

MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 24 FEBRUARY 2010, AT 7.30
PM

PRESENT: Councillor S A Bull (Chairman)
Councillors M R Alexander, D Andrews,
W Ashley, P R Ballam, R Beeching,
A L Burlton, M G Carver,
Mrs R F Cheswright, D Clark, N P Clark,
R N Copping, K Darby, J Demonti, A D Dodd,
R Gilbert, P Grethe, L O Haysey, J Hedley,
D Hone, A P Jackson, G E Lawrence,
J Mayes, G McAndrew, M P A McMullen,
T Milner, D A A Peek, M Pope,
R A K Radford, 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

George A Robertson - Communications
Manager
- Director of
Customer and
Community
Services

578 CHAIRMAN'S ANNOUNCEMENTS.

The Chairman welcomed the press and public to the meeting.

He informed Members that he had sent Councillor K A Barnes a 'get well' card and had passed on Members' best wishes for a speedy recovery. He also welcomed Councillor R Taylor to the meeting following his recent illness.

The Chairman advised that the intended dummy run of webcasting at tonight's meeting had been postponed due to technical issues. It was anticipated that the next Development Control Committee meeting would be used as a "dummy run".

He reported to Members, that following a draw, Councillors Mrs D Hone and G McAndrew would be representing the Authority at one of Her Majesty The Queen's 2010 Garden Parties.

Finally, the Chairman updated Members on various events he had attended and thanked Members for their support at the forthcoming Civic Dinner, where approximately 130 people were due to attend.

579 MINUTES

RESOLVED – that the Minutes of the Council meeting held on 9 December 2009, be approved as a correct record and signed by the Chairman.

580 DECLARATION OF INTEREST

Councillor N Clark declared a personal interest in Minutes

540, 544 and the various healthcheck reports where Local Development Framework matters had been considered, in that he was Secretary of the Stop Harlow North Campaign.

581 PETITION - CAR PARK CHARGES

A petition comprising 1077 signatures had been submitted by Jackie Chapman of Lance James Jewellers, Hertford as follows:

“We the undersigned, urge East Herts District Councillors to overturn their decision to increase car parking charges in Hertford from 29 March 2010, and to instead freeze the charges at their current level for the next financial year.

During these difficult times, our town centre businesses need every possible support, and this increase will deter people from visiting the town centre. It is noted that the parking charges in neighbouring Ware are being frozen, despite already being lower than those in Hertford.

We also call for the introduction of pay-on-foot parking in Hertford’s multi-storey car parks, as being the best possible way to encourage shoppers to spend longer in the town centre.”

Jackie Chapman addressed Council in support of the petition. She had opened her shop in March 2006 and had chosen Hertford because of its good mix of independent retailers and chain stores. The rise in long stay charges to £4.40 represented an increase of roughly 75% since March 2006. The increase in short stay charges would have a detrimental impact for retailers who were trying to recover from the recession, especially as charges in Ware, which were already lower, would be frozen.

Ms Chapman believed that there was a vicious circle operating as the Council viewed parking as an income stream. The Council increased parking charges, leading to fewer

shoppers visiting the town centre resulting in reduced car parking income and thus higher charges and so on. This had been acknowledged in a report to the Corporate Business Scrutiny Committee in January 2009.

Ms Chapman referred to a Mercury article in which the Executive Member for Planning Policy and Transport had been quoted as saying that increasing car parking charges ensured that it would be car park users, rather than the council taxpayer, who paid for parking. She believed this to be misleading and stated that extra income would be used to meet the shortfall in the parking enforcement contract. She commented that this had been acknowledged in the pay on foot/pay on exit feasibility study that had been undertaken in September 2007.

Finally, Ms Chapman called for the car parks in Hertford to be changed to pay on foot/exit as this would encourage shoppers to stay for longer periods in the town centre. This charging method was more flexible and provided greater freedom to visitors. She believed this would increase parking income and support local businesses.

In response, the Executive Member for Planning Policy and Transport referred to the process that had been followed resulting in the new charges. The Environment Scrutiny Committee in September 2009 had considered proposals and submitted comments to the Executive. He stated that the one and two hour time bands in Hertford and Bishop's Stortford had not been increased since April 2008, whereas in Ware, they had been increased in April 2009.

