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Chairman and Members of the Council

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Date: 18 February 2011

cc. All other recipients of the Council agenda

Dear Councillor

COUNCIL - 23 FEBRUARY 2011

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

7. Executive Report

To receive a report from the Leader of the Council, and where necessary, approve the recommendations of the Executive meetings held on:

(B) 8 February 2011 (Pages 3 - 24)

8. Minutes of Committees

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

(G) Development Control Committee - 9 February 2011 (Pages 25 - 70)

(H) Joint Meeting of Scrutiny Committees - 15 February 2011 (Pages 71 - 76)

10. Members Allowances (Pages 77 - 104)

Please bring these papers with you to the meeting next Wednesday

Yours faithfully

Martin Ibrahim

Senior Democratic Services Officer

Democratic Services

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MEETING : COUNCIL
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 23 FEBRUARY 2011
TIME : 7.00 PM

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 8 FEBRUARY 2011, AT 7.00 PM

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

ALSO PRESENT:

Councillors D Andrews, W Ashley,
P R Ballam, K A Barnes, E Buckmaster,
S A Bull, R N Copping, J Demonti, R Gilbert,
Mrs M H Goldspink, J Hedley, M Newman,
P A Ruffles, S Rutland-Barsby, V Shaw,
R I Taylor, J P Warren, M Wood and
C Woodward

OFFICERS IN ATTENDANCE:

Anne Freimanis	- Chief Executive
Simon Drinkwater	- Director of Neighbourhood Services
Caroline Goss	- Communications Officer
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
George A Robertson	- Director of Customer and Community Services

530 LEADER'S ANNOUNCEMENTS

The Leader welcomed the press and public to the meeting. He also welcomed Councillor E Buckmaster to his first meeting of the Executive since his election to the District Council.

The Leader, on behalf of the Chairman of the Council, reminded Members of the arrangements for the Civic Dinner and Dance on 12 March 2011, which would help raise funds for Isabel Hospice and Vale House, and encouraged Members to support this event.

531 CAPITAL PROGRAMME 2010/11 (REVISED) TO 2013/14

The Executive Member for Resources and Internal Support submitted a report setting out proposals for the Council's Capital Programme for 2010/11 (Revised) – 2013/14. He drew attention to the wider context of diminishing capital receipts which would necessitate reducing the programme over this period.

The joint meeting of Scrutiny Committees, at their meeting held on 18 January 2011, had supported the proposals.

In response to questions by Members, assurances were given that expenditure on the maintenance of pools would only be incurred when necessary. It was also noted that a resolution to the difficulties in progressing the "What's on" sign had yet to be identified.

The Executive commended the Capital programme as now submitted.

RECOMMENDED – that (A) the comments of the Joint Scrutiny Committees of 18 January 2011, be received; and

(B) the new Capital Programme for the period 2010/11 (Revised) to 2013/14 as now submitted be approved.

532 **TREASURY MANAGEMENT STRATEGY STATEMENT
2011/12 AND MINIMUM REVENUE POLICY STATEMENT**

The Executive Member for Resources and Internal Support submitted a report setting out the 2011/12 Treasury Management Strategy Statement and Annual Investment Strategy together with the proposed Prudential Indicators. He advised Members that the Council was working closely with its advisers, Sector, in monitoring interest rates in order to maximise returns.

The joint meeting of Scrutiny Committees, at their meeting held on 18 January 2011, had supported the proposals.

The Executive commended the proposals as now detailed.

RECOMMENDED - that (A) the comments of the Joint Scrutiny Committees of 18 January 2011, be received;

(B) the 2011/12 Treasury Management Strategy Statement and Annual Investment Strategy and Prudential Indicators for East Herts Council be approved; and

(C) the Policy on Minimum Revenue Provision (MRP) as detailed at paragraph 2.12 of the report submitted, be approved.

533 **FEES AND CHARGES 2011/12**

The Executive Member for Resources and Internal Support submitted a report setting out proposed fees and charges for 2011/12. He referred to the comments of the joint meeting of Scrutiny Committees held on 18 January

2011. The Committees had supported the proposed fees and charges and had recommended that a concessionary rate of planning pre-application fees for charities, parish and town councils should be included. The Executive Member supported this.

The Executive Member for Community Safety and Protection referred to the proposed charges to town councils for CCTV cameras, which were currently subsidised by the District Council. He detailed the current charges and the actual cost in each town centre and proposed that the subsidy be retained for 2011/12 only, subject to further consideration as part of the scheduled Community Safety Review in 2011/12. This was supported by the Executive.

In response to questions by Members, the Executive Member confirmed that discussions with the town councils during the review would be undertaken.

The Executive commended the proposals as now detailed.

RECOMMENDED – that (A) the comments of the Joint Scrutiny Committees of 18 January 2011, be received;

(B) a concessionary rate for planning pre-application fees for Charities and Parish and Town Councils be approved;

(C) the subsidy towards the full cost of CCTV cameras in town centres be continued for 2011/12 only and that the issue be considered further as part of the Community Safety Review; and

(D) excepting (B) and (C) above, the increases in fees and charges as detailed in Essential Reference Paper ‘B’ of the report submitted, be approved.

534 **SERVICE ESTIMATES - REVENUE BUDGET PROBABLE
2010/11 - ESTIMATES 2011/12**

The Executive Member for Resources and Internal Support submitted a report on the service estimates. He highlighted the summary shown at Essential Reference Paper 'B1' and congratulated Officers for their efforts in reducing expenditure.

The joint meeting of Scrutiny Committees, at their meeting held on 18 January 2011, had supported the proposals.

The Executive commended the proposals now detailed.

RECOMMENDED – that (A) the comments of the Joint Scrutiny Committees of 18 January 2011 be received; and

(B) the probable Revenue Estimates for 2010/11 and the draft Revenue Estimates for 2011/12 be approved.

535 **CONSOLIDATED BUDGET REPORT: PROBABLE
OUTTURN 2010/11: REVENUE BUDGET 2011/12:
MEDIUM TERM FINANCIAL PLAN 2011/12 TO 2114/15**

The Executive Member for Resources and Internal Support submitted a report recommending the revenue budget for 2011/12.

The joint meeting of Scrutiny Committees, in supporting the proposals at their meeting held on 18 January 2011, had made a number of comments for the Executive to consider as follows.

They had recommended that consideration be given to the addition of a member development officer (1 day a week). The Executive Member for Community Development, Leisure and Culture welcomed this suggestion as a valuable resource towards achieving

accreditation for the Member Development Charter. The Executive recommended that £5k of the savings already agreed for deleting support for non-statutory meetings be redirected towards this for 2011/12 only.

The Scrutiny Committees had also suggested that support for PCSOs should be continued for a further year. The Executive supported this on the basis that the Community Safety Review in 2011/12 would consider a more long-term approach.

The Scrutiny Committees had also supported the aim to freeze council tax for a further year after 2011/12. The Executive Member for Resources and Internal Support recommended this suggestion and further advised Members that changes to the formula grant had only been received the day before. He tabled an amendment to the recommendations and also referred to a summary of an additional consultation meeting that had been held with representatives of the business community.

In response to Members' questions and comments, the Executive Member indicated that areas where savings had been identified could be reconsidered later, if the impact on service delivery was found to be unacceptable.

The Executive commended the proposals as now detailed.

RECOMMENDED - that (A) the comments and proposals of the Joint Scrutiny Committees of 18 January 2011, be received;

(B) the probable outturn for 2010/11 be approved;

(C) the revenue budget for 2011/12 be approved as now submitted, subject to the following amendments:

	£k
PCSOs savings be deleted	46

Redirection of part savings from support for non-statutory meetings to support for member development 5

to be offset by:

Increased formula grant from £6046k to £6079k -33

Reducing the balancing figure from £4k to £0k -4

Increasing contribution from General Reserve from £38k to £52k -14

(D) the medium term financial plan to 2014/15, be approved, subject to the following amendments:

In 2012/13 only £k

Reduced formula grant from £5315k to 5306k 9

to be offset by:

Reducing the planning contingency from £169k to £161k -8

Reducing the balancing figure from £239k to £238k -1

In each year 2012/13 - 2014/15

Redirection of part savings from support for non-statutory meetings to support for member development 5

to be offset by a reduction in the balancing figure in each year:

2012/13 from £238k to £233k -5

2013/14 from £470k to £465k -5

2014/15 from £702k to £697k -5

(E) there to be no increase in council tax for 2011/12; and

(F) in respect of 2012/13, the planning assumption for council tax be amended from a 2.5% increase to nil increase with the consequential adjustments, as now submitted at Essential Reference Paper 'A' to these Minutes.

536 MINUTES

RESOLVED – that the Minutes of the meeting held on 11 January 2011, be approved as a correct record and signed by the Leader.

537 ISSUES ARISING FROM SCRUTINY

The Executive received a report detailing those issues referred to it by the Scrutiny Committees.

RESOLVED – that the report be received.

538 NATIONAL EXPRESS EAST ANGLIA: PROPOSAL TO DELIVER INCREASED CAPACITY, TIMETABLE CONSULTATION FOR WEST ANGLIA SERVICES FOR MAY 2011 AND DECEMBER 2011 TIMETABLES

The Executive Member for Planning Policy and Transport submitted a report setting out the Council's proposed response to National Express East Anglia's proposal to deliver increased capacity and amend timetables for West Anglia services for May – December 2011. The Executive noted that the proposed response had been published under the non-key decision process, but in view of the extensive interest shown by Members, had been withdrawn, so that it could be considered at a formal meeting.

Some Members opposed the suggested responses to Proposals 1 and 3 on the basis that this would disadvantage residents in Bishop's Stortford. Various concerns were raised in respect of general service issues, such as the time of the last train from Cambridge towards London, the stopping points of trains from London towards Cambridge and the poor

standard of service on the Hertford East line in respect of timings and poor quality rolling stock.

The Executive Member suggested amendments to his recommendations which the Executive agreed. He also undertook to convey the concerns raised in respect of the other service issues raised and now detailed.

The Executive agreed the proposals now detailed.

RESOLVED – that National Express East Anglia be advised that, (A) in relation to ‘the proposal to deliver increased capacity timetable consultation for West Anglia services for May 2011 and December 2011 timetables’, East Herts Council, in respect of:

- (1) Proposal 1: generally supports the plan to introduce a faster, hourly off peak service between Cambridge and London, using the new class 379 trains, which calls only at Whittlesford, Audley End, Bishop’s Stortford and Tottenham Hale;
- (2) Proposal 2: while supporting the increase in local services for stations in East Hertfordshire that a twice an hour service from Stratford would bring, would prefer that at least one of the two timetabled trains should continue to Stansted Airport, in order to ensure that the only direct link to Stansted from other Hertfordshire stations is maintained;
- (3) Proposal 3: raises concerns that the planned reduction in Stansted Express journey times by looping the Hertford East service at Broxbourne to allow a Stansted Express service to pass it, thereby adding around 3 to 4 minutes to the journey time of the Hertford East service, will be a disbenefit to users of the service in the southern-central part of East Herts, particularly those in and around Hertfrod, Ware and

Stansted Abbots/St Margarets; making an already relatively long journey even less attractive to users, thus potentially reducing patronage and encouraging journeys to be made by less sustainable modes;

- (4) Proposal 4: expresses no preference on the option of whether to run, in the morning peak, 3 x 12 car services with new trains from Cambridge to London or, alternatively use the same new trains to run 2 x 12 car services from Cambridge and 1 x 12 car service from Stansted Airport;
 - (5) Proposal 5: supports, in principle, the introduction of a new service either from Cambridge or Ely to Stansted Airport on the opposite half hour to the Cross Country service, as provision from either location may help engender modal shift; and
- (B) other service issues of concern, as now detailed, be referred to National Express East Anglia, as part of the Council's response.

539 SHARING SERVICES WITH STEVENAGE COUNCIL

The Leader submitted a report seeking authority to develop a strategic business case for sharing support services with Stevenage Borough Council. He also sought in principle support for closer collaboration at corporate and senior management level with Stevenage Borough Council.

The Leader set out the phased approach, which aimed to deliver live partnerships by March 2012. He referred to the expression of interest from North Hertfordshire District Council and commented that the benefits and risks of widening these discussions would need to be considered, provided that agreed timescales could be met.

The Executive approved the proposals as now detailed.

RESOLVED – that (A) in principle, the exploration of closer corporate management arrangements with Stevenage Borough Council be supported;

(B) the development and assessment of a strategic business case for sharing support services with Stevenage Borough Council be approved;

(C) subject to agreement with Stevenage Borough Council, further discussion should take place with North Herts District Council following NHDC's expression of interest in the shared service arrangements outlined here, provided that agreed timescales can be met; and

(D) the application to Improvement East for £25,000 to fund this work, be supported.

540 MONTHLY CORPORATE HEALTHCHECK - JANUARY 2011

The Leader of the Council submitted an exception report on finance and performance monitoring for December 2010.

RESOLVED – that (A) the budgetary variances set out in paragraph 2.2 of the report be noted;

(B) in respect of NI 181, the unavailability of December 2010 performance data due to data not been released by DWP, be noted;

(C) a request for a supplementary estimate of £19,600 to modify car park Pay and Display machines to accept new 5p and 10p coins that come into circulation in April 2011, be approved;

(D) £36k of the works at the Southern Country Park scheme capital budget be re-profiled from 2010/11 into 2011/12;

(E) £95,800 of the plastic bottle and can sorting/bailing equipment capital budget be re-profiled

from 2010/11 into 2011/12; and

(F) a supplementary estimate of £80k in 2010/11 in respect of Decent Homes Grants be approved, to be funded by bringing forward this sum from the 2011/12 programme in order to offset some of the slippage on the programme.

