

Public Document Pack



Chairman and Members of the Council

Your contact: Martin Ibrahim
Ext: 2173
Fax: 502019
Our ref: MI
Date:

cc. All other recipients of the Council agenda

Dear Councillor

COUNCIL - 29 SEPTEMBER 2010

Please find attached the following reports which were marked "to follow" on the agenda for the above meeting:

9. Minutes of Committees

To receive, and where necessary approve, the Minutes of the following Committees:

(M) Environment Scrutiny Committee - 14 September 2010 (Pages 3 - 12)

Chairman: Councillor Mrs D L E Hollebon

(N) Audit Committee - 15 September 2010 (Pages 13 - 20)

Chairman: Councillor J O Ranger

Please bring these papers with you to the meeting next Wednesday

Yours faithfully

Martin Ibrahim
Senior Democratic Services Officer
Democratic Services
martin.ibrahim@eastherts.gov.uk

MEETING : COUNCIL
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 29 SEPTEMBER 2010
TIME : 7.00 PM

MINUTES OF A MEETING OF THE
ENVIRONMENT SCRUTINY COMMITTEE
HELD IN THE WAYTEMORE ROOM,
COUNCIL OFFICES, THE CAUSEWAY,
BISHOP'S STORTFORD ON TUESDAY 14
SEPTEMBER 2010, AT 7.00 PM

PRESENT: Councillor D A A Peek (Chairman)
Councillors W Ashley, R Beeching,
Mrs M H Goldspink, G McAndrew,
A L Warman and G E Lawrence

ALSO PRESENT:

Councillors M Wood

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Cliff Cardoza	- Head of Environmental Services
Marian Langley	- Scrutiny Officer
Andrew Pulham	- Parking Manager
George A Robertson	- Director of Customer and Community Services
Trevor Watkins	- Waste Services Manager

247 APOLOGIES

Apologies for absence were submitted on behalf of the Chairman Councillor Mrs D L E Hollebon and Councillors D Clark, P Grethe, N C Poulton and B M Wrangles. It was noted that Councillor R Beeching was in attendance as substitute for Councillor B M Wrangles and Councillor G E Lawrence was in attendance as substitute for Councillor P Grethe.

248 CHAIRMAN'S ANNOUNCEMENTS

Councillor D A A Peek stated that the Chairman had been in hospital for a period of time. Members asked that their good wishes be forwarded to Councillor Mrs D L E Hollebon for a speedy recovery.

Councillor D A A Peek stated that the acoustics in the Waytemore Room were unacceptable and of the constant difficulties he had with the loop system. He asked those in attendance to speak up.

249 DECLARATIONS OF INTEREST

Councillor D A A Peek declared a personal interest in Minutes 255 - Autumn Leaf Fall Clearance and 256 - Weed Control Service, by virtue of the fact that he was a Hertfordshire County Councillor and of the likelihood that these issues would be discussed further from a financial perspective by Hertfordshire County Council.

250 MINUTES

The Minutes of the meeting held on 8 June 2010 were confirmed as a correct record and signed by the Chairman.

RESOLVED – that the Minutes of the meeting held on 8 June 2010, be confirmed as a correct record and signed by the Chairman.

251 TRANSPORT AND PARKING STRATEGY PRESENTATION
- UPDATE AND PUBLIC CONSULTATION

Andrew Pulham gave a presentation on the Parking and Transport Strategy for East Hertfordshire. Presentations were being given throughout the District including at Community Voice meetings.

It was noted that the work being undertaken by East Herts, would complement and dovetail with the work also being undertaken in relation to Hertfordshire County Council's third

Local Transport Policy and would influence transport county-wide for the next 20 years. The East Herts Strategy would be tailored to East Herts and reconcile conflicting objectives. A questionnaire had been produced and circulated in the Link Magazine and could also be completed online. The consultation process was explained, the intention being to publish the final strategy in June 2011.

The Chairman, on behalf of Members, thanked Officers for the presentation and the work undertaken so far and for ensuring the Community and Parish Councils were involved in the process.

RESOLVED – that the presentation be noted.

252 THE "GRANGE PADDOCKS PROJECT" - REVENUE AND CAPITAL IMPLICATIONS

The Director of Customer and Community Services reminded Members that the report now submitted along with a number of other reports included elsewhere on the agenda had been requested by Members within the context of making savings in relation to the Medium Term Financial Plan (MTPF).

