

MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD
ON WEDNESDAY 9 DECEMBER 2009,
AT 7.30 PM

PRESENT:

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

OFFICERS IN ATTENDANCE:

Anne Freimanis	- Chief Executive
Simon Drinkwater	- Director of Neighbourhood Services
Philip Hamberger	- Programme Director of Change
Jeff Hughes	- Head of Democratic and Legal Support Services
Martin Ibrahim	- Senior Democratic Services Officer
Alan Madin	- Director of Internal Services

Lois Prior	- Head of Strategic Direction (shared) and Communications Manager
Tracy Strange	- Head of Health and Housing
Sheila Winterburn	- Environmental Health Manager - Residential

426 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised Members that the new microphone system was operational.

He further advised that he had agreed to change the running order of the agenda, so that the motion relating to the Rivers Nursery site would be dealt with immediately after the petition on the same subject.

The Chairman invited Members to join him for light refreshments after the meeting.

The Chairman updated Members on various events he had attended and thanked Jeff Hughes for his efforts at the recent quiz night. He detailed the Christmas refreshments he would be providing to staff and invited Members to join him at the events across the three sites.

Finally, he gave advance notice of a 60s dance night that would be held on 8 May 2010.

427 MINUTES

RESOLVED – that the Minutes of the Council meeting held on 30 September 2009, be approved as a correct record and signed by the Chairman.

428 DECLARATIONS OF INTEREST

Councillor N Clark declared a personal interest in Minutes 382 – 385, 389 and 392 relating to Local Development Framework matters, in that he was Secretary of the Stop Harlow North Campaign.

Councillor R N Copping asked Council to note his personal and prejudicial interest in the matter referred to at Minute 324 – Application 3/09/1286/FP, in that he was the applicant.

Councillors A L Burlton, N C Poulton and R Radford asked Council to note their personal and prejudicial interests in the matter referred to at Minute 410 – Budget 2010/11, in that they were trustees of museums that were the subject of funding options.

429 PETITION - RIVERS NURSERY SITE AND ORCHARD

A petition comprising 135 signatures had been submitted by Joseph Fitzgerald, Assistant Chairperson of the Rivers Nursery Site and Orchard Group as follows:

“We, the undersigned, petition the Local Authority and future landowners to stop any proposed built development on the lands commonly known as Rivers Nursery Site and Orchard of Sawbridgeworth and to protect the site as a managed green open space for the well-being and enjoyment of the local community. Proposed building on this site would destroy the last remaining fragments of this world-famous fruit development area and obliterate the fragile but extensive wildlife habitat that has been allowed to thrive undisturbed over hundreds of years in this traditional orchard and its immediate surroundings. Nearly two-thirds of traditional orchards have disappeared since the 1950s. We value highly and must conserve what remains of this historic site. It is our common heritage.”

Mr Fitzgerald addressed Council in support of the petition. He detailed the work of his organisation and the efforts of volunteers in conserving a large variety of fruit cultivars. He commented on the historic site containing over 600 trees, many of Hertfordshire heritage fruit varieties, including 65 types of apple. He also referred to the national significance of the site and the range of evidence available from a number of experts that confirmed its importance.

Mr Fitzgerald stated that his group was engaged with the Local Development Framework process and that they hoped that the Council was fully committed to preserving the site. However, a number of traditional orchards had been lost in recent years through the planning process.

He referred to the 20 year period of the current lease and expressed the view that the Council, as well as the local community, could be proud of what had been achieved in terms of the environment, education and community engagement. He believed that if the site could be saved from development, there would be a range of partnerships that could be pursued to meet policy objectives from health to biodiversity, local food and sustainability.

Finally, Mr Fitzgerald described the site as an environmental treasure, where the landscape provided a living heritage link. He asked what the Council would do to ensure that the site would be freely accessible to the whole community and would be robustly protected for future generations.

In response, the Executive Member for Planning Policy and Transport thanked Mr Fitzgerald for the petition and Rivers Nursery Site and Orchard Group for their excellent work. He undertook to respond fully as part of the later debate on the motion that had been submitted (Minute 430 refers).