The Executive Member detailed the capital investments undertaken and proposed in car parks, including the £913k planned for Gascoyne Way later this year. In respect of the pay on foot/exit debate, he referred to the Arup feasibility study in 2007, which had concluded that converting the car parks was not economically viable and would have necessitated in greater increases in parking charges.

The Executive Member detailed the Council's wider

responsibilities in needing to reduce carbon footprint, funding concessionary fares and subsidising bus routes. He referred to the development of a Transport Strategy in partnership with Hertfordshire County Council.

Finally, he outlined the economic development role and commented that he was acutely aware of the impact of the recession on businesses. He detailed the work he and Officers were engaged in, such as the recession assistance team and the development of proposals for town centre enhancements over the next two years.

Councillors K Darby, S A Rutland-Barsby and N Wilson, as local Ward Members all thanked the petitioner. Councillor K Darby commented that the small incremental increases should not cause too much damage. She believed that the pay on foot/exit option should continue to be investigated and that kerbside charging should be resisted.

582 MEMBERS' QUESTIONS.

Councillor N Clark asked the Chairman of Human Resources Committee to provide Council with an update on negotiations with the unions on staff terms and conditions and a summary of the related savings projected for 2010/11 and 2011/12.

In response, the Committee Chairman stated that he had nothing to add to the position set out in the Minutes of the Human Resources Committee meeting held on 8 February 2010, as the response of the union was still awaited. He added that there were no projected savings in 2010/11 and 2011/12, but that the revised terms and conditions sought to better secure a difficult financial situation.

Councillor N Clark asked a supplementary question on who was negotiating on behalf of the Council and who would determine whether the financial position had worsened.

In reply, the Committee Chairman stated that Human Resources Officers were undertaking discussions and that he would provide a written response on the other points.

Councillor N Clark asked the Leader of the Council how much of the proposed town centre enhancement capital budget for 2010/11 was available for projects in the towns of Buntingford, Sawbridgeworth and Ware and how much had already been provisionally allocated for projects in Hertford and Bishop's Stortford.

The Leader referred this question to the Executive Member for Planning Policy and Transportation. The Executive Member responded by stating that a report on this matter would be submitted to the next meeting of the Executive on 9 March 2010. He would be seeking approval for three projects in Hertford and Bishop's Stortford, which if agreed, would utilise the budget for 2010/11. If other schemes emerged, then these could be considered for funding in future years.

Councillor N Clark asked a supplementary question on whether Town Councils had been invited to submit bids for funding in 2010/11 and whether £137k was available.

In reply, the Executive Member stated that these issues would be detailed in his report to the next Executive meeting which would include new criteria for approving schemes.

Councillor M Wood asked the Leader of the Council when the decision had been made to do away with an actual cash office and replace it with a machine at the newly opened Council offices in Bishop's Stortford and if he could explain the rationale behind the decision.

In response, the Leader detailed the recent history of customer services developments and how other projects such as the new payments software system and the opening of Charrington House had impacted. He outlined the rationale as enabling a move towards more credit/debit card payments, more automated transactions and the physical requirements of providing a more open customer service centre. He believed that many customers would benefit from a quicker and improved service.

The Leader referred to the payment transaction costs of providing a face to face service at £2 per transaction, compared to £1 by telephone and 10p via the website. These reduced costs would enable resources to be redirected towards other priorities. He also referred to various requirements, such as insurance and health and safety implications. Finally, the Leader reassured Members that assistance from a customer services adviser would be always be available for any visitor who needed it.

Councillor M Wood asked a supplementary question in which he referred to some elderly people who struggled with machinery and the exposed position of the payments machine near the front door.

In reply, the Leader reiterated that face to face service would still be available and that the payments machine provided an additional option. He detailed the number of transactions to date and the positive feedback that had been received.

Councillor D Clark stated that, if the Executive failed to answer questions and the majority of backbenchers rarely contributed to public debate but simply approved the recommendations, there was little point in broadcasting Council meetings. She asked the Leader of the Council if he was planning any new approach when webcasting was implemented, to present an image of openness and transparency in the run up to the local elections.