The report now submitted set out the rationale for planned changes to parking arrangements in Bishop's Stortford and expenditure and income assumptions.

Councillor Mrs M H Goldspink was disappointed at the possibility that the Council might not renew the lease of Apton Road Car Park. She felt that it was a useful car park and the Town would suffer if it was lost. She asked what revenue the car park generated. The Parking Manager stated that revenue was approximately £12,000 per year but was unable to state what the net income was, adding that the car park generated a surplus.

Councillor Mrs M H Goldspink referred to the changes in the current parking arrangements for Bishop's Stortford and supported the implementation of a Residents' Permit Parking Scheme in the "Chantry" area of Bishop's Stortford. She

queried whether the parking proposals nearby and including Rye Street, would impact negatively on the Chantry Road scheme. Officers stated that residents in the area fully supported a Residents' Permit Parking Scheme as the scheme would protect and preserve kerbside spaces. The Parking Manager explained the segregated use of some car parks including Rye Street.

Councillor G A McAndrew asked about the sense of relinquishing Apton Road car park which made a profit and he also stated that if South Street was pedestrianised, Apton Road would make an ideal car park. The Director of Customer and Community Services said that Apton Road had to be taken in context with a whole host of other issues around the car park, including the fact that it needed £200,000 to be spent on it to make it a reasonable car park. The car park also drew in traffic into what was a mainly pedestrianised area. The Director of Customer and Community Services stated that members would have a further report for consideration before any decisions were taken in relation to Apton Road Car Park.

Councillor R Beeching referred to the proposal to introduce long stay parking at Grange Paddocks and Rye Street. Officers explained that it was short distance to the Town Centre and of proposals to upgrade the area and include lighting. The Director of Customer and Community Services referred to the lack of long stay places in the town especially for people using the station.

In response to a query from Councillor G McAndrew about the Riverside walkway, the Director confirmed that the walkway would be upgraded with lighting and the possibility of a cycle way alongside was supported by all Members.

In scrutinising proposals within the Medium Term Financial Plan, the Committee indicated their general support for the scheme as detailed in the report now submitted and asked that Members' comments, summarised below, be referred to Council.

RESOLVED – that (A) Environment Scrutiny support the scheme as detailed in the report now submitted and that Council be advised of the following;

(B) the need to review proposals for Apton Road Car Park;

(C) the need to upgrade the Riverside walkway including the provision of a Cycle Path; and

(D) the need to protect residents' parking in Rye Street, Bishop's Stortford.

253 EVALUATION AND AWARD OF PARKING ENFORCEMENT AND MANAGEMENT CONTRACT

The Director of Customer and Community Services submitted a report on arrangements around the new parking enforcement and management contract, the detail of which was set out in the report now submitted. It was noted that the current contract would expire on 15 January 2012.

In order to ensure that the qualitative aspects were addressed, Officers sought support to award the new contract on the basis of a 50% price and 50% quality split. This new form of contract was devised by the British Parking Association and recommended by the Department of Transport. He explained how the new partnership approach would work, including how monitoring would occur using around 25 Key Performance Indicators which were still to be finalised. The focus would be on quality and innovative ways of working.

In response to queries from Councillors G McAndrew and Mrs M H Goldspink, Officers explained how the contract differed from conventional contracts and how parking officers' roles would be evaluated.

In response to a query from Councillor Mrs M H Goldspink as to why the Council had used a specialist consultant, the Director of Customer and Community Services acknowledged

the very good work done by Officers. He stated that this type of contract went out to tender every 10 years and the market was prone to substantial change and movement during this time. As such, the use of consultants helped the Council to manage risk, provide current market knowledge and provide timely information on procurement legislation. The East Herts share of consultant's costs was approximately £18,000.

The Committee supported the report as now submitted.

RESOLVED – that the Executive be advised that (A) the use of the BPA Model Contract in the tendering process be acknowledged;

(B) the use of a 50% price and 50% quality mix in awarding the contract be supported; and

(C) the formula for evaluating the tenders be supported.

254 RECYCLING BANKS: IMPLICATIONS OF ACHIEVING MEDIUM TERM FINANCIAL PLAN SAVINGS

The Head of Environmental Services submitted a report on the options and implications of continuing or ceasing the provision of bring site recycling banks for some materials.

The Head of Environmental Services reminded Members that the report now submitted was one of three reports requested by Members, detailed elsewhere on the agenda, which sought to achieve savings within the Medium Term Financial Plan.