The Chairman thanked Mr Fitzgerald for attending the meeting.

430 MOTION - RIVERS NURSERY SITE AND ORCHARD

Councillor R Beeching moved, and Councillor A P Jackson seconded, a motion as follows:

“East Herts, or its representatives, opens negotiations with the reverting owner to either purchase or re-lease the Rivers Orchard site to commence after the termination of the present lease in April 2010. Further these negotiations to include a new lease for the rest of the site north of the beech hedge to enable it to remain amenity ground for the benefit of the residents of Sawbridgeworth.”

Councillor R Beeching referred to the historic significance of the site and supported the comments made by Mr Fitzgerald in the petition referred to at Minute 429 above. He also detailed the importance of the site as a local amenity space for dog walkers, sports, etc, and referred to the green lung of Sawbridgeworth.

Councillor A D Dodd expressed his support for the motion and the petition at Minute 429. He reminded Members of the work to preserve Rivers Orchard by ex-Councillor D Richards. He expressed concern that the orchard area and surrounding land could become a potential development of 50-60 houses. For many years, the Town Council had sought to reject any development to the south of the town that would encourage coalescence with Harlow and further development speculation. He hoped that the new land owners would renew the lease to preserve this open space for future generations.

Councillor N Clark expressed his support for the motion and the petition at Minute 429.

The Executive Member for Planning Policy and Transport acknowledged and welcomed the work of the Rivers Nursery Site and Orchard Group in developing and maintaining the area as a community amenity. He referred to the planning aspects and reminded Members of the Call For Sites process,

in which two submissions had come forward for the future land use of the site. One from the landowner, which proposed a mix of housing, specialist residential comprising supported housing, including close care and extra care accommodation, expansion of existing hospital/medical campus and open space. The second submission by Rivers Nursery Site and Orchard Group was for a community facility as organic community orchard, nursery and national historical site to be preserved, protected and managed.

The Executive Member commented that the Council would take into account the views expressed in the petition when preparing planning policy documents relating to Sawbridgeworth. However, he cautioned that the Council could not pre-judge or fetter itself by protecting the site in the manner suggested at this time in preparing new planning policies for the District.

The Executive Member for Community Development, Leisure and Culture supported the motion and referred to the widespread support for the work of the Group by the residents of Sawbridgeworth. She urged the Council to do all it could within the constraints referred to by the Executive Member for Planning Policy and Transport.

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

RESOLVED – that East Herts, or its representatives, opens negotiations with the reverting owner to either purchase or re-lease the Rivers Orchard site to commence after the termination of the present lease in April 2010. Further these negotiations to include a new lease for the rest of the site north of the beech hedge to enable it to remain amenity ground for the benefit of the residents of Sawbridgeworth.

431 PRESENTATION - HOUSE CONDITION SURVEY

Rob Dickson, Michael Howard Associates, gave a presentation on the Housing Stock Condition Survey that had

been undertaken during 2009. He outlined the methodology used and detailed the results of the survey, which had indicated a gradual improvement in the stock since the previous survey in 2004. He drew attention to the recommendations made in respect of energy efficiency, disabled facilities support and housing renewal assistance.

The Executive Member for Housing and Health thanked Mr Dickson for his presentation and referred to the Council's wider housing policies. He stated the Council would take on board the recommendations made in reviewing its various strategies.

432 MEMBERS' QUESTIONS

Councillor N Clark asked the Executive Member for Community Development, Leisure and Culture, what direction or guidance, if any, she had provided to Officers regarding the prices and tariffs for the new facilities at Grange Paddocks and Hartham Leisure Centres from January 2010.

In response, the Executive Member for Community Development, Leisure and Culture advised that this was a delegated decision and that she had been informed.

Councillor N Clark asked a supplementary question on who was accountable to residents now that backbench Members had no say on the matter and the Executive Member had abdicated responsibility.