The meeting closed at 8.52 pm

Chairman
Date

OTHER KNOWN REDUCTIONS AND INCREASES

	2011/12	2012/13	2013/14	2014/15
	£'000	£'000	£'000	£'000
Causeway deal		-74	-74	-74
increase in pension costs				92
Jackson Square Contract - Rent	75	83	91	99
Income Shortfall 2009/10 reducing effect	-50	-100	-150	-150
Changes to Terms and Conditions			-267	-440
New Refuse, Recycling & Street Cleansing Contract		-100	-100	-100
Joint Mgt team for Revenues and Benefits with Stevenage	-37	-37	-37	-37
Post regraded in Revenues & Benefits		-2	-2	-2
Markets - marketing & maintenance	6	6	6	28
Annual Licence fee - Benefits System	40	40	40	40
Additional plastic recycling - full year effect		22	22	22
Homelessness grant continuation (reduction in income from 11/12)		19	19	19
Hertford Theatre Hydro Income		-11	-11	-11
Total	34	(154)	(463)	(514)

Pay and Price Assumptions for Medium Term Financial Plan

Data Table	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
Overall salary increase (Inclusive of everything)*	4.75%	4.75%	0.65%	1.70%	1.45%	2.80%	3.15%
Members Allowances		0.00%	0.00%	2.68%	2.61%	1.80%	2.40%
Inflation	2.50%	2.50%	2.00%	2.10%	2.30%	2.60%	2.70%
NNDR	2.50%	3.00%	2.50%	2.50%	2.50%	2.50%	2.50%
Fuel	2.50%	5.00%	5.00%	2.50%	2.50%	2.50%	2.50%
Contract Index - All Contracts	3.50%	2.50%	2.00%	2.70%	2.70%	2.70%	2.70%
Contract Index - Street Cleansing	3.50%	2.50%	2.00%	2.70%	2.70%	2.70%	2.70%
Contract Index - Refuse Only	3.50%	2.50%	2.50%	3.20%	3.20%	3.20%	3.20%
Contract Index - Parking	3.00%	2.00%	1.50%	2.20%	2.20%	2.20%	2.20%
Contract Index - Leisure	2.50%	2.00%	1.50%	2.20%	2.20%	2.20%	2.20%
Contract Index - Community Meals	3.50%	3.00%	3.00%	3.70%	3.70%	3.70%	3.70%
Formula Grant/NNDR Redistribution	1.00%	0.50%	0.50%	-5.00%	-5.00%	-5.00%	-5.00%
Tax Base Increase	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%
Income							
Increase for Fees & Charges	3.50%	3.50%	3.50%	2.50%	2.50%	2.50%	2.50%
Increase for car parks	5.00%	5.00%	5.00%	2.50%	2.50%	2.50%	2.50%
Interest on investment	5.30%	2.75%	2.46%	1.81%	2.30%	2.70%	3.30%
1. Street cleansing / Grounds Maintenance - April RPI applied in April							
2. Refuse & Recycling - April AEI (public sector) applied in August							
3. Parking - April RPIx applied in January							
4. Community Meals - April RPI applied in April (contract ends July '09)							
5. Leisure - January RPIx applied in January							
*Salary Increase							
Pay award original budget **	2.50	2.25	0.00	0.20	0.20	1.80	2.4
Pay allowance - increments and local award	2.25	2.25	0.65	1.50	1.25	1.00	0.75
	4.75	4.50	0.65	1.70	1.45	2.80	3.15
** Pay award actuals and now reflected in future plans	2.75	1.00					

Savings	2011/12	2012/13	2013/14	2014/15
	£	£	£	£
Recommendations to Council				
CUSTOMER & COMMUNITY				
Community & Cultural				
Reduce funding for museum services HCC and partnership funding				
Customer & New Media				
Cancel free parking days at Christmas				
Ware Amwell End - Revision of rent payable by Hertford regional College for student car park spaces	-1,000			
Grange Paddocks Project				
Elm Road income	-7,500			
Postponing of Sunday Charging - income until 2011/12				
INTERNAL SERVICES				
Democratic & Legal Services				
Reduce support for Chairman				
Total recommendations to Council	-8,500	0	0	0
Other savings				
CUSTOMER & COMMUNITY				
Community & Cultural				
C&C - MOW		-45,761	-15,269	
Leisure Savings		-86,000	39,000	118,000
Review minor grants		-12,500		
Castle Hall - new business plan (subject to approval)		-83,085	-57,671	-45,000
Environment				
Do not replace Area Environment Inspector & delete lease van after 12 month contract expires		-30,000		
Delete Business Support Assistant Part Time Post FTE Grade 3 - 18.5 hours)		-12,175		
Delete Business Support Assistant Part Time Post FTE Grade 3 - 22.5 hours)		-12,922		
Reduce Recycling advertising and promotion budget		-31,300		
Customer & New Media				
Ware Amwell End - Revision of rent payable by Hertford regional College for student car park spaces		-1,000	-1,000	
Introduce On Street Charging				
Grange Paddocks Project				
Elm Road income		-10,000	-10,000	
Rye St/Grange Paddocks income		-50,000	-50,000	
Link Road resulting from redesignation as short stay			-50,000	
Northgate End resulting from redesignation as short stay			-56,000	

Grange Paddocks Project - Resident permit income		-2,500	-2,500	
NEIGHBOURHOOD SERVICES				
Planning & Building Control				
Cessation or very minimal provision of remaining discretionary elements of service		-71,305	-71,305	
CHIEF EXECUTIVE				
Strategic Direction & Corporate Support Team				
Restructuring within Strategic Direction		-16,041	-16,041	
INTERNAL SERVICES				
Democratic & Legal Services				
Land Charges - staffing reductions		-4,000	-23,000	
People & Organisational Services				
Reduction in corporate training budget pro rata to staff reduction			-6,000	
Financial Support Services				
Phased reduction in hours of estates staffing		-16,000	-15,000	-15,000
Business Support Services				
Staffing efficiencies on completion of C3W programme		-56,090		
Revenues & Benefits				
Invest to save option		-64,000	-64,000	
Total other savings	0	-604,679	-398,786	58,000
Review of 09/10 outturn				
Community Safety - reduction in supplies & services	-5,000			
Total review of 09/10 outturn	-5,000	0	0	0
2011/12 budget round additional savings				
CHIEF EXECUTIVE				
Strategic Direction & Corporate Support Team				
Public Consultation Budget reduction to base	-14,000			
Deletion of Graduate Trainee post	-15,000			
Reduction of Supplies & Services	-1,000			
Reduce performance and communications activity	-85,000			

INTERNAL SERVICES

Reduce and consolidate management resources	-75,000			
Human Resources				
Reduce HR support	-20,000	-60,000		
Business Support Services				
Internal Audit efficiencies from partnership working	-15,000	-30,000		
Restructuring within facilities services	-70,000	-50,000		
Reduce ICT contract payment	-30,000			
Restate property budgets		-13,000		
Revenues & Benefits				
Further shared service savings	-36,000			
Discretionary Rate Relief		-30,000		
Reductions in supplies & services - printing	-11,000			
Increase in recoverable overpayments of Housing Benefits	-100,000			
Financial Support Services				
Review of Financial Support Services				-40,000
Democratic & Legal Support Services				
Efficiency measures for electoral canvass				-13,000
Restructuring of Democratic & Legal Services		-4,000	-23,000	
NEIGHBOURHOOD SERVICES				
Planning & Building Control				
Building control fees		-50,000	-50,000	-50,000
Development Control BPI led savings				-22,000
DC miscellaneous costs		-10,000	-10,000	
Planning administration				-68,000
LDF funding		-10,000	-100,000	
Planning policy resources			-12,000	
Health & Housing				
Restructuring the services delivered by Licensing, Community Safety and Environmental Health leading to a reduction in resources	-100,000			-106,000
Cease funding Hsg Improvement Agency core & associated services				
- cease Hsg Advice		-5,000		
- cease Handyperson service		-16,000		
- cease funding HIA core and associated services		-33,000		
Reduce hours of Hsg Dev Officer and increase fees	-13,000			
Scale back rent support scheme				
Reduction in housing resouces	-54,000			
Community Safety				
Set taxi licence fees to recover full costs	-13,000	-13,000	-14,000	-14,000

Taxi marshals - withdrawal of funding	-5,000			
Cease contribution to PCSO's (As per 8/02/11 Executive decision moved from 11/12 to 12/13)		-46,000		
CUSTOMER & COMMUNITY				
Environment				
Reduce ancillary admin spend for Environmental Services	-3,000			
Reduce ancillary admin spend for Community & Cultural	-4,000			
Additional Income from sale of recycleables	-200,000			
Reduce total staff support across Environmental Services	-20,000			
Review / reduce level of environmental coordination and advice	-25,000	-25,000		
increase charges for bulky waste collection service	-10,000			
Join the Consortium contract for the provision of textile banks	-30,000			
Community & Cultural				
Reduce and consolidate senior management resource	-60,000			
Rationalise and consolidate the range of community and culture activities and projects undertaken	-41,000	-41,000		
Review the Hertford Theatre management structure	-7,000	-15,000		
Reduce total spend on Community & Culture, grants, subscriptions & discretionary commissioning by approx 5%	-20,000			
Customer Services & New Media				
Reduce / consolidate ongoing web support	-15,000			
Corporate costs				
Reduce corporate management	-15,000	-50,000		
Deletion of existing savings options in the MTFP replaced by items above				
Planning Service		87,000	87,000	
Strategic Direction				
	-1,107,000	-414,000	-122,000	-313,000
Total Savings	-1,120,500	-1,018,679	-520,786	-255,000
Cumulative Total Savings	-1,120,500	-2,139,179	-2,659,965	-2,914,965

One Off Savings	2011/12	2012/13	2013/14	2014/15
	£	£	£	£
INTERNAL SERVICES				
Financial Support Services				
Rural Development Project Income Stream		-5,000		
Total	0	-5,000	0	0
Review of 09/10 outturn				
CHIEF EXECUTIVE				
Strategic Direction				
Public Consultation & Research		-9,700	-5,700	-14,700
Total	0	-9,700	-5,700	-14,700
Agreed at 8 February 2011 Executive				
CCTV - Developer contribution (removed from 2011/12 f&c)	-14,700			
Total	-14,700			
Total one off savings	-14,700	-14,700	-5,700	-14,700

Special Items	2011/12	2012/13	2013/14	
	£	£	£	£
CUSTOMER & COMMUNITY				
Community & Cultural				
LSP	60,000			
Customer & New Media				
Consultancy re parking retender	12,000			
Grange Paddocks Project -	6,300	0	0	
Grange Paddocks Project - Resident permit	20,000	0	0	
Total	98,300	0	0	0
Review of 09/10 outturn				
Bldg Control - Supplements	9,000	9,000	0	0
Dev Plans - Supplements	6,500	6,500	0	0
Dev Control - Supplements	9,000	9,000	0	0
Total	24,500	24,500	0	0
Total SIs	122,800	24,500	0	0

Growth	2011/12	2012/13	2013/14	2014/15
	£	£	£	£
CUSTOMER & COMMUNITY				
Customer & New Media				
On Street Charging - Maintenance and Monitoring of Pay and Display Machines				
Sunday & Bank Holiday charging				
Grange Paddocks Project - Rebate to Leisure Centre Users			40,000	
Grange Paddocks Project - Maintenance of pay and display machines			3,600	
Hartham Lane car park extension - Maintenance and monitoring of pay and display machines	250			
Environment				
Refuse Service - Property Growth				53,000
Growth from capital programme	25,000	25,000	25,000	
Total	25,250	25,000	68,600	53,000
Review of 09/10 outturn				
Dev Control - Appeals & Consultancy	50,000	0	0	0
Total	50,000	0	0	0
Agreed at 8 February 2011 Executive				
Part of the savings from deleting support for non statutory meetings approved by the Council in September be redirected to support for member development	5,000			
	5,000	0	0	0
Total Growth	80,250	25,000	68,600	53,000
Cumulative Total Growth	80,250	105,250	173,850	226,850

MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 9 FEBRUARY 2011, AT 7.00
PM

PRESENT: Councillor W Ashley (Chairman).
Councillors M R Alexander, K A Barnes,
S A Bull, A L Burlton, Mrs R F Cheswright,
R N Copping, J Demonti, R Gilbert,
Mrs M H Goldspink, G E Lawrence,
S Rutland-Barsby, J J Taylor, R I Taylor,
B M Wrangles and A L Warman.

ALSO PRESENT:

Councillors D Andrews, M G Carver, V Shaw
and M J Tindale.

OFFICERS IN ATTENDANCE:

Glyn Day	- Principal Planning Enforcement Officer
Simon Drinkwater	- Director of Neighbourhood Services
Peter Mannings	- Democratic Services Assistant
Kevin Steptoe	- Head of Planning and Building Control
Alison Young	- Development Control Manager

541 APOLOGY

An apology for absence was submitted on behalf of Councillor D A A Peek. It was noted that Councillor A L Warman was in attendance as substitute for Councillor D

A A Peek.

542 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting and those who were watching the live webcast.

The Chairman advised that application 3/10/2019/FP would be determined after application 3/10/1851/FP.

The Chairman advised that the meeting of the Committee due to be held on Wednesday 6 April 2011 had been rearranged for Thursday 24 March 2011 to take account of the purdah period prior to the District and Parish Elections in May.

543 DECLARATIONS OF INTEREST

Councillor S Rutland-Barsby declared a personal interest in application 3/10/2019/FP in that she was an acquaintance of the applicant.

Councillor W Ashley declared a personal and prejudicial interest in application 3/10/2019/FP in that he was an acquaintance of the applicant and his mother in law and brother in law owned the closest properties to the lake. He left the room whilst this matter was considered and Councillor S Rutland-Barsby chaired the meeting for this item.

Councillor Mrs R F Cheswright declared a personal interest in application 3/10/2019/FP in that she used to be a neighbour of the applicant.

Councillors S A Bull and J Demonti declared personal interests in application 3/10/2110/FP and enforcement item E/10/0254/A, in that they were the Authority's representatives on Circle Anglia Housing Association.

Councillors R Gilbert and J J Taylor declared personal interests in application 3/10/1968/FP in that they were the

Authority's representatives on Lea Valley Regional Park Authority.

544 MINUTES

RESOLVED - that the Minutes of the Development Control Committee meeting held on 12 January 2011 be confirmed as a correct record and signed by the Chairman.

545 3/10/1968/FP - ERECTION OF 76 DWELLINGS, OPEN SPACE, LANDSCAPING, PARKING AND ACCESS FROM WIDBURY HILL AT THE DEPOT AND COACHWORKS, LEASIDE DEPOT, WIDBURY HILL, WARE, SG12 7QE FOR TAYLOR WIMPEY NORTH THAMES

Mr Lambert addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1968/FP, subject to the applicant entering into a legal agreement pursuant to section 106 of the Town and Country Planning Act 1990, planning permission be granted subject to the conditions now detailed.

