

MINUTES OF A MEETING OF THE  
COUNCIL HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
MONDAY 28 JUNE 2010, AT 7.00 PM

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PRESENT: Councillor A D Dodd (Chairman)  
Councillors M R Alexander, D Andrews,  
W Ashley, K A Barnes, R Beeching, S A Bull,  
A L Burlton, M G Carver,  
Mrs R F Cheswright, D Clark, N P Clark,  
R N Copping, J Demonti, R Gilbert,  
Mrs M H Goldspink, P Grethe, L O Haysey,  
J Hedley, Mrs D L E Hollebon, A P Jackson,  
G E Lawrence, J 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,  
J P Warren, M Wood and C Woodward.

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
Lorraine Kirk	- Senior Communications Officer
Alan Madin	- Director of Internal Services
George A Robertson	- Director of

Customer and  
Community  
Services

94 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting. He advised that the meeting was being webcast live and reminded Members to remain seated when speaking.

The Chairman referred to the various events he had attended and expressed his gratitude to those Members who had supported him. In particular, he paid tribute to the young people of East Herts who had performed so well at the Hertfordshire Youth Games taking the overall winner's prize.

95 MINUTES

RESOLVED – that the Minutes of the Annual Council meeting held on 12 May 2010, be approved as a correct record and signed by the Chairman, subject to the following amendments:

Minute 2 – Delete “S A Bull” and replace with “A D Dodd”.

Minute 7 – final sentence in final paragraph, insert “not” after “would” and before “have”.

96 DECLARATIONS OF INTEREST

Councillor N Clark declared a personal interest in Minutes 688 – 689, 694, 76 and 80, all of which related to Local Development Framework matters as he was Secretary of the Stop Harlow North Campaign.

97 PETITIONS - SUNDAY CHARGES

The Chairman advised that three petitions had been submitted on the same subject and that they would each be

heard before the Executive Member for Planning Policy and Transport responded.

Mrs K Burton of Karen's Cakes, Bishop's Stortford, submitted a petition, comprising 1406 signatures, as follows:

"We the undersigned believe that E.H.D.C. have not adequately considered the impact of Sunday and increased car parking charges upon the community as a whole. Therefore we request that before any more increases or the proposed Sunday charges are implemented an extended period of consultation is agreed, including a public forum and that alternative solutions for the budget deficit be sort [sic] and agreed".

Mrs Burton addressed Council by requesting regular consultation with all sections of the retail community with the aim of agreeing joint criteria on parking policy that would make best use of what was available to all. She referred to the numbers of local residents who did their shopping elsewhere and the need to learn from previous mistakes. As a shopkeeper, she believed she was well placed to understand the needs of shoppers and the impact of the downturn in the economy. Pay and display was unpopular and the impact of increased long stay charges had resulted in town centre workers parking on-street and annoying residents. Mrs Burton acknowledged the difficult financial position of the Council but believed that current parking policies did not work as evidenced by the petition.

The Herts and Essex Observer had submitted the following petition, comprising 562 signatures:

"We the undersigned, believe that East Herts District Council should not introduce parking charges on Sunday and bank holidays in Bishop's Stortford and should save £37,500 by reducing Members' £460,000-a-year allowance and expenses budget".

In the absence of this petitioner, Council noted the petition.

Ms H Hunter submitted a petition, via a Facebook campaign tagged “Say No to Stortford Sunday parking charges - Sunday car park charging - across all of our town centre car parks? Where's the consultation?” Ms Hunter had advised that the page had 1,169 members.

Ms Hunter welcomed the Executive’s recommendation to defer the introduction of Sunday charges pending the outcome of the wider Transportation Strategy review. However, she expressed concern if Community Voice was the only engagement mechanism with the public. She did not believe Community Voice was an appropriate forum as it often comprised officer presentations with limited time for public questions. The petition had arisen because the proposed Sunday charges had not involved sufficient consultation with residents not being aware until the public notice had been advertised. She offered to work with the Council to develop a full public engagement plan on a comprehensive Parking and Transport Strategy, which would include various groups, such as the elderly, the disabled, business people, small retailers, etc. Ms Hunter referred to various ongoing parking related issues where the Council had appeared to bypass residents’ concerns and pleaded for the Council to engage properly.