In reply, the Leader commented that the only image he was interested in was that of strong leadership.

Councillor D Clark asked a supplementary question on whether backbench Members of his Group were permitted to express opinions on issues such as the budget or the recommendations of the Independent Remuneration Panel in public without fear of reprisals.

In response, the Leader referred to those items that would be considered later at this meeting and stated that no whip arrangements were in place. He believed all Members would

continue to contribute to debate.

583 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 12 January and 9 February 2010.

In relation to Minute 464 – Annual Audit Letter, Councillor N Clark asked if the Leader had any evidence that the questions raised by electors on the annual accounts had not been put to Officers and whether the £10k spent on recovering the £60k overpayment of Members Allowances had not represented good value for money.

In response, the Leader did not recognise the link made by Councillor N Clark. He believed the issue relating to that overpayment had been highlighted separately and had not arisen from the questions raised by electors.

Councillor N Clark stated that the overpayment issue had been raised by an elector.

In reply, the Leader deferred to Councillor N Clark on this matter. He commented that the wider issue was that an additional £10k had been spent on audit fees and that the Executive had requested Officers to explore all opportunities to minimise such expenditure in the future.

In relation to Minutes 535 – 539, which all related to budgetary matters, the Executive Member for Resources and Internal Support gave a presentation. He reminded Members of the need for the Council to live within its means and to ensure that the building blocks were in place to safeguard the financial position of the Authority over the length of the Medium Term Financial Plan (MTFP). He referred to the major projects, such as the leisure capital developments, The Causeway property deal and the C3W programme which all contributed to achieving a more secure financial position. The Executive Member believed that the organisation was now leaner and more focused.

The Executive Member referred to the wider economic situation with the recession, low interest rates and the scale of public borrowing at an all time high. Against this backdrop, the Council's fee income was declining as was the level of Government grant. He commented that although an overspend was projected for the current year, the prudent approach taken with the previous year's underspend meant that the Council was well placed and referred to the various reserves.

The Executive Member highlighted the many service improvements and referred to the leisure investments and the Alternate Refuse Collections (ARC). He drew attention to improving recycling rates and decreasing waste collection costs delivered by the introduction of ARC.

The Executive Member referred to the unfavourable market for asset disposals and the delay in disposing of Thele House. He highlighted the need to protect existing assets and looked forward to the proposed improvements at Castle Hall, Wallfields and Gascoyne Way. He reminded Members that the £1.9m refurbishment costs of The Causeway had been avoided as the Council had extricated itself from an onerous lease on a building it did not own. He also looked forward to the development of the area and the benefits this would bring to residents.

The Executive Member referred to continuing uncertainty over the level of Government grant in future years. The MTFP assumed a 5% cut over the next three years. He detailed the other assumptions built into the MTFP, including various inflation rate indices. The proposed budget would result in a Council Tax increase of 2.4%.

The Executive Member detailed the £1.2m savings identified by Officers and stated that some of these had not been accepted by Members. He thanked the Scrutiny Committees and the Liberal Democrats Group for their constructive contributions during the budget process.

In response, on behalf of his Group, Councillor M Wood referred to the views of residents expressed in the citizens' panels, which appeared to have been ignored in the budget process. He also commented on the C3W programme and suggested that rather than delivering savings, the project had resulted in further costs, which had been demonstrated in a number of documents.

Councillor M Wood stated that, historically, the level of Council Tax increase in East Herts fell somewhere in the middle compared to other Authorities in Hertfordshire. The proposed 2.4% increase would be the second highest and he detailed the changes in other areas.

Councillor M Wood expressed satisfaction that some of his Group's suggestions had been supported by the Executive. However, he was disappointed that savings, such as on PCSOs and the animal warden service were still being progressed. He described the budget as timid and that the suggestions for new income streams from the citizens' panels had not been explored.

Finally, he stated that his Group would not be supporting the budget.

Councillor N Clark, on behalf of the Independent Group, stated that his Group had engaged with the Administration throughout the budget process, but had been ignored. He challenged the Executive Member's assertion on the MTFP and asked why, if the savings identified totalled more than was necessary, a balancing figure of £23k was needed.