Councillor Mrs M H Goldspink thanked Officers for negotiating with the applicant on the provision of a children's play space. She stressed that although she was disappointed there was to be no traditionally equipped play area, what had been achieved was better than nothing.

Councillor Goldspink expressed concerns in relation to the renewable energy requirements. She stated she was keen for such requirements to be included. She commented on whether the section 106 obligation for sustainable transport could be scrapped and the contribution towards outdoor sports facilities reduced so this money could be used to ensure that at least 10% of the energy supply of the development was supplied by

decentralised and renewable or low-carbon sources.

Councillor V Shaw, as the local ward Member, stated that she had visited the proposed play space. She commented that as this was the best that could be achieved for the site, she had no problem with the proposed provision.

Councillor Shaw expressed concerns that the site was to be so intensely built that the dwellings would not be attractive or individual. She expressed a continued hope that she would be able to have some input into the visual appearance of the development.

Councillor Shaw highlighted the importance of long term sustainable buildings on the site. She commented that the £101,500 for sustainable transport measures was in addition to what was required for the site and should be put back into the build to support sustainable buildings.

In response to a query from Councillor A L Burlton, the Director advised that this Committee was the decision making body so, although Hertfordshire County Council had requested the section 106 contributions, it was for Members to decide where the greatest priority lay for the allocation of section 106 funding.

The Director reminded Members that developers may take notice of any decision around section 106 contributions and adjust priorities on future applications. He stressed that contributions for sustainable transport were allocated for the area a particular local plan was intended to serve.

The Director advised that the government's approach on sustainable building was very much being driven by building control regulations. Members were advised that requests for support from the Lea Valley Regional Park could not be reasonably supported by Officers.

In response to a query from Councillor Burlton on car

parking ratios, these had changed very slightly but the percentage change was very marginal.

The Director stated that the details of building materials would be submitted to and agreed by Officers prior to the commencement of a development. Members were reminded that the overall scale of the properties would not change at this stage.

Councillor J J Taylor expressed concerns in relation to the flood risk for this site. She stated that not all of the Ware Members supported this application and she was not in support of the proposed development.

The Director stated that if Members were minded to change the section 106 contribution, Officers would attach an additional condition stating that prior to the commencement of development, a scheme for the implementation of energy efficiency measures should be submitted to and approved in writing by the Local Planning Authority.

Councillor Mrs M H Goldspink proposed and Councillor J Demonti seconded, a motion that application 3/10/1968/FP be approved subject to the deletion of the £101,400 towards sustainable transport measures and reduction by £13,000 of the contribution towards outdoor sports facilities to enable the developer to secure at least 10% of the energy supply of the development from decentralised and renewable or low-carbon sources and also subject to an additional condition stating that prior to the commencement of development, a scheme for the implementation of energy efficiency measures should be submitted to and approved in writing by the Local Planning Authority.

After being put to the meeting and a vote taken, there being an equality of votes, this motion was declared CARRIED on the Chairman's casting vote.

The Committee accepted the recommendation of the

Director of Neighbourhood Services that application 3/10/1968/FP be granted subject to the conditions now detailed and the amended section 106 legal agreement.

RESOLVED – that subject to the applicant entering into a Section 106 legal agreement of the Town and Country Planning Act 1990 to cover the following matters:

1. To provide 30 units of affordable housing with a tenure mix of 75% social rented and 25% intermediate affordable housing or, subject to the availability of grant funding, as otherwise agreed with the Council to a minimum mix of 50% social rented and 50% intermediate affordable housing;
2. To provide 15% Lifetime Homes;
3. £154,737* towards Secondary Education;
4. £3,050* towards Youth;
5. £12,864* towards Libraries;
6. £58,404 towards Outdoor Sports Facilities;
7. To establish a management company for the future maintenance of roads, communal areas and public open space within the development site and a scheme to ensure the maintenance of public access to the open space;
8. To provide fire hydrants;
9. To submit full details on the location and specification of the pedestrian route and play space for written approval from the Local Planning Authority, including the footbridge over the River Lee to Tumbling Bay, and not to occupy more than 50% of the units until the footpath, bridge and play space are brought

into use;

10. £300 standard monitoring fee per obligation.

* The contributions marked with an asterisk are subject to re-calculation through the legal agreement depending on the exact tenure split provided under obligation (1), and in accordance with the figures set out in the Hertfordshire Planning Obligations Toolkit.

in respect of application 3/10/1968/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Approved plans (2E10 – 061001-WIM.NT.01 B, 02 A, 03, A-E1, A-E2, A-P1, B-E1 A, B-P1, C-E1, C-E2, C-P1, D-E1, D-P1 A, E-E1 A, E-P1 A, AA-E1 A, AA-E2, AA-P1, AB-E1, AB-P1, AC-E1, AC-P1, ABS-AC-E1, ABS-P1, AD-E1, AD-P1 A, AE-P1, AE-E1, B1-E1, B1-E2, B1-P1, B1-P2, B1-P3, B2-E1, B2-E2, B2-E3, B2-E4, B2-P1, B2-P2 A, B2-P3 A, B3-E1, B3-E2, B3-P1, B3-P2, B3-P3, B4-E1, B4-E2, B4-P1, B4-P2, B4-P3, GAR1, BS1, BCS1, SHED 1, SS-AA, SS-BB, SS-CC, TWNT 17471-01, TWNT 17474-03, TWNT 174747-11 Sheet 1 B, TWNT 174747-11 Sheet 2 B, TWNT 174747-11 Sheet 3 B, TWNT 174747-12)
3. Programme of archaeological work (2E02)
4. Boundary walls and fences (2E07)
5. Materials of construction (2E11)
6. Lighting details (2E27)
7. Wheel washing facilities (3V25)

8. Tree retention and protection (4P05 – please add ‘and hedges’)
9. Landscape design proposals (4P12 - amended see AUT4)
10. Landscape works implementation (4P13)
11. Tree Planting (4P15)
12. Vehicular use of garage (5U10)
13. The development shall be carried out in accordance with the recommendations and mitigation measures set out in the Ecological Update report dated October 2010, and prior to the construction of the footbridge further ecological surveys shall be carried out to identify the presence of any reptiles, water voles, otters or amphibians and submitted to and approved in writing by the Local Planning Authority, including details of any necessary mitigation measures.

Reason: To protect the ecological value of the site and protected species in accordance with policies ENV14, ENV16 and ENV17 of the East Herts Local Plan Second Review April 2007.

14. No development shall take place until details of the lighting scheme and details of the management of the public open space have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details before any of the dwellings hereby permitted are first occupied.

Reason: In the interests of the appearance of the development in accordance with policy

ENV1 of the East Herts Local Plan Second Review April 2007.

15. No development shall take place until a scheme providing for the insulation of the proposed dwellings against the transmission of noise and vibration from the neighbouring commercial premises, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details before any of the dwellings hereby permitted are first occupied.

Reason: To ensure a satisfactory living environment for future residential occupiers in accordance with policies ENV1 and ENV25 of the East Herts Local Plan Second Review April 2007.

16. Prior to the commencement of development (or other such date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority:
 - a. A site investigation scheme, based on the preliminary risk assessment by CARD Geotechnics dated January 2008, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 - b. The site investigation results and the detailed risk assessment (a), and based on these an options appraisal and remediation strategy giving full details of

the remediation measures required and how they are to be undertaken.

- c. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (b) are complete and identifying any requirements for longer-term monitoring of pollutant leakages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure protection of human health and the environment in accordance with PPS23 'Planning and Pollution Control'.

17. The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority, and appropriate mitigation measures implemented as approved in writing.

Reason: To ensure protection of human health and the environment in accordance with PPS23 'Planning and Pollution Control'.

18. The development shall be carried out in accordance with the approved Flood Risk Assessment by Halcrow dated June 2008 and the mitigation measures contained within it, including finished floor levels set no lower than 31.94m above Ordnance Datum (AOD).

Reason: To minimise the risk of flooding to people and property in accordance with policy ENV19 of the East Herts Local Plan Second Review April 2007.

19. No building hereby permitted shall be occupied until a sustainable urban drainage system has been implemented in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall:
- a. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - b. include a timetable for its implementation; and,
 - c. provide a management and maintenance plans for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements for adoption by any public authority or statutory undertaker and any other arrangements s to secure the operation of the scheme throughout its lifetime.

Reason: To ensure satisfactory management of surface water drainage in accordance with policy ENV21 of the East Herts Local Plan Second Review April 2007.

20. Before first occupation of any of the buildings hereby permitted foul drainage works shall have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure satisfactory management of foul drainage in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007.

21. Piling or any other foundation design using penetrative methods shall not be permitted other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater on site in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007.

22. No development shall be carried out until full details of the estate road junction onto Widbury Hill, including visibility splays, have been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until such time as the access has been constructed in accordance with the approved details.

Reason: To ensure satisfactory access to the site and highway safety.

23. No development shall begin until details of the proposed service roads, including sections, gradients and method of surface water disposal have been approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved plans.

Reason: To ensure satisfactory access to the site and highway safety.

24. Construction of the development hereby approved shall not commence until details of construction vehicles movements and construction access arrangements are submitted to and approved by the Local Planning Authority.

Reason: To ensure satisfactory access to the site and highway safety.

25. Prior to the commencement of development, a scheme for the implementation of energy efficiency measures within the development to secure at least 10% of the energy supply of the development from decentralized and renewable or low-carbon sources, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved scheme.

Reason: To ensure the development assists in reducing climate change emissions in accordance with policy ENG1 of the East of England Plan May 2008 and policy SD1 of the East Herts Local Plan Second Review April 2007.

Directives:

1. Other legislation (01OL)
2. Street Naming and Numbering (19SN)
3. Groundwater protection zone (28GP – insert Musley Hill)
4. The site has a public sewer running across or

close to it which may be affected by the proposed building works. It may be necessary to divert the sewer and water course and carry out other works to protect it and the proposed building works. You should contact Thames Water Developer Services on 0845 8502777 about this matter before any site works are commenced.

5. The applicant is advised that in order to comply with conditions of this permission it will be necessary for the developer to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure satisfactory completion of the access and associated road improvements including street lighting, footway and safety barriers. The applicant is advised to contact the Eastern Herts Highways Area Office, Hertford House, Meadway Corporate Centre, Rutherford Close, Stevenage SG1 3HL (Tel 01438 757880) to obtain the requirements on the procedure to enter into the necessary agreement with the highway authority prior to commencement of development.
6. The applicant is advised that if it is the intention to request Hertfordshire County Council as Local Highway Authority to adopt any of the proposed highways as maintainable at the public expense then details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run-off calculations must be submitted to Eastern Herts Highways Area Office, Hertford House, Meadway Corporate Centre, Rutherford Close, Stevenage SG1 3HL (Tel 01438 757880). No development shall commence until the details

have been approved in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

7. The applicant is advised to contact third party works engineer, Hilton Guerra (07710 733353) in order to ensure that any necessary consents are obtained and the works are compliant with the current British Waterways 'Code of Practice for Works affecting British Waterways.'
8. The applicant is advised that under the terms of Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8m of the top of the bank of the River Lee, designated a 'main river'. If there is to be increased access to the river, interpretation boards should be considered to increase awareness of the river corridor and its wildlife. This could be achieved through the Hertford's River Corridors Partnership Interpretation Project.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the 'saved' policies of the East Herts Local Plan Second Review April 2007), and in particular policies SD1, SD2, HSG1, HSG3, HSG4, HSG6, TR1, TR2, TR7, TR8, TR14, EDE1, ENV1, ENV2, ENV3, ENV11, ENV14, ENV19, ENV20, ENV21, ENV25, LRC3, LRC9, WA8, WA10 and IMP1, and PPS1, PPS3, PPS4, PPS9, PPG13, PPG17, PPS23, PPG24 and PPS25. The balance of the considerations having regard to those

policies, and permission 3/08/1399/OP, is that permission should be granted.

546 3/10/0512/OP - DEMOLITION OF ALL EXISTING STRUCTURES AND RESIDENTIAL REDEVELOPMENT AT BIRCH FARM AND HUNT KENNELS, WHITE STUBBS LANE, BROXBOURNE, EN10 7QA FOR MR AND MRS L BARNES

Jane Orsborn addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/0512/OP, planning permission be refused for the reasons now detailed.

Councillor J J Taylor stressed that this application was once again before the Committee as inappropriate development in the green belt. She referred to the planning history of the application and stated that should this application be approved, a very dangerous precedent would be set.

Councillor J J Taylor referred to the comments of the Broxbourne Woods Society that this application, if approved, would result in a creeping urbanisation of the countryside. She reminded Members that this site was within the metropolitan green belt where planning permission for new buildings would not be approved except in very special circumstances. She stated that there were no apparent special circumstances in this case so this application was contrary to policies GBC1 and GBC14 of the East Herts Local Plan Second Review April 2007.

Councillor R Gilbert commented that there was no hope of the derelict buildings being reused on this site. He referred to the case officer's point that this application was an improvement on the previous applications.

Councillor Gilbert referred to the 19 letters of support that had been received. He also referred to the continuous efforts by the applicant to make this scheme acceptable to Officers.

Councillor Gilbert stressed that the existing buildings were derelict and this application was essentially to demolish structures that were a blot on the landscape. He stated that this small development was not contrary to policy GBC14 of the East Herts Local Plan Second Review April 2007.

Councillor K A Barnes stated that the concerns of Officers were contrary to the views of the Parish Council and 19 local residents. He referred to the continued views of the National Farmers Union in support of the application.

Councillor Barnes referred to the likely improvements to what was a brownfield site. The application would reduce the roof height of buildings on the site and return 50% of the site to the green belt following implementation of landscaping works. He stressed that some of the visual aspects of the existing buildings would also be retained.

Councillor Barnes stated that refusing the application could leave the Authority open to accusations that it was acting unfairly and inconsistently with resolutions on planning applications in this area. Councillor S A Bull expressed concerns that, although he had sympathy with the applicant, approving this application could open the floodgates for inappropriate green belt development.

Councillor J Demonti stated that this site was not pristine green belt, but a mix of dangerous and derelict buildings. She commented that special circumstances existed for approving the application, which sought to demolish the above buildings and return 70% of the site to the green belt.

