

MINUTES OF A MEETING OF THE  
EXECUTIVE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD,  
ON TUESDAY 8 SEPTEMBER 2009 AT  
7.00 PM

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

ALSO PRESENT:

Councillors D Andrews, W Ashley, S A Bull,  
D Clark, N Clark, R N Copping, J Demonti,  
R Gilbert, Mrs M H Goldspink, P Grethe,  
M P A McMullen, P A Ruffles, S Rutland-Barsby,  
V Shaw, R I Taylor, J P Warren, M Wood,  
C Woodward.

OFFICERS IN ATTENDANCE:

Anne Freimanis	- Chief Executive
Lorraine Blackburn	- Committee Secretary
Simon Drinkwater	- Director of Neighbourhood Services
Philip Hamberger	- Programme Director of Change
Alan Madin	- Director of Internal Services
Will O'Neill	- Head of Community and Cultural Services
Lois Prior	- Head of Strategic Direction (Shared) Communications Manager
George A Robertson	- Director of Customer and Community Services

## 220 DECLARATION OF INTEREST

Councillor N Clark declared a personal interest in relation to agenda item 16 (Minutes of the Local Development Framework (LDF) Executive Panel), in that he was Secretary of the Harlow North Group.

## 221 LEADER'S ANNOUNCEMENT

The Leader commented that he had agreed to accept an urgent item onto the agenda in relation to the Minutes of the Local Development Framework (LDF) in order to avoid delays in the LDF process.

### RECOMMENDED ITEMS

## 222 CASTLE HALL DEVELOPMENT PROPOSALS

**The Executive Member for Community Development, Leisure and Culture, submitted a report seeking the provision of a supplementary revenue estimate to commission Architects, Briffa Philips, to develop a detailed design specification and to obtain tender prices and planning consent for the refurbishment works at Castle Hall.**

**The Castle Hall Way Forward Group was established to develop a vision and plan for the venue. Of the £3,840,000 provided for the refurbishment of Grange Paddocks, Hartham and Castle Hall, £3,592,000 had been committed to the re-development of Grange Paddocks and Hartham.**

**The Executive Member commented that it was originally envisaged that £600,000 would be available for the development of Castle Hall. Initial estimates for this work by Briffa Philips, was £605,000. Further capital costs would be determined through the development of the design and specification and through the tender process.**

The Executive Member commented that the supplementary revenue estimate of £39,680 would be used to commission Briffa Philips, to prepare detailed design specifications, obtain planning consent and tender prices for the works so that a detailed business case could be developed. She commented that the figures were indicative, and that once a business case had been prepared, this would be submitted to scrutiny for comment.

In response to a Member's question on the original estimate of works, the Executive Member confirmed that a detailed brief would be submitted to the Executive with recommendations as necessary.

In response to a Members' query regarding changes to car parking and timing, the Leader commented that this would be something which could be considered at a later stage.

The Executive supported the proposals as now detailed.

**RECOMMENDED** - that (A) in order to establish the capital costs of remodelling and refurbishment works at Castle Hall, a supplementary revenue estimate of £39,680 be made available to commission Briffa Philips, Architects, to develop a detailed design specification and obtain planning consent and tender prices for the works;

DCCS

(B) the outline business case as set out in the report now submitted, be approved;

(C) Officers be requested to submit a further report to Executive on capital costs together with a final business case, once best tender price, for a preferred design, has been established;

DCCS

- (D) a separate business case be presented to a future Executive, for: DCCS
- (1) the purchase of high quality film projection equipment and the development of a cinema quality film programme; and
  - (2) the introduction of a new low carbon heating and cooling system, including exploring alternative energy sources.

## 223 **IMPLICATIONS OF THE CHANGING THE WAY WE WORK PROGRAMME (INFRASTRUCTURE AND FINANCE)**

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The Executive Member for Resources and Internal Support submitted a report outlining the financial implications of delivering the Changing the Way We Work Programme (C3W) with the opportunity to combine works to Wallfields arising from the C3W with other works to prolong the life of the building. The report contained details of how the strategy would be delivered in terms of property and IT infrastructure.

The Executive Member gave a presentation explaining the strategy and the financial case in investment terms. He stressed that the decision regarding The Causeway Offices had affected matters, but it provided a unique opportunity to modernise working practices, ensure that the building was fit for purpose and would generate savings. The Executive Member commented that there would be a transitional period to carry out works to Wallfields, using additional space at The Causeway to decamp staff.