In reply, the Executive Member questioned whether Councillor N Clark had visited the new facilities. She commented that it was important to provide impressive facilities that were competitively priced.

Councillor N Clark stated that, in August 2009, he had written to the Leader of the Council asking when he had become aware of the likely magnitude of the cost of refurbishment at Wallfields. The Leader had not even acknowledged his letter. At Council in September 2009, he had asked the same question but had received no answer. He now asked the

Leader for a third time, when he had become aware of the magnitude of the cost to make Wallfields fit for purpose as the Council's single site for back office functions.

In response, the Leader commented that he had been aware of the need for refurbishment for some time as sums had been included for this purpose in the 2007/08 budget. In 2008/09, options for different levels had been considered and approved by Council.

Councillor D Clark commented that Freedom of Information requests had revealed that the scale of the cost of refurbishment at Wallfields was known to some in the Council a year ago. By December last year, senior Officers had written a paper recommending that the indicative costs be brought to Council and asked for suggestions as to how to fund the £1m capital shortfall identified. However, Members had not been made aware of any of this until August 2009, eight months later and after the Causeway deal had been signed. She asked the Leader of the Council why Members were not told of these costs in March 2009, when Council had been asked to approve investing in Wallfields as the Council's main office base as a prelude to selling the Causeway.

In response, the Leader suggested that Councillor D Clark may have been confused about the timing of the decisions. The refurbishment works at Wallfields had been identified much earlier and were separate to any consideration of The Causeway. He commented that he was not surprised that Officers were looking at all options and stated that he would have been disappointed if they had not. Additional capital funding for Wallfields had been identified only once more robust ICT requirements had become known, in respect of upgrading the power supply, cabling and furniture. These decisions were separate to The Causeway matter.

Councillor D Clark reminded the Leader that the decision on The Causeway in March 2009 had included a recommendation about investing in Wallfields as the main office base. She stated that the December 2008 work programme had included a C3W Infrastructure Implications

report for the Executive meeting in January 2009, but had been withdrawn. She asked, as a supplementary question, on whose authority this had been withdrawn.

The Leader replied that he had nothing to respond to.

Councillor Mrs M H Goldspink asked the Leader of the Council if he could advise on how much the project "Vision 2020 for Bishop's Stortford" had cost this Council.

In response, the Leader of the Council advised that to date in 2009/10, £4,271.20 had been spent. In 2008/09, expenditure had been £4,239, which had included a contribution to the Town Council's questionnaire informing the Town Plan. There would also be some additional costs relating to the final publication of the Vision document, which was estimated at £3k.

433 REPORT OF THE EXECUTIVE

The Leader of the Council reported on the work of the Executive and presented the Minutes of the Executive meetings held on 13 October and 24 November 2009.

The Leader commented that 2009 had been a very challenging year for public services and the Council's preparedness. Today's publication of the Comprehensive Area Assessment inspection had shown that the Council was moving in the right direction by scoring 3 out of 4 (performing well). This demonstrated that the Council had been delivering consistently high quality services over a number of years.

The Leader referred to some Members who preferred to focus on process rather than outcomes and cited another local authority who had only scored 2 out of 4 because they had not consistently delivered outcomes. He reminded Members that the Council's Use of Resources score had been 2 out of 4, but that he was confident that a score of 3 would be achieved in due course.

The Leader also recalled the recent Residents Survey, which

had indicated better overall satisfaction levels with the Council providing value for money services. He also referred to the recent introduction of Alternate Refuse Collections (ARC) and the low level of customer enquiries received.

The Leader concluded by praising the staff for their determination and resilience which would be needed to meet the challenges in 2010.

In response, Councillor M Wood, on behalf of his Group, cautioned against getting too carried away and referred to the areas of improvement that were needed. In respect of the Residents Survey, he believed that most of the concerns raised by residents were outside of the Council's control, which demonstrated a need for greater partnership working.

Councillor K A Barnes, on behalf of his Group, commented on the importance of having an effective Opposition, which could make a contribution and keep the Administration on its toes.