Councillor M R Alexander stated that the Officer who wrote the report had recommended refusal due to the policy presumption against new development in the greenbelt. He stated however, that the report contained numerous caveats suggesting the Officer was unsure whether to recommend refusal but had to do so due to the planning policies.

Councillor Alexander referred to the likely planning gain

resulting from this application. He stated that the Officer had acknowledged the improvements to this scheme when compared to previously refused applications on the site.

The Director reminded Members of the planning history and stated that this site was within the green belt and the policies around the green belt were widely known. Members were also reminded of the policy presumption against development unless there were very special circumstances. The Director stated that Officers had not been satisfied that such special circumstances had been put forward by the applicant.

In response to a number of queries from Members on the way forward if this outline application was approved, the Director advised that Officers would not necessarily be constitutionally required to report it back to Committee but Members and the Chairman could request that it come back to Members.

Councillor J J Taylor proposed and Councillor R N Copping seconded, a motion that the Committee accept the Officer's recommendation for refusal.

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

Councillor R Gilbert proposed and Councillor Mrs M H Goldspink seconded, a motion that application 3/10/0512/OP be approved on the grounds that the application conserves, enhances and creates a landscape that enhances the character and appearance of a brownfield site to the benefit of the green belt and was not contrary to policies GBC1 and GBC14 of the East Herts Local Plan Second Review April 2007, subject to conditions and/or legal agreement, the details of which to be formulated by Officers and agreed in consultation with Councillors W Ashley and M R Alexander.

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

The Committee rejected the recommendation of the Director of Neighbourhood Services that application

3/10/0512/OP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/10/0512/OP, planning permission be granted subject to conditions and/or legal agreement, the details of which to be formulated by Officers and agreed in consultation with Councillors W Ashley and M R Alexander.

547 3/10/0761/FP - NEW CLUB HOUSE AND SHOWER FACILITIES FOR FISHING LAKES - RETROSPECTIVE AT REDRICKS LAKES, REDRICKS LANE, SAWBRIDGEWORTH, HERTS, CM21 0RL FOR MR MITCHELL EDWARDS

Mr Edwards addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/0761/FP, planning permission be refused for the reason now detailed.

Councillor K A Barnes stated that he had observed that the facilities were both small scale and in keeping with the rural conservation aspect of the area. He commented that the application did not adversely affect the openness of the green belt. He referred to the fact that Sawbridgeworth Town Council had not objected to the application.

Councillor Mrs M H Goldspink proposed and Councillor R I Taylor seconded, a motion that application 3/10/0761/FP be approved on the grounds that this was an essential small scale sporting facility and the planning conditions be delegated to the Director of Neighbourhood Services and also that no enforcement action be taken in respect of the site relating to 3/10/0761/FP.

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

The Committee rejected the recommendation of the Director of Neighbourhood Services that application 3/10/0761/FP be granted subject to the conditions now detailed. The Committee also rejected the Director's recommendation for enforcement action on the basis now detailed.

RESOLVED – that in respect of application 3/10/0761/FP, planning permission be granted subject to the following conditions:

1. The use of the buildings hereby permitted shall only be used in conjunction with and ancillary to the authorised recreational use of the land.

Reason: To ensure that the use of the buildings remains appropriate to the location of the site within the Green Belt in accordance with policy GBC1 of the East Herts Local Plan Second Review April 2007.

2. No external lighting shall be provided at the site without the prior written permission of the Local Planning Authority.

Reason: In the interests of the visual amenity and rural character of the surrounding area in accordance with the provisions of PPG2 and policies ENV23 and GBC1 of the East Herts Local Plan Second Review April 2007.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies GBC1, ENV1, ENV23. The balance of the

considerations having regard to those policies is that permission should be granted.

548 3/10/2110/FP - DEMOLITION OF EXISTING BUILDINGS, ERECTION OF 6 NO. 2 BEDROOM, 2 STOREY HOUSES AND 6 NO. 3 BEDROOM, 2 AND A HALF STOREY HOUSES (IN THE FORM OF 4 TERRACES AND 1 NO. DETACHED HOUSE), 15 CAR PARKING SPACES, 12 SECURE CYCLE SPACES AND LANDSCAPED FORECOURT AT FIRLANDS HOUSE, FIRLANDS, BISHOP'S STORTFORD, HERTS, CM23 3TD FOR CIRCLE ANGLIA

The Director of Neighbourhood Services recommended that, in respect of application 3/10/2110/FP, subject to the applicant entering into a legal agreement pursuant to section 106 of the Town and Country Planning Act 1990, planning permission be granted subject to the conditions now detailed.

Councillor K A Barnes referred to the concerns of the parish council in respect of the loss of a warden controlled sheltered housing complex and an associated social meeting room. He stated that 15 car parking spaces for 12 dwellings was insufficient, which would exacerbate existing problems with parked cars in Firlands.

Councillor Barnes expressed a hope that this application would be considered more carefully in relation to the loss of amenities for the elderly and car parking.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/10/2110/FP be granted subject to the conditions now detailed.

RESOLVED – that subject to the applicant entering into a Section 106 legal agreement of the Town and Country Planning Act 1990 to cover the following matters:

1. Financial contributions towards:

- Primary education of £30,731;
- Secondary education of £14,516;
- Nursery education of £4,178;
- Childcare of £1,569;
- Youth services of £274;
- Libraries of £694;
- Sustainable transport of £2,500;
- Community Facilities of £2628;
- Open Space- Provision for Children and Young People and Outdoor Sports Facilities of £9906.43;
- Recycling facilities of £864; and

2. The provision of fire hydrants;

in respect of application 3/10/2110/FP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (1T12)
2. Boundary walls and fences (2E07)
3. Approved plans (2E10)
PI001A, PL002A, PL003A, PL004A, PL005A, PL006A, EX002, EX003, EX004, S01, Site Location Plan
4. Samples of materials (2E12)
5. Existing access closure (3V05)
6. Construction parking & Storage (3V22)
7. Provision and retention of parking spaces (3V23) Insert *'and all access and junction arrangements shall be completed'* and *'and in the interests of highway safety'*

8. Tree retention and protection (4P053)
9. Landscape design proposals (4P124 – a, b, d, e, i, j, k, l)
10. Landscape works implementation (4P133)
11. Construction hours of working- plant & machinery (6N07)
12. Measures to ensure that the development does not adversely impact upon bats or their roosts shall be carried out in accordance with the recommendations set out in the approved Bat Report received on 14 January 2011, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the habitats of bats which are a protected species under the Wildlife and Access to the Countryside Act 1981, and in accordance with policy ENV16 of the East Herts Local Plan Second Review April 2007.

Directive:

1. You are advised that the presence of any significant unsuspected contamination that becomes evident during the development of the site including asbestos should be brought to the attention of the Local Planning Authority as soon as possible.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular

policies ENV1, ENV2, ENV3, ENV16, HSG1, HSG3, HSG4, HSG6, IMP1, TR7, TR14 and of the Local Plan and PPS1 – Delivering Sustainable Development and PPS3 – Housing. The balance of the considerations having regard to those policies is that permission should be granted.

549 3/10/1152/FP - CHANGE OF USE OF LAND TO ALLOW MARKET STALLS TO BE POSITIONED IN THE CENTRE OF NORTH STREET ON THURSDAYS AND SATURDAYS AT NORTH STREET, BISHOP'S STORTFORD FOR EAST HERTS COUNCIL

Mr Heath addressed the Committee in objection to the application. Mr Rospo spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1152/FP, planning permission be granted subject to the conditions now detailed.

Councillor A L Warman expressed concerns in relation to what would happen should the fire service need access to North Street in an emergency. Councillor R Gilbert expressed concerns in relation to the traffic implications of the application. He commented that larger vehicles might find it impossible to turn into Barrett Lane off North Street if the market was extended opposite this junction.

The Director advised that considerations such as emergency vehicle access, pedestrian safety and vehicle safety must be taken into account when setting up a market. He stressed that a granting a planning application would not preclude such safety arrangements being effected in North Street by the market operator.

Councillor Mrs M H Goldspink expressed concerns that there were conflicting views in relation to the traffic study and whether there would be traffic problems. She also expressed concern over the loss of parking spaces, particular for the disabled. Councillor Goldspink stressed that she was glad the

application was only for a year so that the effects could be very closely monitored.

Councillor K A Barnes commented on whether the 5 am to 4 pm operating times applied for, included the setting up and clearing up time required to operate the market. The Director stated that the hours in the conditions were for the operation of the market, i.e. the selling of goods. Officers could adjust this condition so that all stalls were cleared away by 4 pm if that was what Members would prefer.

Councillor Barnes stated his concern that stall holders clearing away stalls before 4 pm in North Street could prove to be dangerous for pedestrians using the shops in that area. Councillor A L Burlton expressed a concern that water main works resulting in long term closures of Market Street, Potter Street and South Street could be problem if this planning permission was implemented prior to 24 May 2011. He expressed concerns that implementing this permission prior to the conclusion of the water works would result in the whole town centre being closed and subject to gridlock.

The Director stressed that the operation of the market and the implementation of this permission was within the control of the Authority as the market operator. He stated however, that this was beyond the remit of the Development Control Committee. He suggested that this concern be relayed to the Officers with the responsibility for the markets.

Councillor M G Carver stated that this was very much a trial and Officers were already in liaison with the Highway Authority and the Water Companies. He emphasised that existing market stalls would remain as this application was very much seen as an expansion trial to raise the market gain and raise the profile of Bishop's Stortford.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/1152/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/1152/FP, planning permission be granted subject to the following conditions:

1. The use hereby permitted shall cease on or before 28th February 2012.

Reason: To allow the impact of the proposed road closure on the free flow of traffic in the area to be monitored and assessed in the interests of highway safety.

2. The use of the market hereby permitted shall be restricted to the hours of 0500 to 1600 on Thursdays and Saturdays only.

Reason: In the interests of highway safety.

3. The use of the site as a market, in accordance with the plans hereby approved, shall only occur when a Traffic Regulation Order prohibiting driving in North Street between Bridge Street and Barrett Lane on Thursdays and Saturdays, or as may otherwise be agreed in writing by the Local Planning Authority, has been approved, implemented and is in place.

Reason: In the interest of highway safety

Directive:

1. You are advised to contact the Hertfordshire County Council Passenger Transport Unit in order to consider bus diversion routes.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County

Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies ENV1 and STC1. The balance of the considerations having regard to those policies is that permission should be granted.

550 3/10/2079/FP - DEMOLITION OF EXISTING BUNGALOW AND ASSOCIATED OUT BUILDINGS AND ERECTION OF TERRACE OF THREE 'AFFORDABLE' AND FOUR DETACHED OPEN MARKET HOUSES WITH A RELOCATED VEHICULAR ACCESS AT DOVEDALE, HIGH WYCH LANE, HIGH WYCH, CM21 0JJ FOR GRANGE BUILDERS LLP

The Director of Neighbourhood Services recommended that, in respect of application 3/10/2079/FP, planning permission be granted subject to the conditions now detailed.

Councillor M G Carver, as the local ward Member reiterated the comments of High Wych Parish Council in relation to the affordable housing on what had been a contentious site in the past. He emphasised the importance of achieving the proportionality that was stated in the report now submitted prior to any development on this site.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/2079/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/2079/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T121)
2. No development shall take place until a scheme for the provision of affordable housing

as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme. The scheme shall include:

- a) The numbers, type, and location on the site of the affordable housing provision to be made;
- b) The timing of the construction of the affordable housing;
- c) The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing and;
- d) The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure that an appropriate level of affordable housing is provided in accordance with policies HSG3 and OSV2 of the East Herts Local Plan Second Review April 2007.

3. Levels (2E051)
4. Samples of materials (2E123)
5. Boundary walls and fences (2E073)
6. Hard surfacing (3V213)
7. Tree retention and protection (4P075)
8. Hedge retention and protection (4P063)
9. The proposed development shall be undertaken in accordance with the Tree

survey, arboricultural impact assessment, method statement and landscape proposals (reference 203.10) and related plans 203.10.1 Appendix E and 203.10.2 Appendix F.

Reason: To ensure the provision of appropriate soft landscaping within the development site and to ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity and in accordance with policies ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

10. Construction hours of working – plant and machinery (6N072)
11. Prior to the commencement of development, details of storage, parking and wheel washing facilities during the construction of the development shall be submitted to and approved in writing by the Local Planning Authority and the development shall only proceed in accordance with the approved details and all building, storage and parking operations associated with the development shall be contained within the site.

Reason: To ensure adequate off-street parking and storage facilities and to prevent the tracking out of materials onto the highway in the interests of highway safety.

12. Withdrawal of PD (Part 1 Class A)(2E203)
13. Withdrawal of PD (Part 1 Class E)(2E223)
14. Prior to first occupation of the development, the car parking spaces and/or garage(s)

serving the development shall be completed in accordance with the approved plans and any such spaces shall be kept available for the parking of cars in connection with the use of the dwelling, at all times.

Reason: To ensure the provision of appropriate off street parking space.

15. Prior to the commencement of development, full details, including drawings and specification of the footway and layby fronting the site shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details, prior to the occupation of the development.

Reason: To ensure the provision of an appropriate pedestrian footway and layby in the interests of highway and pedestrian safety.

16. Approved plans (2E102) (insert:- 01, BRD/10/068/1 A, BRD/10/068/2 A, BRD/10/068/3 A, BRD/10/068/4 A, BRD/10/068/5 A, BRD/10/068/6 A, BRD/10/068/7, BRD/10/068/8 A, 203.10.1 Appendix E, 203.10.2 Appendix F, 203.10.3A)

Directives:

1. Other legislation (01OL1)
2. The presence of any significant unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority.
3. You are advised that in order to comply with the planning conditions set out in this permission that it will be necessary to enter

into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access, closure of the existing access and TRO to restrict long term parking within the lay-by along High Wych Lane. You are advised to contact the Eastern Herts Highways Area Officer, Hertford House, Meadway Corporate Centre, Rutherford Close, Stevenage, SG1 3HL (01438 757880) to obtain the requirements of the procedure to enter into the necessary agreement with the Highway Authority prior to the commencement of development.

4. Street name and numbering (19SN4)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies SD1, HSG1, HSG3, HSG4, GBC3, TR1, TR7, ENV1, ENV2, ENV9, ENV11 and OSV2. The balance of the considerations having regard to those policies and the Planning Inspectorates decision to allow an appeal against LPA reference 3/07/0592/FP is that permission should be granted.