The Executive Member referred to the indicative costs for refurbishing Wallfields and IT investment and what would be done. In summary, a total of £1,305,800 was being sought to ensure that Wallfields was refitted and fit for purpose as the Council's sole administrative base. A further capital allocation was also being

sought in the sum of £53,000 as a 10% contingency to deliver the existing ICT capital programme as detailed in the report now submitted. Approval was also sought for one-off cost to be funded by a draw down from the general reserve to a maximum of £140,000 to meet the cost of scanning existing documents and ICT support through the transitional phase of C3W. The Executive Member outlined the benefits to both the Council and staff of the C3W programme and referred to savings which had been achieved by other Local Authorities which had undergone a similar change process.

The Executive Member stressed that it was not a time to “penny pinch” and that it was important to deliver the project to generate savings, including revenue savings of £1.5m, costs on capital of £130,000 a year and other benefits. The Executive Member commented that the changes would ensure that this would happen and would improve the financial challenges faced by the Council.

The Corporate Business Scrutiny Committee at its meeting held on 25 August 2009, had made a number of recommendations which were considered by the Executive.

The Leader referred to a revised list of recommendations for Members’ consideration.

In response to a query regarding the replacement of the greenhouse roofing, and the installation of solar panels, the Leader commented that advice from Officers would be taken at the appropriate time.

In response to a query regarding the greenhouse, air cooling and the removal of the wireless network, the Executive Member confirmed that steps would be taken to make the building environmentally friendly and more appropriate for staff. In terms of the decision to take out the wireless system, the Executive

Member commented that there would be additional networking installed and if a wireless network was also felt to be necessary, it could be fitted in at a later date.

The Programme Director for Change undertook to provide the Member with further information about wiring all meeting rooms. PDC

The Executive supported the proposals and allocation of capital as now detailed and set out in the revised recommendations.

**RECOMMENDED**- that the indicative costings for the Changing the Way We Work Programme (C3W) now submitted be commended to Council and as a consequence: PDC

(A) the capital programme be amended and the property items appearing in the current capital programme and as shown in paragraph 4.10 of this report totalling £358,800 be vired to a new project "Wallfields Refurbishment"; PDC

(B) that further capital of £947,000 (shown indicatively below) be allocated to the Wallfields "Refurbishment Project" shown in recommendation A.

- capital of £15,500 (inclusive of professional fees) be allocated to complete the programme of refurbishment of the Wallfields Offices that commenced in 2003;
- capital of £442,750 (inclusive of professional fees) be allocated for the works to Wallfields that are additionally required for the delivery of the C3W Programme;
- further capital of £488,750 (inclusive of professional fees) be allocated for the works to Wallfields that are desirable and which will enhance and extend the life and value of the

existing asset;

making a total of £1,305,800 being allocated to ensure that Wallfields is refitted so it becomes a building fit for purpose as the Council's sole administrative base;

(C) further capital of £53,000 be allocated as a 10% contingency to deliver the existing ICT capital programme with regard to C3W as detailed in the report; PDC

(D) in respect of revenue costs Officers be required: PDC

- to seek to achieve offsetting savings in respect of ongoing costs incurred in 2009/10;
- to minimise one-off revenue costs; and
- to include both costs and the targets for benefits arising from 2010/11 onwards in the medium term financial plan and service plans; and

(E) one-off costs be funded by a draw down from the general reserve to a maximum of £140,000 to meet the cost of scanning existing documents and ICT support through the transitional phase of C3W.

## **224 MONTHLY CORPORATE HEALTHCHECK – JUNE 2009**

The Leader of the Council submitted an exception report detailing the finance, performance and risk monitoring for the month of June 2009. The Leader referred to the financial and performance analysis following a decision on 13 May 2009, to invest £3.5m capital to develop leisure facilities at Hartham and Grange Paddocks and the subsequent need to agree a one-off supplementary estimate of £266,000 in the budget for 2009/10.