He questioned the identity of the back office efficiencies promised under C3W and believed that there was no coherent strategy for any fundamental review of changing ways of working. Revenues and Benefits were the only service to have undertaken such a review and yet over 20 questions he had asked on this had remained unanswered. Councillor N Clark commented that the budget proposals contained a number of service cuts and not back office efficiencies. Having looked at the service plans for 2010/11, the benefit

profiles had not been undertaken. In respect of The Causeway property deal, the Council was faced with the loss of car parking income, increased costs in accommodation at Bishop's Stortford, home/remote working and disturbance payments.

Councillor N Clark referred to the Executive Member's comments on asset disposals and current market conditions. He commented that The Causeway property deal had resulted in significant assets being sold below market price and referred to the dilapidations payments, overage and general business case for the deal, which he believed did not stack up.

Councillor N Clark detailed the range of savings ideas his Group had come up with. These included sharing a Chief Executive or other Chief Officer post; reducing the size of the Executive by one; abolishing Members' refreshments and the 2020 budget; reducing the use of management consultants, the Members' courier and postage costs; and increasing advertising income in Link magazine. He asked why the Council was not publishing all expenditure of over £500 online, as this was Conservative Party policy.

Councillor N Clark concluded by questioning why some potential savings on Members' Allowances, the CCTV contract and the print review had not been included in the budget, as well as there being no contingency. This had resulted in a proposed council tax increase of 2.4% which was much higher than the national average of 1.6%.

In respect of Minute 535 – Capital Programme 2009/10 (Revised) – 2012/13, Councillor D Clark believed that there had been no proper scrutiny.

In respect of Minute 536 – Treasury Management Strategy Statement 2010/11 and Minimum Revenue Provision Policy Statement, Councillor D Clark asked if the updated Sector forecast on interest rates had been received. The Executive Member for Resources and Internal Support stated that he had received it that day and would forward this to the

Member.

Councillor D Clark referred to the fund managers' forecasts for investment return and compared them to that assumed in the MTFP. She believed that the Executive Member's assumption was wrong.

In respect of Minute 537 – Fees and Charges 2010/11, Councillor D Clark believed that these aimed to squeeze more money out of residents and opposed the proposals.

In respect of Minute 538 – Service Estimates: Revenue Budget Probable 2009/10: Estimate 2010/11, Councillor D Clark commented that she had not received answers to the questions she had raised.

In respect of Minute 539 – Consolidated Budget Report: Probable Outturn 2009/10: Revenue Budget 2010/11: Medium Term Financial Plan 2010/11 – 2013/14, Councillor D Clark referred to the Director of Internal Services' comments at the meeting of Joint Scrutiny Committees in December 2009, that it would be prudent to include a contingency in the budget. She also referred to the Executive Member for Resources and Internal Support's comment on negotiations with the fund managers. She believed that significant items had appeared to have been omitted from the budget, such the potential early retirement of a senior officer. She asked if the Section 151 was satisfied that a prudent approach had been taken in the MTFP.

RESOLVED – that the Minutes of the Executive meetings held on 12 January and 9 February 2010, be received, and the recommendations contained therein, be adopted.

(Note 1 – Councillors D Clark and N Clark asked that their dissent from the decisions taken in Minutes 535 – 539 be recorded.)

(Note 2 – Councillors V Shaw, R Taylor and M Wood asked that their dissent from the decisions taken in Minute 539 be

recorded.)

584 MINUTES OF COMMITTEES

(A) DEVELOPMENT CONTROL COMMITTEE – 16
DECEMBER 2009

RESOLVED – that the Minutes of the Development Control Committee meeting held on 16 December 2009 be received.

(B) DEVELOPMENT CONTROL COMMITTEE – 13
JANUARY 2010

RESOLVED – that the Minutes of the Development Control Committee meeting held on 13 January 2010 be received.

(C) HUMAN RESOURCES COMMITTEE – 18
JANUARY 2010

In respect of Minute 487 – Human Resources Management Statistics April – November 2009, Councillor N Clark asked the Committee Chairman to comment on the relationship between sickness levels and staff morale. The Committee Chairman stated that he had no comment to make.