551 3/10/1838/FP - DEMOLITION OF DUTCH BARN AND ERECTION OF THREE DWELLINGS AT LAND AT TINKERS HILL, THE STREET, FURNEUX PELHAM, SG9 0LJ FOR AD AND SF COLLINS

Mr Smart addressed the Committee in objection to the application. Mr Collins spoke for the application.

The Director of Neighbourhood Services recommended

that, in respect of application 3/10/1838/FP, planning permission be refused for the reasons now detailed.

Councillor M J Tindale, as the local ward Member, referred to his concerns on the previous application and the reasons for the refusal of that application in April 2010. He stated that, unusually, the applicant had managed to overcome all of the previous reasons for refusal.

Councillor Tindale stated that this current application was significantly more appropriate for the site. He commented that aside from the location of the site within the village, all of the objections had been overcome. He emphasised that the proposed buildings were appropriate and sympathetic to the site.

Councillor Tindale stressed that the case officer considered that the neighbours would not be adversely affected by the application. He stated his view that the application was ideally suited to this site. He stressed that none of the key stakeholders had objected to the application and that there had also been very few neighbour objections.

Councillor Tindale commented that the Officers' concerns over the location of the site within the village was very much a matter of judgement. He stated that Furneux Pelham was not two separate villages and such villages had been identified in the housing needs survey as in need of the style of housing proposed by this application.

Councillor Tindale commented that should one of the proposed dwellings be affordable, this would be good addition to the village. He again refuted the judgement that Furneux Pelham was two distinct villages. He stated that this seemed to be the principal judgement that had lead to the Officers' recommendation for refusal.

The Director advised that the principal judgement centred on policy OSV2 of the East Herts Local Plan Second

Review April 2007 in relation to whether this site was within the built up part of the village.

The Director stressed that Officers remained of the view that this application did not comply with policy OSV2 as the site was not located in the built up area of the village. Members were advised that the dwelling the applicant had indicated would be affordable could be secured via a section 106 legal obligation.

Councillor J Demonti stated that she had viewed the application site from the nearby brewery tap and she considered that the proposed dwellings would be very visually prominent on the horizon. She commented that 4 local residents had spoken to her expressing opposition to the application, even if all of the proposed units were affordable.

Councillor S A Bull highlighted the importance of affordable housing so that young people could continue to live in such villages. Councillor R N Copping emphasised that area policy GBC3 stated that only affordable housing should be built on this site. He commented however, that he would be supporting the Officers' recommendation for refusal.

The Director advised that policy OSV2 did make provision for development within category 2 settlements such as Furneux Pelham. He stated that Officers had been concerned that development on this site would consolidate a finger of development in this location.

Members were advised that unless there was full control of the site by a registered social landlord (RSL), the proposed dwellings would very likely fetch a premium price in this location.

The Director stressed that if Members were minded to support the application contrary to policy OSV2 of the East Herts Local Plan Second Review April 2007, other local plan policies stipulated that all of the units must be

affordable. He advised caution as the policy approach was restrictive towards development in such locations and Officers had felt unable to support this application.

The Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/10/1838/FP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/10/1838/FP, planning permission be refused for the following reason:

1. The application site lies within the Rural Area beyond the Green Belt as defined in the East Hertfordshire Local Plan wherein there is a presumption against development other than that required for agriculture, forestry, small scale local community facilities, limited infill development in Category 2 Villages or other uses appropriate to a rural area. The proposed development would be prejudicial to this policy, set out at policies GBC2 and GBC3 within the East Herts Local Plan Review April 2007 and would be harmful to the open rural character and appearance of the area.

552 3/10/1773/FP - CHANGE OF USE OF GROUND AND PART OF FIRST FLOOR FROM RETAIL (A1) TO WINE BAR (A4), CONVERSION OF FIRST FLOOR TO 5 NO.2 BEDROOM FLATS AND USE OF SECOND FLOOR FOR 1 NO. 2 BEDROOM MANAGERS FLAT AND 1 NO.2 BEDROOM FLAT FOR STAFF ACCOMMODATION, INSERTION OF NEW WINDOWS AND ROOFLIGHTS AND CANOPY OVER REAR ACCESS DOOR TO FLATS AND MODIFICATIONS TO MARKET SQUARE ELEVATION TO INCLUDE INSERTION OF NEW DOORWAY WITH CANOPY ABOVE AND GROUND FLOOR WINDOWS AT 16, MARKET SQUARE, BISHOP'S STORTFORD

Mr Furness-Smith addressed the Committee in support of

the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1773/FP, planning permission be granted subject to the conditions now detailed.

The Director stated that comments had now been received from Environmental Health and two additional conditions had been added to the report in respect of premises ventilation and refuse disposal.

Councillor J Demonti commented on the unclear extent of the decking detailed on the plans for the entrance to the building.

Councillor K A Barnes proposed and Councillor R I Taylor seconded, a motion that the Committee accept the Officers' recommendation that application 3/10/1773/FP be approved.

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

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/1773/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/1773/FP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (1T121)
2. Approved Plans (2E102)
3. Following completion of the building operations for which consent is hereby granted, all 'making good' of the existing building shall be carried out in materials which

closely match those used in the existing building to the satisfaction of the Local Planning Authority.

Reason: To ensure the character and appearance of the building is properly maintained, in accordance with Policy ENV1 of the East Herts Local Plan Second Review April 2007.

4. Prior to the commencement of the use hereby permitted a scheme for the ventilation of the premises, including the extraction and filtration of cooking fumes shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out prior to the commencement of the use hereby permitted.

Reason: In the interests of the appearance of the building and the amenities of nearby occupiers in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

5. Refuse disposal facilities (2E243)

Directive:

1. Street Naming and Numbering (19SN4)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies HSG1, HSG7, ENV1, BH5, BH6, ST2, TR7

and PPS 5: Planning for the Historic Environment. The balance of the considerations having regard to those policies is that permission should be granted.

553 3/10/1851/FP - ERECTION OF 1 THREE BED DWELLING AT THE WALLED GARDEN, HIGH WYCH LANE, HIGH WYCH, FOR MR K MILES

Mr Miles addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1851/FP, planning permission be refused for the reasons now detailed.

Councillor M G Carver, as the local ward Member, stated that this application for residential development in the green belt was a difficult and balanced judgement in policy terms. He acknowledged the importance of protecting an important listed walled garden.

Councillor Carver stated that the proposed development was set well back from High Wych Lane and would be well screened. He stated that the development was far enough away from the listed buildings at the Manor of Groves so as to not cause any problems to the setting of these buildings.

Councillor Carver stressed that this was a sealed site containing a listed building in need of protection. He stated that this application provided a unique opportunity to protect the setting of this important listed building. He commented that the application would not affect the green belt and would actually enhance this particular area.

Councillor Carver emphasised that the applicant could work with Officers to ensure the protection of the walled garden. He stated that the application should not set a precedent and there had been no objections from the surrounding area. He concluded that appropriate

conditions could further ensure the protection of the walled garden and listed buildings.

The Chairman reminded Members that overturning the Officers' recommendation for refusal would require very special circumstances as there were grade II listed buildings close to the site, which was located in the metropolitan green belt.

Members were reminded that the Council's Conservation Officer had recommended refusal of the application due to the impact on the adjacent grade II listed building. The Director acknowledged the unusual nature of the site and referred to a number of similar situations with walled gardens across the District.

The Director stated that Members must consider the application very carefully and referred to English Heritage advice in respect of enabling development. He stressed that the proposed development should not detract from the very features Members sought to secure.

The Director referred to the clear advice of the Council's Conservation Officer in that one would not normally find a property of this style and design so close to an adjacent listed building. He stated Members might cause significant harm to the surrounding area by seeking to protect the walled garden.

The Director stressed that Officers had considered the price that would be paid for protecting the walled garden was too great. He stated that the proposed development would encroach into the green belt countryside and, although this did not introduce sprawl, the openness of the green belt was being adversely affected by the proposed residential curtilage.

Councillor R Gilbert sought and was given clarification in relation to the comments of the Council's Conservation Officer, in relation to the associated structures of the walled garden. Councillor J Demonti stated that she

could not support this application due to the visual prominence of the proposed development and the likely impact on the openness of the green belt.

Councillor Carver expressed concerns as to how features such as this walled garden could be protected in a meaningful way, along with the listed building stock in general. He stated this application was a sensible way of achieving such protection. He stressed that he did not see how the application would encroach onto the green belt.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/10/1851/FP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/10/1851/FP, planning permission be refused for the following reasons:

1. The application site lies within the Metropolitan Green Belt as defined in the East Hertfordshire Local Plan wherein permission will not be given except in very special circumstances for development for purposes other than those required for mineral extraction, agriculture, small scale facilities for participatory sport and recreation or other uses appropriate to a rural area. No such special circumstances are apparent in this case, and the proposal would therefore be contrary to policy GBC1 of the East Herts Local Plan Second Review April 2007.
2. The proposed development by reason of its size, siting and design would be detrimental to the setting of the adjacent Grade II Listed Building known as 'The Manor of Groves'. The proposed development would therefore be contrary to PPS5: Planning for the Historic

Environment.

554 3/10/2019/FP - USE AS RECREATIONAL FISHING LAKE -
RETROSPECTIVE APPLICATION FOR MR ROBERT
SHERIFF AT BAYFORD HALL FARM, BAYFORD LANE,
BAYFORD

The Director of Neighbourhood Services recommended that, in respect of application 3/10/2019/FP, planning permission be granted subject to the conditions now detailed.

In response to a query from Councillor R Gilbert in relation to the introduction of non-native species, the Director referred to controls that were often put in place to prevent the migration of such species into surrounding watercourses. He also referred to licensing controls and stocking limits, as well as fishing methods, all of which could control the spread of non-native species.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/2019/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/2019/FP, planning permission be granted subject to the following conditions:

1. No external lighting shall be provided at the site without the prior written permission of the Local Planning Authority.

Reason: In the interests of the visual amenity and rural character of the site and surroundings within the Green Belt and in accordance with the provisions of PPG2 and Policies ENV23 and GBC1 of the East Herts Local Plan Second Review April 2007.

2. Within two months of the date of this

permission, detailed plans shall be submitted to and approved in writing by the local planning authority to show the existing car parking areas, toilet and any other ancillary storage facilities to be made available for users of the fishing lake. The use of the lake for fishing shall thereafter only proceed on the basis that these facilities remain available for its users.

Reason: To ensure the associated needs for facilities are met without harm to the visual amenity and rural character of the site and surroundings within the Green Belt and in accordance with the provisions of PPG2 and Policy GBC1 of the East Herts Local Plan Second Review April 2007.

3. Approved Plans (2E10) 100701-01, 100701-02.

Directive:

1. The applicant is reminded that planning permission would be required for development of buildings, access or car parking areas that support the approved use, although the use is approved on the basis that these are satisfactorily provided for already as stated in the applicant's submissions.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies GBC1, ENV2, ENV23 and PPG2. The balance of the considerations having regard to

those policies and the other material considerations in this case is that permission should be granted.

555 E/10/0254/A - THE UNAUTHORISED EXTENSION OF CAR PARKING INTO GRASS ISLAND AND RETAINING WALL AT WINDMILL WAY, MUCH HADHAM, HERTS, SG10 6BG

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/10/0254/A, enforcement action be authorised on the basis now detailed.

The Director advised that Officers had received an e-mail from Adrian Green, Head of Environment at South Anglia Housing Association, stating that the Housing Association would not be appealing the decision to refuse the planning application.

The Director stated that contractors had been instructed to return the land to its original state and residents would be advised prior to the commencement of these works. The e-mail had stated that Officers would be advised when the works had been completed.

Councillor M G Carver, as the local ward Member, stressed the importance of housing association partners adhering to the requirements of planning law.

Councillor Mrs M H Goldspink stated that she could not see any problems with the extension to the car park and the retaining wall. She commented that these works seemed to be very sensible.

Councillor Goldspink referred to about 10 properties in the area that had no parking meaning that these were only accessible on foot. She stated that it should have been possible for Officers to negotiate some landscaping to soften the impact of the retaining wall. She commented on whether such discussions could take place between Officers and the appellant.

After being put to the meeting and a vote taken, the Committee supported the Director's recommendation for enforcement action to be authorised in respect of the sites relating to E/10/0254/A on the basis now detailed.

RESOLVED – that in respect of E/10/0254/A, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of the newly formed parking area and retaining wall.

Period for compliance: 4 months.

Reason why it is expedient to issue an enforcement notice:

1. The retaining wall and parking bay has resulted in the loss of a landscaped area which is important to the character and appearance of the area. The parking area and retaining wall are an incongruous feature in the street scene and are detrimental to the verdant character of the area. This development is therefore contrary to policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007.

556 E/10/0415/A - UNAUTHORISED INSTALLATION OF GREEN TELECOMMUNICATIONS EQUIPMENT CABINET ON A CONCRETE PLINTH OUTSIDE THE GRANARY, WINDHILL, BISHOP'S STORTFORD, CM23 2ND

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/10/0415/A, enforcement action be authorised on the basis now detailed.

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/10/0415/A on the basis now detailed.

RESOLVED – that in respect of E/10/0415/A, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and any such further steps as may be required to secure the removal of the unauthorised telecommunications cabinet.

Period for compliance: 2 months.

Reason why it is expedient to issue an enforcement notice:

1. The cabinet by reason of its siting and appearance appears as a prominent addition to the street scene and intrudes into the historic streetscape to the detriment of the visual amenities, character and appearance of the street scene and the character and appearance of the Bishops Stortford Conservation Area wherein the site is located. The development is thereby contrary to Policy ENV28 and BH6 of the East Herts Local Plan Second Review April 2007.

557 PLANNING OBLIGATIONS UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 - UPDATE AND RENEWAL OF AUTHORITY

The Director of Internal Services submitted a report recommending that an extension of time of six months from the date of this meeting be granted for the completion of the planning obligations pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of the applications now detailed and, if an obligation was completed, the Director of Neighbourhood

Services be authorised to grant permission in respect of the planning applications detailed in the report now submitted.