Of the options put forward, the removal of the provision of recycling banks for those materials which operated at a deficit, savings of £44,000 could be achieved in the MTFP for 2011/12, e.g. glass banks operated with a deficit of £14,000; can banks £9,000 and plastic bottle banks £21,000. Paper banks operated at a surplus and it was therefore proposed to continue with these. It was also noted that following the introduction of ARC (Alternate Refuse Collection), the frequency of collections had been reduced resulting in budget

saving of £20,000. Savings within the MTFP could be achieved totalling £64,000.

It was noted that this proposal would be likely to generate some public dissatisfaction from residents that use the banks and in particular from communal properties which cannot receive the full range of Kerbside Recycling Services. There were approximately 9000 communal properties in the district and approximately half of these would not be able to receive kerbside services, mainly due to insufficient space to store bins. If the banks were removed, these residents could either dispose of their recyclables at the County Council's household waste recycling centres, or place them in the domestic waste.

Councillor Mrs M H Goldspink expressed concern about the possibility of losing recycling banks altogether, especially since the frequency of collections had been reduced and was concerned that their loss might send out the message that East Herts was not serious about recycling. The Head of Environmental Services reminded Members that reductions to the frequency of collections would generate £20,000 in savings and of the marginal effects withdrawal of some recycling banks (e.g. glass, cans and plastics) would have on the estimated recycling rate. He explained that there was very little scope to reduce the frequency of collection of these materials to make any further savings. Officers explained which materials were marketable and which were not.

Members received the report and requested that Council be informed that Environment Scrutiny Committee supports the withdrawal of all plastic, glass and can recycling banks.

RESOLVED – that Council be informed that Environment Scrutiny Committee supports the withdrawal of all plastic, glass and can recycling banks.

255 AUTUMN LEAF FALL CLEARANCE: IMPLICATIONS OF ACHIEVING MEDIUM TERM FINANCIAL PLAN SAVINGS

The Head of Environmental Services submitted a report on the implications of ceasing the autumn leaf clearance

programme. It was noted that keeping the highways clear and safe was statutory function of the County Council as the Highways Authority. It was noted that by ceasing leaf clearance, the Council could save £53,750.

Members considered the impact ceasing leaf clearance might have on villages / parishes; and the hazards this might cause for the elderly and children walking to school in leafy areas. It was noted that leaves could cause blockages to drains, especially in areas susceptible to flooding. The Council's responsibility in relation to land drainage was explained.

It was noted that the implementation of this option would be unpopular with residents during the autumn months.

Of the options set out the report now submitted, Members agreed that the Council should cease leaf clearance except on those 19 roads identified in the report now submitted, where there was a higher risk of flooding and that Council be advised accordingly.

RESOLVED - that Council be informed that Environment Scrutiny Committee supports an option to focus leaf clearance only on those roads where there was a higher risk of flooding.

256 WEED CONTROL SERVICE: IMPLICATIONS OF ACHIEVING MEDIUM TERM FINANCIAL PLAN SAVINGS

The Head of Environmental Services submitted a report concerning the weed control service and what savings might be achieved by a cessation of the service.

It was noted that Hertfordshire County Council was responsible for the maintenance of adopted roads and pavement surfaces, but that East Herts Council decided to introduce a discretionary weed spraying service in 2005 following a Best Value Review of environmental standards. The annual budget cost for the service was £30,000 and no funding was received from the County Council for providing this service.

The Head of Environmental Services explained that of the 10 District Councils in the County, eight had reached agreements from the County Council that they would provide a contribution towards weed spraying.

Members received the report and supported a proposal to provide the weed control service if Hertfordshire County Council provided the majority of funding needed and that Council be advised accordingly.

RESOLVED - that Council be informed that Environment Scrutiny Committee supports an option to provide the weed control service if Hertfordshire County Council provided the majority of funding.

257 ENVIRONMENT SCRUTINY HEALTH CHECK - FROM MAY TO JULY 2010

The Director of Customer and Community Services submitted a report on the performance of key indicators for the period May to July 2010.

The Director of Customer and Community Services provided clarification of the wording in relation to Performance Indicators EHP18.48 (Net cost of Domestic Refuse Collection per properties) and EHP18.49 (Net cost of Recycling per collections per annum) and agreed to ask Officers to amend this description.

RESOLVED – that the report be received.