RESOLVED – that the Minutes of the Human Resources Committee meeting held on 18 January 2010 be received.

(D) JOINT MEETING OF SCRUTINY COMMITTEES
– 19 JANUARY 2010

RESOLVED – that the Minutes of the Joint Scrutiny Committees meeting held on 19 January 2010 be received.

(E) CORPORATE BUSINESS SCRUTINY COMMITTEE
– 19 JANUARY 2010

RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 19 January 2010 be received.

(F) AUDIT COMMITTEE – 20 JANUARY 2010

In respect of Minute 511 – Review of Scrutiny and Audit Committee Arrangements – Council’s Response, Councillor N Clark clarified that the development of a list of all task and finish groups and member/officer groups, had in fact been agreed.

In respect of Minute 513 – Organisational Assessment – Council’s Response, Councillor D Clark clarified that the Council had scored 2 out of 4 on Use of Resources.

RESOLVED – that the Minutes of the Audit Committee meeting held on 20 January 2010 be received.

(G) COMMUNITY SCRUTINY COMMITTEE – 26
JANUARY 2010

RESOLVED – that the Minutes of the Community Scrutiny Committee meeting held on 26 January 2010 be received.

(H) HUMAN RESOURCES COMMITTEE – 8
FEBRUARY 2010

RESOLVED – that the Minutes of the Human Resources Committee meeting held on 8 February 2010 be received.

(I) DEVELOPMENT CONTROL COMMITTEE – 10
FEBRUARY 2010

RESOLVED – that the Minutes of the Development Control Committee meeting held on 10 February 2010

be received.

(J) JOINT MEETING OF SCRUTINY COMMITTEES
– 16 FEBRUARY 2010

Councillor N Clark commented that as these Minutes had only been made available that night, he reserved the right comment on them at the next meeting.

RESOLVED – that the Minutes of the Joint Scrutiny Committees meeting held on 16 February 2010 be received.

(K) CORPORATE BUSINESS SCRUTINY
COMMITTEE – 16 FEBRUARY 2010

Councillor N Clark commented that as these Minutes had only been made available that night, he reserved the right comment on them at the next meeting.

RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 16 February 2010 be received.

585 INDEPENDENT REMUNERATION PANEL

The Director of Internal Services submitted a report on the constitution of the Independent Remuneration Panel following a resignation, which also sought a determination on the level of allowances and expenses payable.

Councillor J Hedley proposed, and Councillor N Wilson seconded, the following recommendations:

(A) each Panel Member, as of the date of this meeting, be paid an allowance of £1,000 in recognition of their work and time commitment in undertaking the major review of allowances;

(B) for 2010/11 onwards, an allowance of £250 per annum be paid to each Independent Remuneration

Panel Member, and

(note – if recommendation (A) falls, recommendation (B) to be amended to read 2009/10 instead of 2010/11)

(C) in relation to the constitution of the Independent Remuneration Panel, the Director of Internal Services be requested to report to a future meeting on a proposal to appoint an individual under another process that still results in the membership of the Panel being truly independent and well qualified to discharge its functions (option 3 in the report now submitted).

Councillor D Clark spoke against this as she believed that only costs should be recompensed.

Councillor M Wood opposed this on the basis that the proposed level was excessive.

Councillor N Clark moved, and Councillor D Clark seconded, an amendment to recommendation (A) as follows:

(A) each Panel Member, as of the date of this meeting, be paid travel expenses and out of pocket expenses only, in recognition of their work and time commitment in undertaking the major review of allowances.

A request from five Members for a recorded vote on this amendment was made, the voting being as follows:

FOR

Councillors D Clark, N Clark, J Mayes, G Scrivener, V Shaw, R Taylor, J P Warren, M Wood.

AGAINST

Councillors M R Alexander, D Andrews, W Ashley, P R Ballam, R Beeching, A L Burlton, M G Carver, Mrs R Cheswright, R N Copping, K Darby, J Demonti, A D Dodd, R Gilbert, P Grethe, L Haysey, J Hedley, Mrs D Hone, A P Jackson, G Lawrence, G McAndrew, M P A McMullen, T

Milner, D A A Peek, M Pope, R Radford, P A Ruffles, S Rutland-Barsby, J J Taylor, M J Tindale, A L Warman, N Wilson, C Woodward, B Wrangles.

