAPACITY ASSESSMENT AND EDGE OF SETTLEMENT ASSESSMENT - RESPONSES TO PERIOD OF COMMENT

The Executive considered and supported the recommendations of the Local Development Framework Executive Panel, made at its meeting held on 17 July 2008, in respect of the Housing Capacity Assessment and Edge of Settlement Assessment.

RECOMMENDED - that the responses received and detailed in the report now submitted be noted and taken into account, as part of the work to be undertaken on the Strategic Housing Land Availability Assessment for East Hertfordshire.

DNS

203 LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY UPDATE REPORT

The Executive considered and supported the recommendations of the Local Development Framework Executive Panel, made at its meeting held

on 17 July 2008, in respect of the Core Strategy.

RECOMMENDED - that (A) the report be received, and

(B) the spatial themes set out in Section 4 of this report and attached at Appendix A8 to the report now submitted be agreed to form the basis of the Core Strategy.

DNS

RESOLVED ITEMS

204 MINUTES

RESOLVED - that the Minutes of the Executive meeting held on 1 July 2008 be confirmed as a correct record and signed by the Leader.

205 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.

RESOLVED – that the report be received.

206 DATA SHARING AGREEMENT PROCEDURE

The Leader of the Council submitted a report seeking approval for amendments to the Data Sharing Protocol, Agreement Form and Notes and Guidance.

The Executive recalled that it had approved the Data Sharing Protocol on 18 December 2007. The Leader presented a procedure to enable the Protocol to become a practical tool. He proposed that a Data Sharing Agreement Form, as attached at Appendix 'B8' of the report now submitted, had been implemented as an easy to complete

form/procedure to enable safe and secure data sharing with partners.

A set of guidance notes setting out how the form was to be completed had been produced and was detailed at Appendix 'C8' of the report now submitted. For data sharing to be implemented through the Data Sharing Agreement Form, the Leader proposed some minor amendments to the Data Sharing Protocol. The updated Protocol was detailed at Appendix 'D8' of the report now submitted.

The Corporate Business Scrutiny Committee, at its meeting held on 15 July 2008, supported the revised procedure and protocol and asked that these be applicable to all data. The Committee had also agreed to review the Procedure after six months.

The Executive approved the proposals as now detailed.

<u>RESOLVED</u> – that (A) the draft Data Sharing Agreement Form (Appendix 'B9') and accompanying Notes and Guidance (Appendix 'C9') be approved, and	DCCS
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(B) the amended Data Sharing Protocol (Appendix 'D8') including the Data Sharing Agreement Form be approved.	DCCS
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207 ANNUAL GOVERNANCE STATEMENT 2008/09

The Leader of the Council submitted a report on the Annual Governance Statement 2008/09.

The Annual Governance Statement needed to be submitted, in order to meet the requirements set out in the Accounts and Audit Regulations.

The Council was responsible for ensuring that its business was conducted in accordance with the law and proper standards and that public money was safeguarded,

properly accounted for, used economically, efficiently and effectively. The Corporate Code of Governance would help to ensure proper arrangements were in place to meet that responsibility.

The Corporate Business Scrutiny Committee, at its meeting held on 15 July 2008, agreed that the report be received. Council, at its meeting held on 25 June 2008, had adopted the Statement.

The Leader referred to comments that had been received from the External Auditor, which would require some amendments to the Statement before it was published formally within the Statement of Accounts in September 2008.

Councillor N Clark queried the process for approving these amendments as Council had already adopted the Statement. The Leader replied that, if necessary, the Statement could be resubmitted for Member approval. He also accepted that the process for producing the Statement should be reviewed.

The Executive endorsed the Statement as now detailed.

<u>RESOLVED</u> – that (A) the process for the production of the Council’s Annual Governance Statement be reviewed;	DNS
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(B) the Statement be amended as discussed and submitted to the next Executive meeting.	DNS
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208 MONTHLY CORPORATE HEALTHCHECK

The Leader of the Council submitted an exception report on the finance, performance and risk monitoring for the month of May 2008. He also submitted an exception report for June 2008, which had been circulated on the supplementary agenda.

In response to a question from Councillor D Clark, the Director of Internal Services commented that, in respect of Business Support Services efficiency savings, some progress had been made and that he was confident that they would be identified by the end of the year.

In respect of Recycling budgets, the Director of Customer and Community Services undertook to provide a written response to the Leader of the Council.

In relation to retail planning projects and the use of corporate budgets, it was noted that a written response would be provided to Councillor N Clark by the Director of Neighbourhood Services.

In respect of the capital financial summary and the variance showing for "Shaping Now" projects, the Interim Deputy Chief Finance Officer undertook to provide a written response to Councillor D Clark.

The Executive approved the healthchecks as now detailed.

RESOLVED - that the Corporate Healthcheck for the May and June 2008 periods be approved.

209 OPERATIONAL AND STRATEGIC RISK MONITORING REPORT (JANUARY – MARCH 2008)

The Leader of the Council submitted a report on action taken to mitigate and control risks tracked by operational and strategic risk registers during the period January – March 2008.

The Leader advised that the Director of Neighbourhood Services had been requested to review the format of the report so that the information was more timely.

The Executive noted the report.

RESOLVED - that the progress in taking action to mitigate and control risks tracked by operational and strategic risk registers during the period 1 January to 31 March 2008 be noted.

210 LOCAL DEVELOPMENT FRAMEWORK (LDF)
EXECUTIVE PANEL – MINUTES OF THE MEETING
HELD ON 17 JULY 2008

RESOLVED - that the Minutes of the Local Development Framework Executive Panel meeting held on 17 July 2008, be received.

(see also Minutes 197 - 203 above)

The meeting closed at 8.30 pm

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Chairman
Date