In respect of Minute 380 – Increasing the Efficiency of the Revenues and Benefits Service, Councillor N Clark commented that there had been no scrutiny of this item and that he had raised 20 questions with the Executive Member for Resources and Internal Support, but had not received a response. He invited the Executive Member to respond now.

The Executive Member for Resources and Internal Support remarked that Councillor N Clark again seemed more interested in process. He had not read his list of questions, but had counted that, in fact, 30 questions had been asked. He had declined to answer them as they had been asked in a threatening manner and stated that he would not respond now.

The Executive Member alluded to the External Auditor's comments and suggested that the Independent Group's focus on process and the constant questions were costing the Council in terms of the disproportionate time spent on them by Officers and the Executive. He stated that questions could have been asked at the Executive meeting and suggested

that they had not been as the press had not been present.

Councillor J O Ranger reminded Members that the objective was to improve services to residents and that the role of scrutiny was to concentrate on policy aspects and not detail.

Cllr D Clark commented that this was a £250k contract and 20 serious questions remained outstanding. She proposed, and Cllr N Clark seconded, a motion that the proposals be referred to scrutiny. After being put to the meeting, and a vote taken, the motion was declared LOST.

In respect of Minute 381 – Bishop’s Stortford 20 20 Vision, Councillor M Wood acknowledged the work undertaken by the 20 20 Group, but suggested that the Vision document was bland. He referred to the separate documents being produced by the Civic Federation and the Town Council and suggested that these should be recognised, so that the three documents were taken together. He moved, and Councillor Mrs M H Goldspink seconded, an additional recommendation as follows:

“(D) the work of the Bishop’s Stortford Civic Federation in its own vision document and also the emerging Bishop’s Stortford Town Council Town Plan document be acknowledged and referred to when making decisions affecting the town.”

The Leader of the Council understood the sentiment of this proposal. He commented that the final vision document would be more attractive than the draft version seen by Members. The 20 20 Group had been challenged by the need to ensure that the document was not too big or prescriptive. He reminded Members that this was not an East Herts Council document, but represented the aspirations of the residents of Bishop’s Stortford.

The Leader recognised the Town Plan and believed this would have a more defined aspiration. He commented that the distribution of the 20 20 Vision would be held back so that both documents could be distributed together. In respect of

the Civic Federation's document, he disagreed with the assertion that lots of work had been done.

The Leader commented that he could not support the additional recommendation as he believed this would confuse matters.

After being put to the meeting, and a vote taken, the additional recommendation was declared LOST.

Councillor D A A Peek proposed, and Councillor M Wood seconded, an additional recommendation as follows:

“(D) other reports be referenced in the final Vision document.”

Councillor C Woodward advised that the Town Plan would be considered at the Town Council meeting on 14 December 2009.

The Executive Member for Planning Policy and Transport suggested that the proposed additional recommendation was unnecessary as it could be dealt with under recommendation (C). The Leader agreed with this and offered a personal commitment to build in a few lines within the final document.

After being put to the meeting, and a vote taken, the additional recommendation was CARRIED.

RESOLVED – that (A) the Minutes of the Executive meetings held on 13 October and 24 November 2009, be received, and the recommendations contained therein, be adopted; and

(B) in respect of Minute 381 – Bishop's Stortford 20 Vision, and additional recommendation be approved, as follows:

“(D) other reports be referenced in the final Vision document.”

434 MINUTES OF COMMITTEES(A) CORPORATE BUSINESS SCRUTINY COMMITTEE
– 6 OCTOBER 2009

RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 6 October 2009, be received.

(B) HUMAN RESOURCES COMMITTEE
– 15 OCTOBER 2009

In respect of Minute 319, Council noted an error in the heading and that the Minute related to the Home Working and not Redundancy Policy.

RESOLVED – that the Minutes of the Human Resources Committee meeting held on 15 October 2009, be received.