**The Leader of the Council referred to the need to agree a supplementary estimate of £10,000 to meet the additional costs associated with supporting the NHS in delivering Swine Flu measures for the general public. It was noted that the Council was committed to seeking full reimbursement from the NHS.**

**The Leader of the Council referred to an under-spend in the budget from 2008/09 and the need to carry this forward in line with the Council's Financial Regulations. He commented that the sums proposed, be appropriated to earmarked reserves and applied for the purposes set out at the request of identified officers. The Leader commented that the Capital Programme would need to be re-profiled and amended, as detailed in the report now submitted.**

**In response to a query concerning the treatment of the £266,000, supplementary estimate request for leisure provision, the Director of Internal Services confirmed that the approach was not a departure from usual practice.**

**In response to queries concerning the reporting of variances the Leader explained that commentaries on variances were set out in the Healthcheck report for the month in which they were first reported. He asked officers to review the Healthcheck report so that Members could more easily reference comments in earlier reports.**

**The Executive Member for Resources and Internal Support confirmed that further action was being undertaken to address the reported £189,000 adverse balance.**

**Officers would provide confirmation of the previous report setting out the £208,000 adverse variance for concessionary fares. The Leader explained the contributing external factors.**

The Executive supported the approach as now detailed.

**RECOMMENDED** – that (A) the budgetary variances set out in paragraph 4.1 of the report be noted and the following supplementary estimates be approved: DIS

(1) £266,000 in respect of Leisure, and

(2) £10,000 for costs associated with swine flu;

(B) the carry forward of under spending from 2008/09 be noted in accordance with Financial Regulation 4.7.1 and the sums proposed to be appropriated to earmarked reserves may be applied for the purposes set out at the request of the identified officers, be approved; and DIS

(C) the Capital Programme be re-profiled and amended as set out in paragraphs 4.33 to 4.38 of the report submitted. DIS

## 225 CORPORATE PROCUREMENT STRATEGY

The Executive Member for Resources and Internal Support submitted a report setting out the revised Corporate Procurement Strategy.

The Executive Member commented that the framework of Rules for Procurement were determined by EU and UK law and those within the Council's Contract Procurement rules. A number of weaknesses within the system of procurement and contracting had been identified and it was anticipated that the improved Action Plan, attached to the report now submitted, would address these issues. A Corporate Procurement Strategy Group would monitor the Action Plan and report back to Corporate Management Team

(CMT) as necessary and on an annual basis.

The Corporate Business Scrutiny Committee at its meeting held on 14 July 2009 supported the Corporate Procurement Strategy.

The Executive supported the revised Corporate Procurement Strategy as now submitted.

**RECOMMENDED** - that the Corporate Procurement Strategy, as now submitted, be approved.

**226 EAST HERTS LOCAL PLAN SECOND REVIEW APRIL 2007 – PROTOCOL FOR SAVING POLICIES**

The Executive considered and supported the recommendation of the Local Development Framework Executive Panel, made at its meeting held on 27 August 2009 in respect of the East Herts Local Plan Second Review April 2007 – Protocol for Saving Policies.

**RECOMMENDED** – that (A) the Local Plan policies listed in the matrix at Appendix “A5” of the report now submitted, be saved beyond April 2010;

**DNS**

(B) the Local Plan Policies listed in the matrix at Appendix “B5” of the report now submitted, be not saved and therefore lapse in April 2010 (subject to officers checking whether development under policies ST2 and ST3 had been completed).

(C) the matrices at Appendix “A5” and Appendix “B5” of the report now submitted be submitted to GO-East as the District Council’s application to the Secretary of State for a Direction under Paragraph 1 (3) of Schedule 8 of the Planning and Compulsory Purchase Act 2004; and DNS

(D) the Head of Planning and Building Control in consultation with the Executive Member for Planning Policy and Transport, be authorised to make amendments to the list of saved policies as directed by the Secretary of State. DNS

**227 OPEN SPACE, SPORT AND RECREATION  
SUPPLEMENTARY PLANNING DOCUMENT**

The Executive considered and supported the recommendations of the Local Development Framework Executive Panel made at its meeting held on 27 August 2009 in respect of the Open Space, Sport and Recreation Supplementary Planning Document (SPD) to the Local Plan Second Review 2007.

**RECOMMENDED** - that (A) the representations submitted in respect of the draft Open Space, Sport and Recreation Supplementary Planning Document, as detailed in the Statement of Issues at Appendix “A6” of the report now submitted be received;

(B) Officer comments made in response to the representations referred to in (A) above, as detailed in the Statement of Issues at Appendix “A6” of the report now submitted be agreed in accordance with Regulation 18 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009; DNS

(C) the amended Open Space, Sport and Recreation Supplementary Planning Document as detailed at Appendix “B6” of the report now submitted, be agreed for adoption in accordance with Regulation 19 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009; and DNS

(D) the amended Sustainability Appraisal as detailed in Appendix “C6”, be agreed for adoption. DNS

**228 EAST HERTS LOCAL DEVELOPMENT FRAMEWORK – CORE STRATEGY PROGRESS REPORT**

The Executive considered and supported the recommendations of the Local Development Framework Executive Panel, made at its meeting held on 27 August 2009, in respect of East Herts Local Development Framework – Core Strategy Progress Report.