The Executive Member for Planning and Transport thanked the petitioners and commented that they had raised a number of other issues beyond that of Sunday charges. He referred to the Executive’s recommendation to defer the introduction of Sunday charges which demonstrated that residents’ views had been taken on board. He commented that engagement on the Transport Strategy was open to all and that Community Voice would not be the only vehicle for gathering views. Although the communications plan had not been finalised yet, he referred to a questionnaire that would be included in Link magazine, which would be delivered to every household in the District. He believed this would overcome the issue of including hard-to-reach groups. He also referred to meetings with chambers of commerce and other key community groups

The Executive Member commented on the timing of the

statutory notices and the wrong impression that had been given in the Link article that the Council had already made a decision on Sunday charges. He reminded Members of the holistic approach the Council took towards wider transport issues, such as concessionary fares and subsidised bus routes. The Council was faced with a huge balancing act with diminishing resources. He looked forward to the outcome of public consultation and the discussions with representative groups.

Councillors K A Barnes, Mrs M H Goldspink, R Taylor and M Wood, as local Ward Members, all spoke in support of the petitions and raised various questions.

The Chairman reminded Members that a debate could not be held. However, he invited the Executive Member for Planning and Transport to respond to the questions raised as a point of information.

The Executive Member for Planning and Transport commented on the capital investment in car parks. He also stated that the Transport Strategy would be considered at the Environment Scrutiny Committee in September 2010. Consultation would include the Town Councils as statutory consultees and that lead petitioners could be consulted on the compilation of the questionnaire, if they formed a representative group.

## 98 PRESENTATION ON EAST AND NORTH HERTFORDSHIRE NHS TRUST

Nick Carver, Chief Executive and Richard Beazley, Chairman of East and North Hertfordshire NHS Trust, gave a presentation on "Our Changing Hospitals". They referred to the infrastructure improvements at Lister and QEII hospitals and the challenges posed by the recent Government announcement on the national review of health service reconfigurations. They also outlined the process and timetable for their application for foundation trust status. Finally, they commented that they would welcome any opportunity to talk to the community and reminded Members

that they would be visiting the Health Engagement Panel later in the year.

After answering various questions, the Chairman thanked Nick Carver and Richard Beazley for their presentation.

## 99 MEMBERS' QUESTIONS

Councillor P Grethe asked the Executive Member for Community Development, Leisure and Culture if she could provide details of the activities scheduled for the summer holidays for children and if she could also ensure that all Councillors were sent posters or leaflets in time to advertise these activities in their area. Councillor P Grethe added that older children were enjoying the new play area at The Ridgeway Park, taking the pressure off the other play areas leaving the younger children to enjoy the equipment.

The Executive Member for Community Development, Leisure and Culture reminded Members of the recent background to the provision of summer playschemes and the decision taken in 2008 to end direct provision and transfer the administration of the service to the Council for Voluntary Service (CVS). This had resulted in an enhanced range of activities with increased accessibility to the disabled and those with special needs. She detailed the applications received for grant funding in 2010 and the work with the Community Safety Partnership in offering free activities for 11 – 19 year olds.

The Executive Member commented that the summer playschemes demonstrated excellent value for money and she thanked CVS and other partners for their efforts. She confirmed that brochures would be available within a week and that further details would be set out in the Members' Information Bulletin. She urged Members to visit local schemes in their areas to see at first hand the good work being undertaken. Finally, she referred to The Ridgeway where the good work undertaken had resulted in achieving green flag status.

Councillor J O Ranger referred to information from the Chief

Executive on the likely effect on the Council's finances of the Government's announcement on 24 May 2010, of plans to reduce public spending this year with local government being cut by £1.165bn. He asked the Leader of the Council to confirm his understanding of the effect this would have on the Council's finances this year and the Budget's announced cuts on future years.

In reply, the Leader summarised the effect of the original announcement on 24 May 2010, which was that East Herts would lose £166k Planning Delivery Grant, £50k LABGI, £283k LAA performance revenue grant and £283 LAA performance capital grant. He detailed the budgetary implications and how the Council would seek to offset these losses by the use of reserves and management actions.