The Committee noted the updated schedule of planning obligations as now submitted and supported the recommendation of the Director of Internal Services that an extension of six months be granted for the conclusion of planning obligations detailed in the report now submitted.

RESOLVED – that (A) an extension of time of six months from the date of this meeting be granted for the completion of the planning obligations pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of the following application and, if an obligation is completed, the Director of Neighbourhood Services be authorised to grant permission in respect of the following applications:

<u>Planning Reference</u>	<u>Site and Proposals</u>
1. 04.06.619	Trinity Centre, Fanhams Hall Road, Ware residential development of 11 dwellings and deed of release to section 106 agreement (schedule 2) relating to community use land.
2. 04.06.702	Seven Acres, 49, 54 and 56 Upper Green Road, Tewin, 18 Dwellings, Associated Parking and other works.

(B) the Director of Internal Services report back following the grant of planning permission, or within 6 months of this meeting, whichever is the

sooner.

558 ITEMS FOR REPORTING AND NOTING

RESOLVED – that the following reports be noted:

- (A) Appeals against refusal of planning permission / non determination;
- (B) Planning Appeals lodged;
- (C) Planning Appeals: Inquiry and Informal Hearing dates; and
- (D) Planning Statistics.

The meeting closed at 9.37 pm

Chairman
Date

MINUTES OF A MEETING OF THE
JOINT MEETING OF SCRUTINY
COMMITTEES HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 15 FEBRUARY 2011, AT 7.00
PM

PRESENT: Councillor D Andrews (Chairman)
Councillors W Ashley, P R Ballam,
R Beeching, R N Copping, A D Dodd,
R Gilbert, P Grethe, J Hedley,
Mrs D L E Hollebon, G E Lawrence, J Mayes,
G McAndrew, M Newman, N C Poulton,
V Shaw, R I Taylor and C Woodward

ALSO PRESENT:

Councillors S A Bull, P A Ruffles, S Rutland-
Barsby and N Wilson

OFFICERS IN ATTENDANCE:

Linda Bevan	- Committee Secretary
Karl Chui	- Performance Office (Strategic Direction)
Philip Hamberger	- Programme Director of Change
Marian Langley	- Scrutiny Officer
Alan Madin	- Director of Internal Services
Ceri Pettit	- Head of Strategic Direction (shared) and Performance Manager
George A Robertson	- Director of Customer and Community Services

559 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor C Woodward and seconded by Councillor D L E Hollebon that Councillor D Andrews be appointed Chairman for the meeting.

RESOLVED – that Councillor D Andrews be appointed Chairman for the meeting.

560 APOLOGIES

Apologies for absence were submitted on behalf of Councillors K Darby, Mrs M H Goldspink, D Hone, J J Taylor, D A A Peek, J O Ranger, M Wood and B Wrangles. It was noted that Councillor R I Taylor was in attendance as a substitute for Councillor M Wood.

561 MINUTES

RESOLVED – that the Minutes of the meeting held on 18 January 2011 be confirmed as a correct record and signed by the Chairman.

562 2011/12 SERVICE PLANS

The Leader of the Council submitted a report on Service Plans for 2011/12. The Committee was invited to make recommendations on them to the Executive.

The Service Plans were produced every year by Heads of Service and set out the key actions that needed to be undertaken to deliver the corporate priorities and key objectives of the Council in line with the budget.

Members raised queries on a number of issues which were addressed by the Officers present. These included savings on IT and Facilities (additional savings could be obtained through shared services); minimising use of paper by Members (this would be considered by the ICT/C3W Member Group); the slow operation of Members' computers (investment was being made in servers to improve this); and,

increasing the amount recycled (it was hoped including mixed plastics from May 2011 would encourage more recycling generally).

Officers undertook to give written replies on how many people had replied to the residents' survey in terms of the percentage that consider the Council provides VFM (to Councillor J Mayes), whether the affordable homes target for the District is realistic (to Councillor R Beeching) and details of what was entailed in 11 - LCS02 (Reduce costs or improve VFM (Value for Money) by identifying and implementing an improved structure for Environmental Health and Licensing and Community Safety Services to meet the challenges of the MTFP (Medium Term Financial Plan) and its relationship to the review of Community Safety (to Councillor M Newman).

The Joint Committees decided to recommend approval to the Executive of the Service Plan activity for 2010/11.

RESOLVED – that the Executive be informed that the Joint Scrutiny Committees consider the Service Plan activity for 2011/12 now submitted should be approved.

563 2010/11 ESTIMATES AND FUTURE TARGETS

The Leader submitted a report on performance indicators that the Council was required to monitor and publish annually in the Annual Report. The report advised Members of estimated performance for 2010/11 and the targets for the next three years.

The Government had announced a number of changes to reduce bureaucracy and central government burdens and to save money. In the light of this, East Herts Council would retain a performance framework reflective of local priorities and concerns.

Officers had undertaken a review of the basket of indicators and had proposed a refined list, reducing the set from 143 to 86. As Services have re-evaluated their day-to-day functions/operations to focus resources and service delivery

on core priority areas and be customer focused, the performance indicators have been chosen to reflect this.

Members considered the report and raised a number of concerns.

Councillor N C Poulton asked that the PIs proposed by the Task and Finish Group for Planning Enforcement and currently under a 1 year 'trial' be included once they were finalised and Officers undertook to do this.

Councillors J Hedley and R Gilbert asked about targets for employing people with disabilities. Officers assured them this was carefully monitored.

Councillor N C Poulton also queried the lack of difference between "target" and "stretch target" figures in the report. It was explained that the heading "stretch targets", i.e. more aspirational targets, had been included when the economic situation had been more favourable than currently.

Members expressed disappointment that information from the Place Survey would no longer be available to give information on residents' views and perceptions, e.g. on care for the elderly and participation in sport. However, they acknowledged the need to focus on areas the District could affect directly. It was pointed out that the Council's Residents' Survey was carried out every two years and any question thought important enough could be considered for inclusion within that exercise. However, without the national Place Survey, these figures would stand in isolation as there would be no comparison with other authorities.

The Joint Committees decided to make the comments detailed below to the Executive.

RESOLVED - that the Executive be informed that the Joint Scrutiny Committees have the following comments on the 2010/11 Estimates and future targets:

(A) the estimates for 2010/11 be noted;

(B) the refined list of performance indicators that are either being retained or deleted (paragraph 1.7 of the report now submitted) should be approved by the Executive;

(C) no further resources should be invested to improve the potential 2010/11 outturn position in order to meet current targets, as detailed at paragraphs 3.3, 3.4 and 4.2 of the report now submitted;

(D) the targets set out in paragraph 5.1 – 5.3 of the report submitted to either improve, reduce or retain performance should be approved by the Executive;

(E) the adoption of the new local measures set out in paragraph 6.1 of the report submitted (including those arising from the Task and Finish Group on Planning Enforcement) should be supported by the Executive;

(F) the data quality spot checks that are currently being undertaken, as detailed at paragraph 7.3 of the report be noted;

(G) the fact that unit cost indicators are not included in the list of PI estimates and targets, as detailed at paragraph 8.1 of the report, be noted; and

(H) the changes to the 2009/10 performance outturns for the leisure performance indicators, as detailed at paragraph 9.1 - 9.3 of the report, be noted.

The meeting closed at 8.10 pm

Chairman
Date

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EAST HERTS COUNCIL

COUNCIL – 23 FEBRUARY 2011

REPORT BY DIRECTOR OF INTERNAL SERVICES

MEMBERS' ALLOWANCES 2011/12

WARD(S) AFFECTED: All

Purpose/Summary of Report

- To report the recommendations of the Council's Independent Remuneration Panel (IRP) following its review of Members' Allowances.

<u>RECOMMENDATION:</u>

1.0 Background

1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 requires each principal local authority to establish an Independent Remuneration Panel (IRP) to submit recommendations on its Members' Allowances.

1.2 Before a local Authority makes or amends its Members' Allowances Scheme it shall have regard to the recommendations made by its IRP

2.0 Report

2.1 The Council's IRP's report and recommendations on Members' Allowances for 2011/12 can be found at **Essential Reference Paper 'B'**.

2.2 Council is invited to consider the IRP's recommendations before determining a Members' Allowances scheme for 2011/12.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None

Contact Officer: Alan Madin – Director of Internal Services –
ext 1401

Report Author: Jeff Hughes – Head of Democratic and Legal
Support Services – ext 2170

ESSENTIAL REFERENCE PAPER 'A'

<p>Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i></p>	<p>Fit for purpose, services fit for you <i>Deliver customer focused services by maintaining and developing a well managed and publicly accountable organisation.</i></p> <p>Leading the way, working together <i>Deliver responsible community leadership that engages with our partners and the public.</i></p>
<p>Consultation:</p>	<p>None.</p>
<p>Legal:</p>	<p>The Authority is required, before the beginning of each year, to make a scheme for the payment of specified allowances. Before making a scheme, the Authority shall have regard to the recommendations made to it by its IRP.</p>
<p>Financial:</p>	<p>The 2011/12 budget for allowances (including travel and subsistence and provision for national insurances) included as a planning assumption an additional sum of £250 per head for all in receipt of less than £21,500. That provision would not be required – a saving of £12k - in addition to the £31k saving arising from the net reductions proposed by the Panel.</p>
<p>Human Resource:</p>	<p>None</p>
<p>Risk Management:</p>	<p>See legal implications above.</p>

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EAST HERTS COUNCIL (EHC) - INDEPENDENT REMUNERATION PANEL (IRP) – REPORT ON MEMBERS' ALLOWANCES SCHEME 2011/12

Terms of Reference

The Panel has been established in accordance with the Local Authorities (Members Allowances) (England) Regulations 2003 to provide EHC with advice on its Members' allowance scheme and on the amounts paid. Members of the Panel are Mrs N Burdett, Mr P Boylan, Mr B C Engel, Mr D Flier, Mr C Harris, Miss C Lofthouse, Mr D McNeil, Mrs S Newton and Mr J Pool. Mr C Harris, elected by the Panel members as Chairman on 15 February 2011, is responsible for chairing meetings and acting as spokesman for the Panel.

Mr J Hughes was assigned as Support Officer and has supplied guidance on local authority member allowances by way of relevant extracts from guidance produced by the Department for Communities and Local Government on this issue (Agenda Item 5 of IRP meeting 25/01/11).

The Panel, as presently constituted, held its first meeting on 25 January 2011. In view of the objective of reporting its recommendations to Council meeting on 23 February, subsequent meetings were held on 2 February, 8 February and 15 February.

EHC Financial Context

“The Council is in good financial health. The Council’s reserves are at a reasonable level and the track record is one of spending within budgets. Members and officers are extremely cautious over any fresh commitments.”

Like all councils, EHC is responding to reductions in its grants from central government. Net Budget Requirement for 2010/11 (excluding Parishes) is £17.6 million (including the budget for allowances payable to members (50) of £457,000 (2.6%), of which £9.2 million is funded by Council Tax and £8.4 million by government grants. The Government’s Comprehensive Spending Review (October 2010) announced that funding for councils will reduce in real terms by 28 per cent (EHC £2.3 million) over the next four years; but in December they said councils would have to achieve those cuts within two, not four, years.

“The Council’s planning over the last two years has anticipated constraints on public spending and so the acceleration of savings is not as challenging as it might have been. The Changing the Way We Work programme, use of capital investment to reduce operating costs, a pragmatic approach to shared services and joint working, tight control of any filling of vacancies, plus the approach to procurement, are all delivering savings. Local revisions to terms and conditions

for staff have been implemented, plus the continued pay freeze, is another part of the response to less resources.”

“The plans submitted to the Executive on 8 February are robust over a four year period with a level of contingency for unknowns. Necessary savings focus on back office functions and seek to limit the impact on achievement of priorities. In going through the Council’s scrutiny arrangements, these savings have a high level of support with only relatively minor disagreements on points of detail.”

“Public consultation showed an understanding and acceptance of the need to cut back on spending”.

(italics = extracts from written submission from Director of Internal Services.)

It is in this financial context that the Panel has been established to consider and advise EHC on the allowances payable to elected members, particularly:

- basic allowance,
- special responsibility allowances (SRAs),
- childcare and dependent carers’ allowance,
- travel and subsistence allowances,

together with a detailed case in support of the payment of:

- SRA to the Chairman of the Health Engagement Panel, and
- mileage allowance (or other form of compensation) to members of the Development Control Committee using their vehicles to undertake planning application site visits.

Evidence

The following evidence, in addition to the guidance referred to above, was considered by the Panel:

- Role description of Ward Councillor, Leader of the Council, Deputy Leader of the Council, Executive Member, Chairmen of various committees – (Overview and) Scrutiny, Regulatory, Audit, Human Resources, Standards, Highways Joint Member Panel (East Herts), Community Voice – and Leader of minority political group.
- Council’s existing allowances’ scheme;
- The Improvement and Development Agency / Local Government Association ‘Survey of Members’ Allowances 2008’;
- Report (February 2010) by the then constituted Independent remuneration Panel following its review of Members’ Allowances recommended for implementation for the financial year 2010/11;

- Report (October 2009) of the Shadow Independent Panel on Members' Allowances formed July 2009 following its separate review of Members' Allowances recommended for implementation for the financial year 2010/11; and
- A summary of the responses received to a confidential Members' questionnaire (issued to all Councillors, 38 responses (76%)) entitled Members' Allowances Review 2009/10 (essential reference paper B).

In addition, the Panel received brief written submissions from the Director of Internal Services, the Chief Executive, the Leader of the Council (all of whom made themselves available to respond to questions from the Panel) and from the Leader of the LibDem Group. The Panel was also advised that the Council's external auditors, in their annual audit letter 2008/09, recommended, inter alia, that "... benchmarking should be one of the pieces of information used in reviewing the level of members' allowances".

The Scheme

Appendix 'A' to this report details the recommended Members' Allowances scheme for 2011/12. The scheme itself has been reviewed and updated with the aim of making it simpler to understand. Within the scheme are the recommended levels of various allowances for 2011/12.

Allowances

Table A below shows the Panel's recommendations for Members' allowances with effect from 1 April 2011 (columns 1 and 2), together with, for comparative purposes, members' allowances for 2010/11, as approved by Council 24 February 2010 (columns 3 and 4) and as recommended by the then Independent Remuneration Panel (columns 5 and 6) and identifiable East of England members' allowances (averages) 2008/09 (columns 7 and 8). Travel and Subsistence Allowances, effective from 1 April 2011, are set out in Table B.