**RECOMMENDED** – that (A) the Spatial Vision, Spatial Portrait, Strategic Objectives, and Spatial Themes as set out in Appendices “A7”, “B7”, “C7” and “D7” of the report now submitted, be approved as the basis for further technical and planning policy work and included in the Issues and Options consultation document; DNS

(B) the time horizon and period of operation of the East Herts Core Strategy be extended to 2031; and DNS

(C) the expected date for the Core Strategy Issues and Options consultation in Spring 2010 be noted.

**229 STRATEGIC LAND AVAILABILITY ASSESSMENT –  
CALL FOR SITES PROGRESS REPORT**

The Executive considered and supported the recommendation of the Local Development Framework Executive Panel, made at its meeting held on 27 August 2009 in respect of the Strategic Land Availability Assessment – Call for Sites Progress Report.

**RECOMMENDED** – that the responses received to the Call for Sites consultation as set out in Appendix “A8” of the report now submitted, be noted and taken into account as part of: **DNS**

(A) the preparation of the East Herts Core Strategy Issues and Options consultation document; and

(B) the preparation of the East Herts Strategic Land Availability Assessment (SLAA).

**230 LOCAL DEVELOPMENT FRAMEWORK EVIDENCE  
BASE – TECHNICAL STUDIES 2008/09 AND 2009/10**

The Executive considered and supported the recommendations of the Local Development Framework Executive Panel, made at its meeting held on 27 August 2009, in respect of the Local Development Framework Evidence Base, Technical Studies 2008/09 and 2009/10.

**RECOMMENDED** – that (A) it be noted and agreed that the technical studies listed in Appendix “A9” of the report now submitted, which are due for completion, already underway or proposed to be undertaken during 2009/10, contribute to the Local Development Framework Evidence Base; **DNS**

**(B) the technical studies referred to in (A) above be completed or undertaken by means of: DNS**

- (i) seeking competitive quotes or tenders, as appropriate, to engage consultants, with the costs being met from the 2009/10 Planning Policy / Local Development Framework budgets for such purposes; and**
- (ii) partnership working where appropriate, with neighbouring authorities and other relevant partners;**

**(C) the Head of Planning and Building Control, in consultation with the Executive Member for Planning Policy and Transport, be given authority to approve funding, within the limits of the 2009/10 Planning Policy/Local Development Framework budgets, for such other relevant planning policy studies, as may be deemed appropriate. DNS**

### RESOLVED ITEMS

#### 231 MINUTES

RESOLVED - that the Minutes of the Executive meeting held on 28 July 2009 be confirmed as a correct record and signed by the Leader.

#### 232 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.

233 MONTHLY CORPORATE HEALTHCHECK – JULY 2009

The Leader of the Council submitted an exception report on the finance, performance and risk monitoring for the month of July 2009.

The Leader commented on the budgetary variances set out in paragraph 4.1 of the report now submitted. He commented on the need to review the capital expenditure profile in the light of what had been agreed on Wallfields refurbishment.

In response to a Member's query on the adverse balance of £140,000 and Corporate Management Team's agreement to fund it from existing budgets, the Director of Internal Services commented that this would be reflected in an overspend of those budgets.

The Executive noted the report.

RESOLVED – that the budgetary variances set out in paragraph 4.1 of the report now submitted, be noted.

234 EASTERN PLATEAU – ACCOUNTABLE BODY IMPLICATIONS

The Executive Member for Planning Policy and Transport submitted a report on funding proposals to deliver the Eastern Plateau Programme in East Herts, North Herts and Uttlesford as part of the East of England Development Agency's (EEDA) Rural Development Programme for England (RDPE). A wide ranging partnership group had been developed to oversee the strategy and operation of the programme. Approval was sought to enable the Council to act as "Accountable Body" for the programme. The Executive Member commented that it was an unusual step for a District Council to take on the role and of the

benefits which would accrue as the Accountable Body.

The Executive noted the report.

RESOLVED – that East Herts Council act as the Accountable Body for the Eastern Plateau Rural Development Programme for England (RDPE).