In respect of the Budget statement on 22 June 2010, the Leader referred to the national departmental reductions and then highlighted the implications for East Herts. He asked Council to note that information had been issued piecemeal and that specific details would be set out in the Comprehensive Spending Review in October 2010. He suggested that the implications could include the loss of revenue grant support. The Medium Term Financial Plan had assumed a loss of 15%, but an increased cut of 25% would equate to £400k in 2011/12. A Council Tax freeze would equate to £230k reduction in 2011/12. Revised interest rate forecasts would equate to reduced investment income of £750k each year. A pay freeze for staff would save £200k in 2011/12 and £400k each year thereafter.

The Leader concluded by commenting on the difficult times facing local government and the public sector in general. He stated that the difficult decisions taken by the Council in the past had ensured that the Authority was better placed than some to face the challenges ahead.

Councillor N Clark referred to the joint scrutiny meeting in February 2010, when he had asked for a report on the proposals to introduce Facebook and Twitter accounts to be brought forward to Members before any implementation took

place. He had been assured this would be done. However, these accounts had now gone live and been publicised in Link without any such report to Members. He asked the Leader to explain why.

In response, the Leader commented that there were two distinct issues. The Facebook and Twitter developments were merely an information platform that offered an additional method of engagement with the public, but were not an interactive process. He understood that was not the issue discussed at the joint scrutiny meeting, which had been concerned more about engagement with young people.

Councillor N Clark asked the Leader if he was aware that a search for East Herts Council on Facebook would reveal a number of organisations critical of the Council, such as “Listen to East Herts People”.

In reply, the Leader commented that although he had not attended the joint scrutiny meeting, he had checked the Minutes and the issue of engagement with young people had arisen in response to a question about the unfilled Youth Development Officer post. He agreed that the Council needed to give serious consideration before implementing fully interactive Facebook and Twitter accounts, which was why a report would be coming forward for Members to consider.

Councillor M Wood asked the Leader of the Council if he would welcome the new Coalition Government’s pledge to give councils the right to return to a committee system if councils so chose.

In reply, the Leader welcomed the sentiment that local authorities should be able to make their own decisions and that he had no problem with the principle.

Councillor M Wood asked the Leader of the Council if he would welcome the coalition Government’s pledge to abolish the Standards Board regime.



In reply, the Leader agreed that there was a need for a review of the process as the current system was cumbersome and needed improvement. However, Members had to be accountable.

Councillor D Clark stated that in February 2010, the Executive Member for Resources and Internal Support had advised Members that he had expected the Council to overspend by £0.5m in 2009/10. The results now published showed the Council had underspent by £1.2m. She asked the Executive Member for Resources and Internal Support, why this forecast, provided so close to the year end, had been so far out.

In reply, the Executive Member for Resources and Internal Support referred to the healthcheck report considered by the Executive on 18 May 2010, which explained the variances. He commented that a full explanation had been given at that meeting and included £400k recycling credits, £120k increased investment income, £95k on IT licences and work by Officers across the Council to identify reductions.

Councillor D Clark asked the Executive Member to explain why, if he was in control of his portfolio area and he had made correct budget forecasts, he had pushed through the second highest council tax increase in Hertfordshire.

The Executive Member responded by suggesting that most Members would agree that the council tax increase, which had been below the rate of inflation, had been a good thing bearing in mind the anticipated cuts in the public sector. He reminded Members that Councillor D Clark had cast doubt on his forecast of a 2.5% investment return.

Councillor V Shaw asked the Executive Member for Planning Policy and Transport why East Herts Council had completely ignored the needs of Ware for town enhancements and yet Ware ratepayers were paying large amounts of money for improvements for Hertford and Bishops Stortford, £72,000 and £65,000 respectively. Following a modest proposal which she had put forward for East Herts-owned Tudor Square to

the Executive Member, she had initially been told that after consultation with Officers, in concept and vision, it had some good ideas and following a few questions, he would put the proposal forward. After a chase up, she had subsequently been told it was impossible, there was no time, no money, and unbelievably, Ware should go for Big Lottery funding. Given that the budget's inception in 2007 was £400,000, not a single project had been put forward for Ware or a single penny spent, which was having a profound effect on the vitality and prosperity of the town. As there was still £37,500 left in this year's budget, she asked what was proposed for Ware's town enhancement.