ABSTAIN

Councillor S A Bull

For 8

Against 33

Abstain 1

The amendment was declared LOST.

In respect of recommendation (A), a request from five Members for a recorded vote was made, the voting being as follows:

FOR

None

AGAINST

Councillors M R Alexander, D Andrews, W Ashley, P R Ballam, R Beeching, S A Bull, A L Burlton, M G Carver, Mrs R Cheswright, D Clark, N Clark, R N Copping, K Darby, J Demonti, A D Dodd, R Gilbert, P Grethe, L Haysey, J Hedley, Mrs D Hone, A P Jackson, G Lawrence, G McAndrew, M P A McMullen, J Mayes, T Milner, D A A Peek, M Pope, R Radford, P A Ruffles, S Rutland-Barsby, G Scrivener V Shaw, J J Taylor, R Taylor, M J Tindale, A L Warman, J P Warren, N Wilson, M Wood, C Woodward, B Wrangles.

ABSTAIN

None

For 0

Against 42

Abstain 0

Recommendation (A) was declared LOST.

In respect of recommendation (B), Councillor N Clark

proposed, and Councillor D Clark seconded, and amendment as follows:

(B) for 2009/10 onwards, travel expenses and out of pocket expenses only be paid to each Independent Remuneration Panel Member.

After being put to the meeting and a vote taken on a show of hands, this amendment was declared LOST.

In respect of recommendation (B), a request from five Members for a recorded vote was made, the voting being as follows:

FOR

Councillors M R Alexander, D Andrews, W Ashley, P R Ballam, R Beeching, S A Bull, A L Burlton, M G Carver, Mrs R Cheswright, R N Copping, K Darby, J Demonti, A D Dodd, R Gilbert, P Grethe, L Haysey, J Hedley, Mrs D Hone, A P Jackson, G Lawrence, G McAndrew, M P A McMullen, T Milner, M Pope, R Radford, P A Ruffles, S Rutland-Barsby, V Shaw, J J Taylor, R Taylor, M J Tindale, A L Warman, J P Warren, M Wood, C Woodward, B Wrangles.

AGAINST

Councillors D Clark, N Clark, J Mayes, G Scrivener.

ABSTAIN

Councillors D A A Peek, N Wilson.

For 36

Against 4

Abstain 2

Recommendation (B) was declared CARRIED.

Councillor N Clark referred to the recruitment process in 2009, the secret ballot taken at the Council meeting in June 2009 to appoint a member to the Panel and the elimination of those applicants that had since formed a shadow panel. He reiterated his view that these candidates were suitable and did

not have a pre-determined view. He questioned the motives for not selecting any of these applicants to fill the vacancy.

In response to a question from the Executive Member for Environment and Conservation, Councillor N Clark stated that he had supplied information that was publicly available that the shadow panel had asked him for.

In response to a question from the Deputy Leader, Councillor N Clark commented that in response to a request from members of the shadow panel, he had created an active 'facebook' site for them.

Councillor A L Burlton referred to the data circulated by Councillor N Clark and specifically, the assertion on the average number of hours spent by Members on councillor duties. Councillor N Clark responded by stating that this related to attendance at meetings and was only one element of his research.

The Executive Member for Planning and Transport expressed his disappointment with the whole process, which he believed had been derailed by Opposition Members' interference. He supported recommendation (C).

After being put to the meeting, and a vote taken on a show of hands, recommendation (C) was declared CARRIED.

Council approved the recommendations as now detailed.

RESOLVED – that (A) for 2009/10 onwards, an allowance of £250 per annum be paid to each Independent Remuneration Panel Member, and

(B) in relation to the constitution of the Independent Remuneration Panel, the Director of Internal Services be requested to report to a future meeting on a proposal to appoint an individual under another process that still results in the membership of the Panel being truly independent and well qualified to discharge its functions (option 3 in the report now submitted).