DNS

235 REPORT FROM SHARED SERVICES TASK AND FINISH GROUP

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Councillor J O Ranger, Chairman of the Shared Services Task and Finish Group, submitted a report summarising the findings of the Group on a “checklist” of key points for Corporate Business Scrutiny Committee and the Executive to consider when establishing new, future shared services. These were detailed in appendices to the report now submitted.

The Corporate Business Scrutiny Committee at its meeting held on 14 July 2009 had endorsed the findings of the Group and had commended them to the Executive. The Leader thanked the Task and Finish Group for its help and guidance in establishing the checklist.

The Executive agreed that the “Characteristics of Success Checklist” as set out in the appendix of the report now submitted, be adopted when establishing new shared services or partnerships as part of the risk assessment/ evaluation process.

RESOLVED – that (A) the views of Corporate Business Scrutiny Committee be received;

(B) the “Characteristics of Success” checklist, as set out in the appendix of the report now submitted, be adopted when establishing new shared services or partnerships as part of the risk assessment/ evaluation process.

CE

236 EAST HERTS ANNUAL REPORT 2008/09

The Leader of the Council submitted a draft of the Council's Annual Report 2008/09.

The Annual Report documented the Council's achievements in the previous financial year and set out the Council's vision for the district, its priorities and key objectives for the next three years and reported on the Council's performance against targets. The Leader commented that the report highlighted the Council's continued progress, its endeavours to use its resources effectively and efficiently, within the context of priorities and in addressing the needs and expectations of local people, including other stakeholders.

The Annual Report highlighted the additional outturns achieved against performance indicators as detailed in the report now submitted.

The Corporate Business Scrutiny Committee, at its meeting held on 25 August 2009 had supported the draft, subject to minor revisions and asked that the writing style of the report be made accessible for the intended public audience.

The Executive approved the Annual Report 2008/09 and agreed that the Chief Executive, in consultation with the Leader, be authorised to finalise the Annual Report.

RESOLVED – that (A) the views of Corporate Business Scrutiny Committee be received;

(B) the draft version of the Annual Report 2008/09 be approved;

(C) the additional outturns that have been received, as detailed at paragraph 4.3 of the report now submitted, be noted; and

(D) the Chief Executive, in consultation with the Leader, be authorised to finalise the Annual Report. CE

237 ANNUAL GOVERNANCE STATEMENT 2008/09

The Leader of the Council submitted a report detailing the findings of the Annual Governance Statement. The Leader explained that annual reviews of the Council's governance arrangements were necessary by means of an Annual Governance Statement, to ensure continuing compliance with best practice. The draft Annual Governance Statement had been considered by Audit Committee at its meeting held on 29 June 2009. A final draft had been submitted to Audit Committee on 2 September 2009 when two minor amendments had been agreed. These were reported.

The Leader requested that a number of minor amendments be made on page 14.11 for the sake of consistency.

In response to a Member's query regarding the function of the Remuneration Panel, the Leader confirmed that this was still relevant.

The Corporate Business Scrutiny Committee at its meeting held on 14 July 2009, had supported the Annual Governance Statement.

The Executive approved the Annual Governance Statement for 2008/09.

RESOLVED – that (A) the views of Corporate Business Scrutiny Committee be received; and

(B) the Annual Governance Statement 2008/09 be approved. CE

238 REVIEW OF DATA SHARING PROTOCOL

The Leader of the Council submitted a report detailing

revisions to the Data Sharing Protocol as a result of recommendations from the Council’s External Auditors following the 2007/08 Data Quality Audit. The Data Sharing Protocol (version 3) with tracked amendments, was attached as an appendix to the report now submitted.

The Corporate Business Scrutiny Committee at its meeting held on 25 August, 2009 had supported the revised Data Sharing Protocol and had asked for the document to be shared with the Council’s Partners and feedback sought. The Leader commented that it was entirely appropriate to share this protocol with the Council’s Partners.

The Executive approved the changes to the Data Sharing Protocol as detailed in the report now submitted.

RESOLVED - that (A) the view of Corporate Business Scrutiny Committee be received; and

(B) the changes to the Data Sharing Protocol be approved. CE

239 LOCAL DEVELOPMENT FRAMEWORK (LDF)  
EXECUTIVE PANEL – MINUTES OF THE MEETING  
HELD ON 27 AUGUST 2009

RESOLVED – that the Minutes of the Local Development Framework Executive Panel meeting held on 27 August 2009, be received and where necessary the recommendations contained therein, be approved.

(See also Minutes 226 – 230 above)

The meeting closed at 8.35 pm.

Chairman	.....
Date	.....