TABLE A	East Herts Council 2011/12 - Feb 2011 IRP - allowances recommendations		East Herts Council 2010/11 Allowances (approved 24/02/10)		East Herts Council 2010/11 - Feb 2010 IRP - allowances recommendations		East of England 2008/09 Allowances (averages)	
	Multiplier	£	Multiplier	£	Multiplier	£	Multiplier	£
Basic and Special Responsibility Allowances								
Basic - Ward Councillor		4,747	1.00	4,747	1.00	5,274	1.00	5,040
Special Responsibility Allowances:								
Leader of the Council	4.00	18,986	5.00	23,733	3.00	15,822	2.67	13,481
Deputy Leader	2.50	11,867	3.00	14,240	2.25	11,867	1.74	8,779
Executive Members (5)	2.00	9,493	2.50	11,867	2.00	10,548	0.61	8,270
Committee chairmen:								
Corporate Business Scrutiny	1.25	5,933	1.50	7,120	1.25	6,593	0.98	4,931
Development Control	1.50	7,120	1.50	7,120	1.25	6,593	0.94	4,719
Licensing	1.25	5,933	1.50	7,120	1.25	6,593	0.76	3,820
Audit	1.00	4,747	1.50	7,120	1.00	5,274		
Human Resources	1.00	4,747	1.50	7,120	1.00	5,274		
Community Scrutiny	0.75	3,560	0.75	3,560	0.75	3,956		
Environment Scrutiny	0.75	3,560	0.75	3,560	0.75	3,956		
Chairmen of Community Voice (5)	0.00	0	0.50	2,373	0.00	0		
Chairman of:								
Health Engagement Panel	0.50	2,373		review for 11/12		review for 11/12		
Local Strategic Partnership								2,227
Local Joint Panel								
Highways Panel (when an EHDC Member)	0.25	1,187	0.25	1,187	0.25	1,319		
Leader of a minority political group	0.50	2,373	0.50	2,373	0.50	2,637		3,618
Co-optee Allowances:								
Chairman of Standards Committee	0.50	2,373	0.50	2,373				1,841
Standards Committee member	0.25	1,187	0.25	1,187	0.25	1,319		

TABLE B			
Travelling and Subsistence Allowances			
Mileage allowance	First 50 miles (return journey)	40p/mile	33p/mile for motor cycles
	Thereafter	18p/mile	Bicycles: 20p/mile
Public Transport		Reimbursement of actual cost or ordinary standard fare, whichever is the lesser	
Subsistence	in the case of an absence, not involving an absence from the usual place of residence:		
	of more than 4 hours before 11 am	Breakfast	£6.45
	period between 12 noon and 2 pm	Lunch	£8.91
	of more than 4 hours, including the period 3 pm to 6 pm	Tea	£3.52
	of more than 4 hours ending after 7 pm	Evening meal	£11.03
Carer's Allowance	£9.00/hour or the actual sum paid, whichever is the lesser		

Basic Allowance

Basic Allowance is intended to recognise the time commitment of all Councillors, including such inevitable calls on their times as meetings with officers and constituents and attendance at political group meetings. It also needs to be set at a level which will encourage candidates of all age groups, with and without (full time) careers, to stand for election. Some element of the work (estimated at 40%) continues to be voluntary. It is also intended to cover incidental costs such as use of Councillors' homes.

For 2010/11, the IRP recommended that there be no increase to the Basic Allowance and reductions in the SRAs in respect of the Leader, Deputy Leader, Executive Members and Committee Chairmen. That Panel considered "its recommendations to be fair, comparable with the prevailing benchmark allowance levels within local government (particularly the Eastern Region) and will assist the Council in attracting candidates for election for the benefit of the community of the East Hertfordshire District. Account has been

taken of Government guidance that “. . . *some element of the work of members continues to be voluntary . . .*”

At its meeting on 24 February 2010, Council voted (for 35, against 6) not to implement that Panel’s recommendations to reduce SRAs, resolving instead to reduce the basic allowance by 10%, thereby effecting a similar cost saving overall as that which would have resulted from implementation of that Panel’s recommendations. Consequently, for 2010/11, the Basic Allowance payable to each Ward Councillor was £4,746.60.

The Members’ allowances review 2009/10 suggested that, based on a survey of Members, of the 38 respondents, 27 (71%) spent an average of between 5 hours and 25 hours per week on duties. Taking an average of, say, 12 hours, the current basic allowance equates to around 550 hours per year, at, due allowance taken for the estimated 40% voluntary work, somewhat in excess of £14/hour.

As identified by the external auditors (2008/09), benchmarking should be one of the pieces of information used in reviewing the level of Members’ allowances. The IDeA / LGA ‘Survey of Members’ Allowances 2008 included EHC in the East of England region and the 2008/09 average basic allowance for the 43 shire district/borough councils in this region was £5,040 (Appendix B – spread from £2,782 (Cambridge) to £9,588 (Hertfordshire)); comparison with Hertfordshire district councils reveals a 2008/09 average basic allowance of £5,205 (Appendix B - spread from £4,000 (Broxbourne) to £7,209 (Watford)). A snapshot from Councils’ websites confirms either no or very minor increases in basic allowances for 2009/10 and 2010/11. East Herts is the largest district geographically, with the second largest population.

Nearly 70% of respondents in the Members’ allowances review 2009/10 considered the Basic Allowance (then £5,274) “about right”; it is unlikely that the subsequent 10% reduction would materially alter these opinions.

The submission from the Director of Internal Services suggested that there were no financial imperatives which demanded a further cut in the basic allowance and a case may be made to restore part or all of the 2010/11 cut; but, on the other hand, it would be highly insensitive to both staff and Council Tax payers to propose any increase for 2011/12 in the overall budget for Members’ allowances. **Accordingly, it is recommended that the basic allowance for 2011/12 remain frozen at £4,746.60.**

Special Responsibility Allowances (SRAs)

SRAs are payable to those Councillors who have significant additional responsibilities. There are a number of approaches to calculating SRAs and, according to the paper by the Councillors’ Commission on Members’

Remuneration (2007), the 'multiple approach' is becoming the most popular. This method has the advantage of being understandable, simple and transparent. The Panel has adopted this approach.

In assessing the multiplier that should be applied to calculate the SRAs, the Panel has had regard to the leadership skills required and the time commitment necessary effectively to provide such leadership, as well as appropriate benchmarking against other authorities. Details of SRAs currently payable by Hertfordshire district councils (including the current levels of basic allowance) are set out in Appendix C, serving to demonstrate how difficult it is to compare like with like.

Leader

EHC has opted positively for strong leadership to identify, review, promote and deliver community aspirations and priorities; the Council looks to support the Leader for the 4-year term in return for his commitment ("at least 3 days a week") to exercise his skills and knowledge towards working effectively with Council officers, the public, the media, government and regional agencies and partner organisations.

The Chief Executive, in her briefing note, summarised the role of Leader:

"The Leader of the Council is the democratically elected member who is elected by the Council to undertake the role. In East Herts we have the leader and executive model as opposed to a mayor (which changes to a strong leader from May 2011). The Leader is also the Chairman of the Executive, where key decisions are made, as well as having his own Executive portfolio of responsibilities. It is his responsibility to ensure that the political and democratic business of the Council functions effectively and that decisions of the Council discharge the democratically determined mandate given to the Council by the electorate. It is a political role."

"The role requires political management and leadership, accepting advice, making decisions and clarifying for the public the direction of travel elected members set. As such, the Leader is the public spokesperson for the Council."

*"He also undertakes many community leadership functions such as leading the Bishop's Stortford 2020 group which is regenerating the town and chairing the Local Strategic Partnership. He also represents the District nationally where he is a leading member of the District Councils' Network and across Hertfordshire at the County level Strategic Partnership (Hertfordshire Forward). He currently chairs the Hertfordshire LGA. This ensures that at a political level **the District leads and influences to the advantage of the residents.**"*

*“Research has shown that the most important working relationship in the council is between the Leader and the Chief Executive. Where this is strong, and both parties know their roles and boundaries, then this is evidenced in good performance. **We are one such Council.**”*

The Chief Executive, in answer to a panellist’s question, was of the opinion that the EHC executive model required a strong leader and that the appropriate benchmark for the Leader’s SRA is the comparable allowance paid to the Leader of a unitary authority, rather than the average of allowances paid to other leaders of East of England shires. The IDeA / LGA ‘Survey of Members’ Allowances 2008 discloses the national average allowance paid to the leader of a unitary authority to be £22,477 (East of England average £13,481). Around half of the respondents to the Members’ Allowances Review 2009/10 thought the current Leader’s allowance “fair”, whilst around a third considered it “too high”.

Applying the current multiplier results in the Leader’s SRA exceeding the national average allowance paid to the leader of a unitary authority (£22,477) based on 2008 benchmark data.

The Panel considered the commitment and time given to the Leader’s role by the present incumbent but balanced against the role requirements, taxpayer interests and benchmark data, particularly for Leaders of shire district councils.

Accordingly, it is recommended that the multiplier applied in respect of the Leader for 2011/12 be (reduced to) 4.00 (£18,986.40 pa).

Deputy Leader

The Deputy Leader’s role specifically requires that person to support and deputise for the Leader of the Council and to provide political leadership for programmes, projects and activities across portfolios as required by the Leader and in consultation with other Executive Members. The Deputy Leader has an executive portfolio (Community Safety and Protection) and largely assumed the portfolio of the Executive Member who resigned part way through the year.

Benchmarking against the East of England average executive member allowance suggests that the current multiplier is too high; around half of the respondents to the Members’ Allowances Review 2009/10 thought the current Deputy Leader’s allowance “fair”, whilst around a third considered it “too high”.

Accordingly, it is recommended that the multiplier applied in respect of the Deputy Leader’s allowance for 2011/12 be (reduced to) 2.50 (£11,866.50 pa).

Executive Member

The Executive comprises the Leader, Deputy Leader and four councillors (previously five - one executive member resigned part way through the year) and

is responsible for delivering and implementing the budget and policies decided by the full Council as part of the Budget and Policy Framework. As such, the Executive exercises leadership, policy development and decision making skills in determining many of the day-to-day operational matters within the Council.

A previous analysis of work indicated that the role should take no more than one day a week on average over the normal duties of a Ward Councillor. Benchmarking against the East of England average executive member allowance suggests that the current multiplier is too high, which conclusion is supported in part by the Members' Allowances Review 2009/10 where 47% of respondents thought the allowance "fair", but with 37% considering it "too high".

Accordingly, it is recommended that the multiplier applied in respect of the Executive Member allowance for 2011/12 be (reduced to) 2.00 (£9,493.20 pa).

Committee Chairmen

In the time available, it has not been possible independently to assess the leadership, skills, knowledge and time required to oversee and promote the coordination and management of the various committees' functions. Benchmarking against the East of England averages for SRAs paid to committee chairmen and consideration of the Members' Allowances Review 2009/10 suggest that the SRA payable to the Chairman of:

- Corporate Business Scrutiny is "fair" (two-fifths of respondents), "too high" (two-fifths) - **recommend multiplier be (reduced to) 1.25 for 2011/12 (£5,933.25 pa);**
- Development Control is "fair" – **recommend multiplier be maintained 2011/12 at 1.5 (7,119.90 pa);**
- Licensing is "fair" (two-fifths), "too high" (two-fifths) - **recommend multiplier be (reduced to) 1.25 for 2011/12 (£5,933.25 pa);**
- Audit is "too high" – **recommend multiplier be (reduced to) 1.00 for 2011/12 (£4,746.60 pa);**
- Human Resources is "too high" – **recommend multiplier be (reduced to) 1.00 for 2011/12 (£4,746.60 pa);**
- Community Scrutiny is "fair" - **recommend multiplier be maintained for 2011/12 at 0.75 (£3,559.95 pa);**
- Environment Scrutiny is "fair" - **recommend multiplier be maintained for 2011/12 at 0.75 (£3,559.95 pa);**
- Health Engagement Panel – based on the provisional assessment of the Leader - **recommend multiplier for 2011/12 of 0.50 (£2,373.30 pa).**
- **Recommend no change to the existing multipliers for the Chairmen of Highways Panel (when an EHC Member) and Standards Committee and Standards Committee co-optee members.**

For the review of allowances for 2012/13, the Panel would highlight that it anticipates conducting a more thorough examination of the roles and responsibilities of Committee Chairmen.

Leader of a minority political group

Benchmarking against the East of England averages confirms that consideration should be made to increasing the allowance paid to leaders of opposition groups as these payments are well below the norm. However, whilst the panel felt there was a case for increasing these allowances, it concluded that this is not the right time for an upward review.

Accordingly, it is recommended that the multiplier applied in respect of the leader of a minority political group allowance for 2011/12 be maintained at 0.50 (£2,373.30 pa).

Community Voice

The role of Chairman of Community Voice is neither onerous nor complex in the Panel's view. The topics are pre-arranged and revolve around a guest speaker. This should be regarded as a community leadership role which is part of the Ward Councillor's role, providing a valuable opportunity to enhance the Ward member's profile. If necessary, the chairing can be rotated between the town's members.

The responsibility does not justify a separate allowance. **Accordingly, for 2011/12, no SRA payment is recommended.**

Other considerations

The Panel recommends that individual members should be restricted to receiving only one SRA (i.e. that of the higher value) if they occupy two or more posts which attract SRAs.

The Council may make provision within its scheme for the eligibility of members for pensions under the Local Government Pension Scheme; no members are so eligible.

From 6 April 2011, there is an increase in the Class 1 employer rate of National Insurance contributions by 1 per cent to 13.8 per cent. Members' allowances, in theory, are subject to NI contributions where above the primary threshold (£7,225 p.a.), though members who have reached state retirement age are able to obtain a certificate of age exception.

There is no self- or other assessment of individual Councillors' performance, other than the monitoring of performance by Councillors' own political parties.

Other Allowances

No amendments for 2011/12 are recommended to the current allowance for dependants/carers. It is recommended that subsistence and bicycle allowances should be amended to a level in line with the nationally/locally negotiated officer scheme and that a specified motor cycle travel allowance should also be included within the scheme at the rate identified.

Council has been invited to consider and present a detailed case in support of payment of a mileage allowance (or other form of reimbursement) to members of the Development Control using their vehicles to undertake planning application site visits.