In reply, the Executive Member for Planning Policy and Transport stated that he had responded fully to Councillor V Shaw, in an e-mail dated 1 June 2010, which he felt should be provided to all Members. He commented that a programme of prioritised works for 2010/11 had been agreed and did not include the Tudor Square proposal, as it did not meet the agreed criteria. He had suggested that for this scheme to proceed, it would need a general consensus and the engagement of a landscape architect to undertake a piece of work on consulting on the present and future use of the space, legal considerations, contractual constraints and the preparation of detailed plans and costs. He emphasised that the Council did not have the resources for this and in any event, it was not the Council's role to undertake this.

The Executive Member also referred to recent consultation in which market traders had opposed the idea of moving the market into Tudor Square. He believed it was unfair to suggest that the Council had done nothing for the economy in Ware. He reminded Members of the significant improvements to the market which had survived. He referred to £400k capital support for the Fletchers Lea facility, which had increased footfall in the town, and the community benefit of supporting the Drill Hall. He also referred to £25k investment in CCTV and small revenue grants to the Ware Town Partnership. These examples demonstrated the Council's support and investment in Ware.

In response to a supplementary question, the Executive Member for Planning Policy and Transport reiterated that the current scheme did not meet the agreed criteria for the town centres' enhancement programme.

## 100 EXECUTIVE REPORT

The Leader of the Council reported on the work of the Executive and presented the Minutes of the Executive meetings held on 11 May, 18 May and 15 June 2010. It was noted that the recommendations set out in the Minutes of the meeting held on 11 May 2010, had been approved at the Annual Council meeting held on 12 May 2010.

The Leader referred to the financial challenges facing the Council and suggested that these would not be easily resolved. He referred to the Total Place agenda and commented that the Council would need to find new models of working alongside partners to ensure that scarce resources were effectively deployed. Against this backdrop, he advised that the Council would need to consider an emergency budget at its next meeting.

In respect of Minute 42 – Monthly Corporate Healthcheck – March 2010, Councillor D Clark commented that Council approval was required for expenditure from Reserves and the Executive could approve expenditure from earmarked Reserves at their discretion. She suggested that the decisions taken by the Executive on transfers to earmarked reserves had circumvented the Constitution and were not in the Executive's gift. She asked the Leader to confirm whether this decision was within the Executive's powers.

In reply, the Leader stated that the advice given was that it was appropriate.

The Director of Internal Services referred to a later agenda item seeking approval of the Statement of Accounts 2009/10, where Council could amend the Accounts by deleting reference to the transfers.

RESOLVED – that the Minutes of the Executive meetings held on 11 May, 18 May and 15 June 2010, be received, and the recommendations contained therein, be adopted.

101 MINUTES OF COMMITTEES

(A) CORPORATE BUSINESS SCRUTINY COMMITTEE  
– 11 MAY 2010

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RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 11 May 2010, be received.

(B) JOINT MEETING OF EXECUTIVE, COMMITTEES,  
ETC – 12 MAY 2010

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RESOLVED – that the Minutes of the joint meeting held on 12 May 2010, be received.

(C) DEVELOPMENT CONTROL COMMITTEE  
– 13 MAY 2010

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

(D) JOINT MEETING OF SCRUTINY COMMITTEES  
– 1 JUNE 2010

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RESOLVED – that the Minutes of the joint Scrutiny Committees meeting held on 1 June 2010, be received.

(E) DEVELOPMENT CONTROL COMMITTEE  
– 2 JUNE 2010

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RESOLVED – that the Minutes of the Development Control Committee meeting held on 2 June 2010, be

received.

(F) ENVIRONMENT SCRUTINY COMMITTEE  
– 8 JUNE 2010

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RESOLVED – that the Minutes of the Environment Scrutiny Committee meeting held on 8 June 2010, be received.

102 OVERVIEW AND SCRUTINY ANNUAL REPORT 2009/10

The Scrutiny Committee Chairmen submitted the Annual Scrutiny Report for 2009/10. The Annual Report outlined the activities of the committees and looked forward to 2010/11.