(C) DEVELOPMENT CONTROL COMMITTEE
– 21 OCTOBER 2009

RESOLVED – that the Minutes of the Development Control Committee meeting held on 21 October 2009, be received.

(D) COMMUNITY SCRUTINY COMMITTEE
– 27 OCTOBER 2009

In respect of Minute 345 – Work Programme 2009/10, Councillor M Wood commented that his suggestion for scrutinising the Department of Work and Pensions had not been minuted.

In response, the Committee Chairman acknowledged that this suggestion had been made and that the Minutes could be corrected at the next meeting.

RESOLVED – that the Minutes of the Community Scrutiny Committee meeting held on 27 October 2009,

be received.

(E) LICENSING COMMITTEE – 4 NOVEMBER 2009

RESOLVED – that the Minutes of the Licensing Committee meeting held on 4 November 2009, be received and the recommendations contained therein, be adopted.

(F) CORPORATE BUSINESS SCRUTINY COMMITTEE
– 17 NOVEMBER 2009

RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 17 November 2009, be received.

(G) DEVELOPMENT CONTROL COMMITTEE
– 18 NOVEMBER 2009

RESOLVED – that the Minutes of the Development Control Committee meeting held on 18 November 2009, be received.

(H) AUDIT COMMITTEE – 25 NOVEMBER 2009

RESOLVED – that the Minutes of the Audit Committee meeting held on 25 November 2009, be received.

(I) JOINT MEETING OF SCRUTINY COMMITTEES
– 1 DECEMBER 2009

In respect of Minute 410 – Budget 2010/11, Councillor N C Poulton commented that his concern over the proposed reduction in swathe cutting had not been minuted.

RESOLVED – that the Minutes of the joint meeting of Scrutiny Committees held on 1 December 2009, be received.

(J) ENVIRONMENT SCRUTINY COMMITTEE
– 1 DECEMBER 2009

RESOLVED – that the Minutes of the Environment Scrutiny Committee meeting held on 1 December 2009, be received.

(K) STANDARDS COMMITTEE – 2 DECEMBER 2009

RESOLVED – that the Minutes of the Standards Committee meeting held on 2 December 2009, be received.

435 CALCULATION OF COUNCIL TAX BASE 2010/11

The Executive Member for Resources and Internal Support submitted a report recommending to Council the calculation of the council tax base for the whole District, and for each parish and town council, for 2010/11. He advised that, in view of the current economic climate, a reduced collection rate of 98.75% had been assumed.

RESOLVED – that (A) the calculation of the Council's tax base for the whole District, and for the parish areas, for 2010/11 be approved, with the continuation of the 90% of the full charge for second homes and long term empty properties, and

(B) pursuant to the report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amount calculated by East Hertfordshire District Council as its council tax base for the whole area for 2010/11 shall be 57790.62 and for the parish areas for 2010/11 as listed in Table 1 of the report now submitted.

436 MOTION - MEETING ROOM

Councillor M Wood submitted, and Councillor R Taylor seconded, a motion as follows:

“We call upon the Council to re-investigate the provision of meeting room space at the new Bishop’s Stortford offices and ensure that there is a space available for meetings such as Development Control Committee and other committees, training events and other occasions when locally based organisations have a need to hold meetings.”

Councillor M Wood called for a reconsideration of the C3W work as it was resulting in a reduction in the Council’s presence in the largest town in the District, Bishop’s Stortford. He referred to the 15% population growth in just two wards within the town and reminded Council of the various statutory bodies that had withdrawn or were reducing their presence in Bishop’s Stortford.

Councillor M Wood recalled that assurances had previously been given that the new meeting space in Charrington House would be adequate and yet it had now become clear that it would not be big enough for Development Control Committee meetings. He commented that residents were interested in these meetings and without an adequate space, an alternative, such as the Rhodes Arts Complex, would have to be rented.

He suggested that in all likelihood, the end result would be all Development Control Committee meetings being held in Hertford, which would result in more car journeys. He claimed Bishop’s Stortford had become the poor relation. Finally, he referred to the funding made available for webcasting, which he believed would have been better allocated to providing an audio-visual link between Bishop’s Stortford and Hertford.