(Note – Councillors D Clark and N Clark asked that their dissent from the decision in (B) above be recorded.)

586 MEMBERS' ALLOWANCES

Council received a report of the Independent Remuneration Panel (IRP) reviewing Members' Allowances.

Councillor D Andrews expressed his disappointment with the IRP's findings. Whilst he sympathised with the need to reduce overall costs, he did not understand the logic for the findings, particularly in regard to the multiples applied for Special Responsibility Allowances (SRA). The IRP's proposals impacted most on the Council's leadership, which he believed to be unfair. He referred to the External Auditor's recent comments on the strong political leadership in East Herts. He believed that the Executive was a dedicated and committed team resulting in the Council being held in high esteem.

Councillor D A A Peek referred to his appointment to the Executive in 2003 and being shocked at the workload. He believed that enormous responsibility was exercised by Executive Members and that the IRP had got it wrong. He referred to interference in the process and commented that it should be left to Officers to deal with.

Councillor R Beeching agreed with Councillor D Andrews. In noting that the IRP recommendations would save £50k, he suggested that this level of saving should be accepted, but that it would be fairer to spread the load. He opposed the changes to the multiples in recommendation (B) and thought it was unfair to change these now as the Council entered its last year in office. He supported reducing the Basic Allowance.

Councillor N Clark expressed his gratitude for the hard work of Officers. He reminded Members that he had first proposed reducing Allowances two years ago. In respect of the multiples, he stated that these had been set in 2003 when there was only one other comparator Authority - Watford. He

referred to LGA surveys in 2006 and 2008 when over 200 local authorities had responded. The data from these surveys had suggested that East Herts was well above the average.

Councillor N Clark quoted the Leader in March 2008 when he had referred to the respected expertise of the IRP members. It appeared now that this expertise was being criticised by Members who appeared not have considered the detailed research. The IRP's recommendations still resulted in SRAs that would be 30% higher than the regional average.

In respect of suggestions of interference in the process, Councillor N Clark commented that all Groups had been invited to make representations and that the External Auditor had recommended that a wide range of stakeholders' views should be taken. He concluded by cautioning Members who might have been considering amending the IRP's recommendations.

Councillor R Taylor expressed disappointment that the IRP had failed to recognise the time spent by backbench Members on Development Control, Licensing and task and finish group matters. Nevertheless, he believed that the IRP's recommendations should be accepted.

Councillor M Pope recalled becoming a District Councillor in 2007 and noting the strong leadership and management team that existed. He referred to the Organisational Assessment in which the Council had scored 3 out of 4 for Managing Performance. He believed that the existing multiples should be retained. However, he acknowledged the need for savings to be made and proposed reducing the Basic Allowance. Therefore, he proposed, and Councillor J Mayes seconded, a recommendation (B) as follows:

(B) for 2010/11, Members Allowances be as follows:

(1) Basic Allowance: £4,746.60;

(2) Special Responsibility Allowances:

(a) the principle of applying a multiple to the Basic Allowance to determine the level of a Special Responsibility Allowance be retained;

(b) there be no change to existing multiples:

<u>Position</u>	<u>Multiple</u>
Leader	5.0
Deputy Leader (with portfolio)	3.0
Executive Member	2.5
Chairman of Audit, Human Resources, Corporate Business Scrutiny Committee, Development Control Committee, Licensing Committee	1.5
Chairman of Environment Scrutiny Committee, Community Scrutiny Committee	0.75
Leader of Minority Political Group	0.5
Chairman of Community Voice	0.5
Chairman of Highways Partnership Panel (when an EHDC Member)	0.25

Councillor N Clark expressed reservations about interfering with the IRP's recommendations. He supported reducing the Basic Allowance and requested that a separate vote be taken

on recommendations B(1) and B(2).

Councillor M Wood expressed his unhappiness with Councillor M Pope's proposal. He accepted that the IRP had not, in his view, dealt adequately with the Chairman of Development Control position and mileage allowances. However, he could not support the proposal and asked what message this would send to the electorate.

Councillor V Shaw also opposed the proposal and referred to residents views on the excessive level of the Leader's SRA.