Councillor D Clark referred to the Members' evaluation and the view that Executive Members attending scrutiny meetings should be clearly identified as the person to question and challenge on issues of policy. The Annual Report had suggested that this change had worked well. She believed that Executive Members rarely attended scrutiny meetings and that questions were usually dealt with by Officers. She asked what evidence there was to support the statement that this change had worked well.

In response, the Chairman of the Corporate Business Scrutiny Committee undertook to provide a written reply.

Councillor N Clark commented that despite being mentioned in the Audit action plan, all scrutiny committees and task and finish groups had been chaired by Conservative Members and that the Independent Group had been excluded from the C3W Member/Officer group. He believed that formal scrutiny had been weaker because of this.

Councillor J O Ranger disagreed and expressed the view that it had been a very satisfactory year. He reminded Council that the joint member/officer groups had nothing to do with scrutiny. He referred to the numbers of Members who had been involved in some form of scrutiny activity and that

opposition Members had chaired task and finish groups in the past.

The Executive Member for Resources and Internal Support commented that he found joint member/officer groups to be very supportive and that Councillor N Clark had been excluded from the C3W group as he did not believe he would be able to contribute positively.

Council agreed to receive the Annual Report.

RESOLVED – that the Annual Report on the work of the East Herts scrutiny committees and Health Engagement Panel during 2009/10, be received.

### 103 STATEMENT OF ACCOUNTS 2009/10

The Executive Member for Resources and Internal Support submitted a report on the Statement of Accounts for 2009/10. He thanked the Audit Committee for its consideration and support at its meeting held on 28 June 2010. He also thanked Officers for the clearer presentation of information compared to previous reports.

Councillor D Clark referred to the major variances and questioned the quality of budgetary forecasting and the information set out in monthly healthcheck reports. She cited, as an example, why recycling credits should come as a surprise when an agreed formula had been in place for some time. She commented on the overall £1.2m underspend and asked whether substantial costs had been reduced despite the C3W process and not because of it. Councillor D Clark referred to her earlier question about the establishment and use of earmarked Reserves and believed that the Accounts included transfers which had not been properly authorised. Therefore, she opposed approving the Statement.

The Executive Member for Resources and Internal Support reiterated that the March healthcheck report had detailed the £1.2m underspend. In response to Councillor D Clark's disagreement to this assertion and her request for a report to

be submitted to the next meeting of Corporate Business Scrutiny Committee, the Executive Member undertook to discuss this with Officers.

The Executive Member for Environment and Conservation reminded Members that the Environment Scrutiny Committee had requested a report from Officers on the funding formula agreed by the Herts Waste Partnership.

Councillor Mrs M H Goldspink sought clarification on whether it was correct that the Executive could utilise funds set aside in earmarked Reserves without further recourse to Council.

The Director of Internal Services advised that the Medium Term Financial Plan contained a statement of the intentions to draw down Reserves and this was subject to Council approval. He confirmed that the Executive could draw on earmarked Reserves for the specific purposes to which they had been set aside without recourse to Council should the need arise. In respect of the Waste Recycling Reserve, the Audit Committee had received an assurance that this was dependent on a business case that would be subject to scrutiny.

Councillor J O Ranger stated that the Council had always had Reserves and he could not recall a situation where they had been spent in an uncontrolled manner.

Councillor D Clark referred to the growth in the number of earmarked Reserves which were now in the gift of the Executive without recourse to Council. She commented that even if the Waste Recycling Reserve was subject to scrutiny, it would still be the Executive determining its use.

In response to a question from the Leader, Councillor D Clark refuted the suggestion that she had made any accusation about the Executive and inappropriate use of Reserves.

After being put to the meeting, and a vote taken, the recommendations, as now detailed, were CARRIED.

RESOLVED – that (A) the comments of the Audit Committee, be received; and

(B) the Statement of Accounts (as amended) for the financial year 2009/10 be approved and signed by the Chairman at the conclusion of the meeting.

(Note – Councillors K A Barnes, D Clark, N Clark and V Shaw asked that their dissent from the decisions above be recorded.)

The meeting closed at 9.05 pm

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