258 SCRUTINY WORK PROGRAMME 2010/11

The Committee considered items to be included in the work programme for 2010/11. The Scrutiny Officer referred to the Hertfordshire Waste Partnership Alternative Financial Model report which needed to be included for the November 2010 meeting.

The Director of Customer and Community Services advised

that he would be meeting with Directors from Broxbourne, Stevenage, Welwyn Garden City and Hertsmere to consider a potential joint scrutiny review in relation to highways matters.

An update was also provided in relation to the Hertford Theatre Hydro Project. It was anticipated that Officers would report back on this matter to Members in November 2010.

RESOLVED – that the work programme, as amended, be approved.

The meeting closed at 9.10 pm

Chairman
Date

MINUTES OF A MEETING OF THE
AUDIT COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 15
SEPTEMBER 2010, AT 7.00 PM

PRESENT: Councillor J O Ranger (Chairman)
Councillors K Darby, A M Graham, J Hedley
and J P Warren.

ALSO PRESENT:

Councillors D Clark, N P Clark, R Gilbert,
P A Ruffles and M J Tindale.

OFFICERS IN ATTENDANCE:

Chris Gibson		- Internal Audit and Business Improvement Manager
Alan Madin		- Director of Internal Services
Peter Mannings		- Democratic Services Assistant

ALSO IN ATTENDANCE:

Paul Dossett and Nick Taylor.

259 APOLOGIES

Apologies for absence were submitted on behalf of
Councillor M Pope and R A K Radford.

260 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that a very useful training session
had been held prior to this meeting.

261 MINUTES

RESOLVED – that the Minutes of the meeting held on 28 June 2010 be confirmed as a correct record and signed by the Chairman, subject to the following amendment:

Minute 83 – Minutes.

Delete –

‘...Councillor N Clark suggested that there were too many uses of the word “commented” and that Officers should find alternatives’ and insert ‘...Councillor N Clark requested that questions and answers be recorded in the minutes.’

262 EXTERNAL AUDIT REPORT - ANNUAL AUDIT OF ACCOUNTS 2009-10 TO THOSE CHARGED WITH GOVERNANCE

The External Auditor, Grant Thornton, submitted a report highlighting the key issues arising from the annual audit of the Authority’s statement of accounts 2009/10. Paul Dossett, Grant Thornton, referred to an objection that had been raised in respect of the accounts by a local government elector.

Paul Dossett advised that the objection had been referred by the External Auditor for legal advice. He stated that he was meeting with the relevant partner in the law firm tomorrow in relation to the legality of the issues raised by the objection. The Committee’s attention was drawn to the possibility of a delay in the signing of the accounts until this issue was resolved.

Councillor A M Graham sought and was given clarification on the nature of the objection. Paul Dossett stated that he would receive a view from the legal advisor on the objection and he would report back with a statement of reasons explaining the outcome and how this issue should be addressed.

The Committee's attention was drawn to the key highlights as detailed in the External Auditor's report. Nick Taylor advised that, subject to the outcomes of the objection to the accounts, he anticipated providing an unqualified opinion on the value for money conclusion.

Councillor Graham sought and was given clarification in respect of the potential revised valuation methodologies on the Causeway Transaction. Councillor D Clark commented on whether these asset values were likely to fall. Paul Dossett stated that he would anticipate these values to be higher.

In response to a query from Councillor Graham, Paul Dossett stressed that more work was required in respect of the Independent Remuneration Panel. The Director of Internal Services advised that a report would be submitted to Council on 29 September 2010 so that Members could give Officers instructions on constituting the Panel.

In response to a further query from Councillor Graham, the Director articulated the process for transferring funds from the Council's reserves. Councillor D Clark commented that all transfers from reserves should be reported to Council. The Director stressed that Council had had an opportunity to consider the accounts and would have a further opportunity to do so.

The Committee approved the letter of representation and the annual accounts 2009/10, subject to the outcome of the objection to the accounts.

RESOLVED – that (A) the report be noted; and

(B) subject to the outcome of the objection to accounts, the letter of representation and the annual accounts 2009/10, be approved.

263 ANNUAL GOVERNANCE STATEMENT - 2009/10

The Leader of the Council submitted a report on the 2009/10 Annual Governance Statement.

The Internal Audit and Business Improvement Manager advised that since the previous Audit Committee the Statement had been presented to Standards Committee, Corporate Business Scrutiny Committee, Human Resources Committee and the Executive. He stated that all the significant corporate systems and controls utilised by the Authority had been covered in the 2009/10 Statement.