The Leader of the Council opposed the motion and disagreed with the logic that Bishop’s Stortford was a suitable venue, for example, when dealing with a planning application relating to Datchworth. He believed that the Chairman of the Development Control Committee was minded towards such meetings being held at Wallfields, as this was the main administrative base. The Leader suggested that a major application relating to Bishop’s Stortford could be dealt with at

a suitable venue in the town, as in the case of the special arrangements made for a meeting at Castle Hall.

He believed that currently, the majority of Development Control business was dealt with at venues that were not relevant to the location of the application.

The Leader referred to the meetings space that would be available at Charrington House and believed it would be suitable for scrutiny committee meetings or other community uses. He concluded by reminding Members that the Council was not leaving Bishop's Stortford and that an enhanced service would be provided to residents.

The Executive Member for Resources and Internal Support also refuted the suggestion that the Council was reducing its presence and referred to his attendance at a business conference in Bishop's Stortford where delegates had offered broad support for the Council's strategy.

Councillor Mrs M H Goldspink commented that residents in Bishop's Stortford would be disappointed if Development Control Committee meetings were not held in the town. She believed that the venue of these meetings should be relevant to the applications that were being dealt with. She also believed that there should be a bigger meeting room which could also be available for community use.

Councillor R Taylor suggested that the Leader had reneged on assurances previously given about future meetings being held in Bishop's Stortford.

Councillor A L Burlton reminded Members that many scrutiny committee meetings were being held in Bishop's Stortford.

After being put to the meeting, and a vote taken, the motion was declared LOST.

437 MOTION - 10:10 CLIMATE CHANGE CAMPAIGN

Councillor Mrs M H Goldspink moved, and Councillor M Wood seconded, a motion as follows:

“East Herts District Council wishes to join the 10:10 Climate Change Campaign, and thereby pledges to reduce its carbon emissions by 10% during the year 2010.”

Councillor Mrs M H Goldspink believed that adopting this motion would demonstrate that the Council was serious about tackling climate change. With the forthcoming Copenhagen summit in mind, the Council could commit to taking action that would contribute to the international campaign. She referred to the Nottingham Declaration and the Climate Change Strategy that the Council had already committed to. These concerned principles and her motion would enable the Council to take much needed action now.

The agreed action plan already committed the Council to achieving a 9.1% reduction by 2011/12. Therefore, it would not take much more effort to achieve 10% by 2010. She referred to a number of practical measures that the Council could take, such as smart metering, solar reflecting blinds, turning heating thermostats down by 1% and switching off lights, copiers, etc overnight.

Finally, Councillor Mrs M H Goldspink commented that 100 Councils had now signed up to this campaign and drew attention to the Conservative Party Leader's commitment to it as well.

The Executive Member for Environment and Conservation expressed his support for the 10:10 Climate Change Campaign. He referred Members to the Council's Climate Change Strategy and Action Plan that had been agreed earlier. This included a target of a 25% carbon reduction by 2020, which he believed would be very challenging.

The Executive Member referred to the C3W programme which would reduce office space, improve IT and reduce business mileage. He advised that a report on various measures, including smart metering, would be submitted to the next Executive meeting in January 2010.

The Executive Member proposed, and Councillor R L Parker seconded, an amendment as follows:

“East Herts District Council fully supports the 10:10 initiative but also recognises that significant changes in the Council’s infrastructure are required which cannot be made in one year and requires a long term programme.”

Councillor D A A Peek believed it was important for the Council to be doing something, but believed that the timing was wrong for East Herts Council. For this reason, he could not support the motion.

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

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

RESOLVED – that East Herts District Council fully supports the 10:10 initiative but also recognises that significant changes in the Council’s infrastructure are required which cannot be made in one year and requires a long term programme.

(Note – Councillor Mrs M H Goldspink asked that her abstention from this decision be recorded).

The meeting closed at 10.01 pm

Chairman
Date