Councillor A L Burlton questioned the value of the data referred to by Councillor N Clark as it was not informative about what the Leader actually did. He also questioned whether the IRP had been thorough enough as they had not addressed the issues around work on Development Control and Licensing matters.

Councillor J Hedley supported the proposal on the basis that it would be unreasonable to cut the Leader's SRA at the end of the third year of his four year term.

On a point of information, Councillor N Clark asked whether the Conservative Group's submission to the IRP had referenced the Development Control and Licensing matters referred to at the meeting. In reply, the Leader commented that the submission had been copied to Councillor N Clark and that the questionnaire attached to it could have included such comments.

In respect of recommendation (E), Councillors Ashley and C Woodward expressed support for a detailed case to be put to the next IRP meeting.

In respect of recommendation (G), Councillor P Ballam referred to the true costs of such care arrangements.

Council agreed to vote on each recommendation in turn.

After being put to the meeting, and a vote taken on a show of

hands, recommendation (A) was declared CARRIED.

In respect of recommendation (B), as proposed by Councillor M Pope, a request from five Members for a recorded vote was made, the voting being as follows:

FOR

Councillors M R Alexander, D Andrews, W Ashley, P R Ballam, R Beeching, S A Bull, A L Burlton, M G Carver, R N Copping, K Darby, J Demonti, A D Dodd, R Gilbert, P Grethe, L Haysey, J Hedley, Mrs D Hone, A P Jackson, G Lawrence, G McAndrew, M P A McMullen, J Mayes, T Milner, D A A Peek, M Pope, R Radford, P A Ruffles, S Rutland-Barsby, J J Taylor, M J Tindale, A L Warman, J P Warren, N Wilson C Woodward, B Wrangles.

AGAINST

Councillors D Clark, N Clark, G Scrivener, V Shaw, R Taylor, M Wood.

ABSTAIN

None

For 35

Against 6

Abstain 0

Recommendation (B) as proposed by Councillor M Pope was declared CARRIED.

After being put to the meeting in turn, and a vote taken on a show of hands, recommendations (C) – (G) were declared CARRIED.

RESOLVED – that (A) given the prevailing circumstances behind the current review of the Council's Members Allowances scheme, the recommendations for 2010/11 be not backdated to apply to the financial year commencing 1 April 2009;

(B) for 2010/11, Members Allowances be as follows:

(1) Basic Allowance: £4,746.60;

(2) Special Responsibility Allowances:

(a) the principle of applying a multiple to the Basic Allowance to determine the level of a Special Responsibility Allowance be retained;

(b) there be no change to existing multiples:

<u>Position</u>	<u>Multiple</u>
Leader	5.0
Deputy Leader (with portfolio)	3.0
Executive Member	2.5
Chairman of Audit, Human Resources, Corporate Business Scrutiny Committee, Development Control Committee, Licensing Committee	1.5
Chairman of Environment Scrutiny Committee, Community Scrutiny Committee	0.75
Leader of Minority Political Group	0.5
Chairman of Community Voice	0.5
Chairman of Highways Partnership Panel	

(when an EHDC Member) 0.25

(C) a flat rate mileage allowance of 40p per mile be paid to Members using vehicles to attend duties specified in the Members' Allowances Scheme;

(D) a co-optee allowance to independent co-opted members of the Standards Committee be paid based on the following multiples of the Basic Allowance:

Co-optee appointed as Chairman: 0.5

Co-optee: 0.25

(E) Council be invited to consider and present a detailed case in support of the payment of a:

- (1) mileage allowance to members of the Development Control using their vehicles to undertake planning application site visits, and
- (2) Special Responsibility Allowance to the Chairman of the Health Engagement Panel

in time for the 2011/12 Members' Allowances Review;

(F) the existing subsistence rates within the Members' Allowances Scheme be retained;

(G) the Dependants' Carers' allowance be £9 per hour.

(Note 1 – Councillors D Clark and N Clark asked that their dissent from the decisions in (A) above be recorded.)

(Note 2 – Councillors D Clark and N Clark asked that their abstention from the decisions in (C) and (D) above be recorded.)

The meeting closed at 10.25 pm

Chairman
Date