Members were referred to a minor amendment on page 46 of the report now submitted. The Internal Audit and Business Improvement Manager stated that a Member/Officer group had proposed revisions to the Financial Regulations which were approved by Council on 12 May 2010. Members were advised that revised procurement regulations were being considered by that group.

Members were advised that the amendments that had been made since the draft Annual Governance Statement had been presented to the previous Audit Committee were detailed in the report now submitted. The functions of the Human Resources Committee were now added on page 51 of the report.

The Internal Audit and Business Improvement Manager advised that Standards Committee had approved a new Anti-Fraud and Anti Corruption Strategy and a new Disclosure (Whistle blowing) Code. He also referred Members to an update in respect of complaints that had been considered by the Assessment Sub-Committee. These had been added at page 56 of the report now submitted.

The Director of Internal Services stressed that appropriate processes would be put in place to ensure progress of the

Sustainable Community Strategy Action Plan was monitored.

The Director also stated that Corporate Business Scrutiny Committee would be requested to receive a report on Freedom of Information (FOI) requests. The Committee would be asked to consider a quick analysis of the types of information available on the Council's website. He stressed that this may be a way to reduce the number of FOI requests received by the Authority.

In response to a query from Councillor A M Graham, the Internal Audit and Business Improvement Manager stressed that an Annual Governance Statement Action Plan would be compiled ahead of the next meeting of the Audit Committee and this would include key actions needing to take place prior to an action being shown as resolved.

Councillor J O Ranger referred to the importance of accuracy in the reporting of the financial situation of the Council, as in recent years there had been significant variations in the budget figures reported to Members. The Director emphasised that it was important that Officers identified positive and negative variances earlier via the health check process and undertook to present an appropriate report to the next Audit Committee.

RESOLVED – that the Annual Governance Statement 2009/10, as now submitted and subject to the amendment now detailed, be supported.

264 INTERNAL AUDIT SERVICE - POSITION STATEMENT

The Internal Audit and Business Improvement Manager submitted a report providing a position statement on internal audit activity undertaken within the Internal Audit Service.

He detailed the progress made against implementing outstanding audit recommendations in Essential

Reference Paper 'B' of the report now submitted. Explanations were provided for all items shown as resolved.

Councillor A M Graham expressed concerns that there were significant delays in implementation of the recommendations made in the Internal Audit review of the Leisure Management contract. The Internal Audit and Business Improvement Manager undertook to escalate the outstanding recommendations to senior management and to report back on this at the next meeting.

The Committee agreed to receive the report.

RESOLVED – that (A) the report be received; and
(B) the Internal Audit and Business Improvement Manager report back in respect of outstanding recommendations made in the Leisure Management Contract review.

265 RISK MANAGEMENT MONITORING REPORT 1 APRIL 2010
- 31 JULY 2010

The Leader of the Council submitted a report detailing actions taken to mitigate and control strategic risks during the period 1 April to 31 July 2010.

The Internal Audit and Business Improvement Manager highlighted the changes to the risk ratings in respect of SR7 and SR8. He also stated that the intention was to remove SR11 and SR12 as Stansted's 2nd runway was unlikely to be an issue for consideration in the imminent future.

Councillor R Gilbert sought and was given clarification that the figures for new housing in SR6 should have read 8,500 houses by 2031. He also stressed that SR12 should be retained as the airport's operators already had permission to increase yearly passenger movements to 35 million passenger movements per annum, as part of

the Stansted Airport G1 proposals. Officers undertook to revisit the issue of SR12.

The Committee noted the report.

RESOLVED – that the action taken to mitigate and control strategic risks during the period 1 April – 31 July 2010 be noted.

266 AUDIT COMMITTEE WORK PROGRAMME

The Internal Audit and Business Improvement Manager submitted the Audit Committee work programme for the 2010/11 civic year. The detail of the programme was set out in the report now submitted.

An additional report would be submitted to the next meeting by the Director of Internal Services in respect of the risks of significant variances from the financial plan. Members were advised of the need to revise the reports programmed for the 24 November 2010 and 19 January 2011 meetings. This was supported.

The Committee received the work programme, as revised.

RESOLVED - that the revised work programme for Audit Committee be approved.

The meeting closed at 8.20 pm

Chairman
Date

This page is intentionally left blank