The IRP recommends that a flat sum of £240 (equating at 40p/mile to reimbursement of car costs of 50 miles/month) be paid to compensate members of the Development Control for use of own cars on site visits.

Conclusion

The budget for members' allowances for 2010/11 (£457,000) was set before the 10% reduction in the basic allowance approved by Council on 24 February 2010. An Executive Member resigned from the Executive part way through the year – the member post was not filled and hence there was a saving on a Special Responsibility Allowance; two vacancies in the office of councillor occurred – these have only recently been filled. Because of these minor factors, together with the significant reduction in the basic allowance, the projected total spend on members' allowances for the year ending 31 March 2011 is £409,000 (10.5% below budget).

The cumulative effect of the reduction in multipliers, offset to some extent by the proposal to pay an SRA to the Chairman of the Health Engagement Panel (0.50 x basic allowance), the flat rate reimbursement to members of the Development Control for use of own cars on site visits (£240 p.a. per member) and the 1% increase in employers' National Insurance contributions, will result in a further reduction in the total projected spend for 2011/12 in the Panel's estimation to around £401,000, approximately 2% less than the projected spend for 2010/11.

THE SCHEME

1. This scheme will be in effect from 1 April 2011 to 31 March 2012.
2. Appendix '1' details the allowances payable for the period specified in 1 above. Members be restricted to receiving only one SRA (i.e. that of the higher value) if they occupy two or more posts which attract SRAs.
3. Travel and subsistence allowances can be claimed in respect of the approved duties detailed in Appendix '2'. Receipts must be provided for all subsistence/carer's/hotel accommodation/public transport claims and for any expenditure incurred on parking fees when using a vehicle on an approved duty.
4. No Members be admitted to the Local Government Pension Scheme.
5. The Director of Internal Services be authorised to determine allowance entitlements in circumstances where: the scheme of allowances is amended at anytime throughout the year; an individual ceases to be a Member, and an individual is elected to the office of Councillor of East Herts Council. In the event that a new chairmanship of a Committee or Panel is created the Director of Internal Services be authorised to determine the allowance entitlement by reference to the lowest relevant multiplier until review by the Panel.
6. A co-optee allowance be paid to independent co-opted members of the Standards Committee as detailed in Appendix '1'.
7. No allowance under this scheme shall be paid unless an individual Member has, in writing, requested payment of the allowance(s) to which they are entitled.
8. A Councillor may by notice in writing given to the Head of Democratic and Legal Support Services elect to forego any part of his entitlement to an allowance under this scheme.
9. Where a Member has either been wholly or partially suspended from the Authority, then their basic allowance may be fully or partly withheld as can travel and subsistence and special responsibility allowance(s). The withholding of any allowances under this section will be determined

by the Standards Committee. The Standards Committee will also determine whether or not the Member(s) concerned should repay any allowances which have been paid in respect of a period during which the Member(s) has/have been suspended.

10. No allowances be index linked.

With effect from 1 April 2011

£

Basic Allowance (BA): 4,746.60

Special Responsibility
Allowances:

Leader of the Council 18,986.40

Deputy Leader 11,866.50

Executive Member 9,493.20

Committee Chairman
(Development Control) 7,119.90

Committee Chairman
(Corporate Business
Scrutiny, Licensing) 5,933.25

Committee Chairman
(Audit, Human Resources) 4,746.60

Committee Chairman
(Community Scrutiny,
Environment Scrutiny) 3,559.95

Leader of a minority political group	2,373.30
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Chairman of Highways Panel (when an EHDC Member)	1,186.65
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Co-optee allowances:

Chairman of Standards Committee	2,373.30
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Standards Committee member	1,186.65
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Mileage allowance:

Motor vehicles (<i>cycles</i>)	0.40 (0.33) per mile for the first 50 miles of a (return) journey and 18p per mile thereafter
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Bicycles	0.20 per mile
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Public Transport:

(including the use of taxis for short journeys where public transport is not convenient)

Reimbursement of actual cost or ordinary standard fare, whichever is the lesser upon production of a receipt

Carer's Allowance:

9.00 per hour or the actual sum paid, whichever is the lesser

Travel and Subsistence

Allowance in the case of an absence, not involving an absence overnight from the usual place of residence:

of more than 4 hours before 11 am 6.45

Breakfast*

of more than 4 hours, including the period between 12 noon and 2 pm 8.91

Lunch*

of more than 4 hours, including the period 3 pm to 6 pm 3.52

Tea*

of more than 4 hours ending after 7 pm 11.03

Evening Meal*

* Not claimable where refreshments have been provided at the meeting/event attended

Travel and Subsistence

Allowance in the case of an absence involving an absence

overnight from the usual place of residence:

The actual cost of overnight accommodation and where meals are not included, subsistence allowance as detailed above.

APPROVED DUTIES

- meetings of the Council, a Committee or Sub-Committee or Working Party of the Authority, or any other body to which the Authority makes appointments or nominations, or of a Committee or Sub-Committee of such a body, provided that no other arrangements for payment exist in respect of such bodies to which the Authority makes appointments or nominations
- attendance at any other meeting which has both been authorised by the Authority (Executive, Scrutiny or Regulatory Committee) and to which representatives of more than one political group have been invited
- the attendance at a meeting of a Local Authority Association of which the Council is a Member
- carrying out any other duty connected with the Authority's functions approved by the Council (Executive) and such approval must be given before it is carried out
- The following conferences, approved for the purposes of Section 175 of the Local Government Act 1972:

Local Government Association

Chartered Institute of Housing - Housing Conference

Royal Town Planning Institute - Summer School

- any other conference not mentioned above, or a training course or seminar shall be considered as an approved duty provided that such attendance has been authorised in advance by either the Executive or the Director of Internal Services.

(Notes:

1. A member attending any conference, training course or seminar shall be entitled to receive the relevant allowance for travelling and subsistence.

2. The Director of Internal Services may, upon application to him/her by any Member of the Council, subject to consultation with the Leader of the Council for the time being, designate the attendance of that Member at any other meeting, training session, seminar or conference or other attendance not hereinbefore specifically referred to as an approved duty for the purpose of this scheme, provided that such designation shall be reported to Members via the Members' Information Bulletin, and the meeting does not conflict with the provisions of Section 1 of this scheme. No retrospective designations can be given.

3. Travel allowances under approved duties will only be paid on the basis that a Member travels from their home address to the meeting etc and returns to their home address within the District. No payments will be made for any additional costs incurred over and above those costs of travel from a Member's home address within the District to a meeting and return.)

BASIC ALLOWANCES 2008/09

East of England		Hertfordshire District Councils				
BASIC ALLOWANCES 2008/09			BASIC ALLOWANCES 2008/09	NET BUDGET REQUIREMENT 2010/11	POPULATION MID 2009	
£			£	£mio	'000	
East Hertfordshire	5,405	**				
Bedfordshire	9,385					
Bedford	4,888		Broxbourne	4,000	11.039	90.2
Mid Bedfordshire	6,450		Dacorum	4,830	19.557	141.6
South Bedfordshire	3,426		East Herts	5,274	17.612	137.1
Cambridge	2,782		Hertsmere	5,150	13.593	98.9
East Cambridgeshire	3,520		North Hertfordshire	3,622	16.995	124.7
Fenland	4,022		St Albans	5,435	18.200	137.2
Huntingdonshire	4,235		Stevenage	6,933	13.400	81.0
South Cambridgeshire	4,627		Three Rivers	4,970	11.653	88.1
Great Yarmouth	3,483		Watford	7,209	16.187	83.8
North Norfolk	4,478		Welwyn Hatfield	4,630	16.196	112.8
South Norfolk	4,460					
King's Lynn and West Norfolk	5,086			52,053		
Suffolk	9,688					
Babergh	3,649		Average	5,205	15.443	109.5
Forest Heath	4,748					
Ipswich	3,650					
Mid Suffolk	3,684					
St Edmundsbury	4,995					
Suffolk Coastal	4,000					
Waveney	3,500					
Basildon	5,484					
Braintree	4,224					
Brentwood	6,612					
Castle Point	3,550					
Colchester	6,000					
Epping Forest	3,150					
Harlow	3,685					
Maldon	3,485					
Rochford	4,250					
Hertfordshire	9,588					
Broxbourne	4,000					
Dacorum	4,830					
Hertsmere	5,150	*				
North Hertfordshire	3,622					
St Albans	5,435					
Stevenage	6,933					
Watford	7,209					
Welwyn Hatfield	4,630					

Luton	6,000
Peterborough	6,851
Southend-on-Sea	8,000
	216,849

Average ex.
Hertsmere **5,040**

* No basic allowance was included for Hertsmere,
though its website discloses a basic allowance of £5,150

** Adjusted following year retrospectively to £5,274

09/02/11

Members' Allowances – Hertfordshire District Councils**East Herts 2010/11**

Basic (50) £4,747
 Leader £23,733
 Deputy Leader (with portfolio) £14,240
 Executive member (4) £11,866
Chairman of:
 Audit £7,120
 Human Resources £7,120
 Corporate Business Scrutiny £7,120
 Development Control £7,120
 Licensing £7,120
 Environment £3,560
 Community £3,560
 Health Engagement Panel £NIL
 Leader of minority political group (2) 2,373
 Community Voice (5) £2,373
 Standards £2,373
 Co-optee of Standards (6) £1,187

North Herts 2010/11

Basic £3,798 (£3,711)
 Leader of the Council £7,469 (£7,378)
 Deputy Leader of the Council £1,221 (£1,209)
 Cabinet Portfolio Members £4,533 (£4,471)
 Chairman of Performance, Audit and Review Committee £3,065 (£3,018)
 Chairmen of Area Committees £3,065 (£3,018)
 Chairman of the Scrutiny Committee £3,065 (£3,018)
 Chairman of the Planning and Control Committee £3,790 (£3,736)
 Chairman, Highways Partnership Panel £1,580 (£1,564)
 Leader of largest Opposition Group £2,377 (£2,337)
 Leader of second largest Opposition Group £1,876 (£1,841)
 Chairman of Standards Committee £3,065 (£3,018)

Figures in brackets are for 2009/10

Broxbourne 2010/11

Basic £4,100
 Leader of the Council £10,250
 Chairmen of Policy and Resources, Community Services, Environmental Services, Finance and Personnel, Scrutiny Committees and Service Organisations Board £4,510
 Planning and Licensing Committee Chairman £5,125
 Vice-Chairmen £2,050
 Leader of the Opposition £2,870
 Deputy Leader of the Council £3,485
 Mayor £4,510

Dacorum 2010/11

Basic £4,951

Leader (1) £14,853

Cabinet members (6) £9,902

Chairman of Development Control Committee (1) £4,951

Chairman of Licensing and Health and Safety Enforcement Committee (1) £4,951

Chairman of Licensing and Health and Safety Enforcement Sub Committee (1) £1,238

Chairman of Appeals Committee (1) £3,713

Chairman of Audit Committee (1) £2,476

Chairman of Overview and Scrutiny Committees (3) £4,951

Vice Chairmen of Overview and Scrutiny Committees (3) £2,476

Vice Chairman of Development Control Committee (1) £2,476

Chairman Standards Committee (1) £1,238

First Opposition Group Leader (1) £6,542

Mayor's Salary and Allowance (1) £7,921

Deputy Mayor's Salary (1) £1,483

St Albans 2010/11

Basic £5,535

Chair of Cabinet £13,575

Other Members of the Cabinet (7) £9,485

Chairs of Overview and Scrutiny (O&S) Committees (2) £2,965

Chair of Community Health Committee (formerly NHS Health Committee) £2,965

Chair of Audit Committee £2,965

Chairs of Planning (Development Control) Committees (3) £3,105

Chair of Licensing and Regulatory Committee £2,965

Vice-Chairs of Overview and Scrutiny Committees (2) £740 (One quarter of the amount payable to Chairs)

Vice-Chair of Community Health Committee (formerly NHS Health Committee) £740 (One quarter of the amount payable to Chair)

Vice-Chair of Audit Committee £740 (One quarter of the amount payable to Chair)

Vice-Chairs of Planning (Development Control) Committees (3) £775 (One quarter of the amount payable to Chairs)

Vice-Chair of Licensing and Regulatory Committee £740 (One quarter of the amount payable to Chair)

Chairs of Licensing Sub-Committees £100 per meeting if started between 9.00am & 4.00pm

Stevenage 2010/11

Basic Allowance: Paid to All Members £7,124

Leader of the Council £17,810

Executive Members, Plus Chair of Scrutiny Overview Committee, Chair of Licensing and Chair of Planning and Development £9,795

Chairs of Scrutiny Topic Groups and Chair of Audit Committee £8,013

Chairs of Area Committees (Neighbourhood Action Teams) £6,233

SBC "Lead" Member (Chair/Vice-Chair) Highways Joint Member Panel £4,451

Payment to Specific Co-opted Members

Independent Standards Committee Chair - £1,579

Independent Member - Standards Committee - £1,210

Independent Member - Audit Committee - £1,210

Three Rivers 2010/11

Basic Rate £5,090 (48)
Leader of the Council £10,180 (1)
Cabinet Members £5,090 (6)
Chair of Development Control Committee £3,820 (1)
Chair of Licensing Committee £3,820 (1)
Chair of Regulatory Services Committee £2,540 (1)
Chair of Policy and Scrutiny Committees £2,540 (4)
Chair of Audit Committee £2,540 (1)
Leader Member for Shared Services £2,570 (1)
Group Leader £3,390 (2)
Chairman Standards Committee £480
Other members Standards Committee £164

Watford 2010/11

Basic £7,209
Mayor (full time post) £65,738
Portfolio holder £10,815
Chairs of Scrutiny £7,930
Chairs of development Control and Licensing £7,930
Cabinet member without portfolio £2,884
Chair of Audit Committee £2,884
Chair of Functions Committee (pro rata) £2,884
Chair of Chief Officer (pro rata) £2,884
Chairman of the Council £2,720
Vice Chairman of the Council £1,330

Welwyn Hatfield 01/07/09 – 30/06/10

Basic £4,758
Leader of the Council £9,207
Deputy Leader £6,444
Cabinet Member £5,520
Lead Member £3,690
Chairmen of Overview and Scrutiny Committees £3,894
Chairman of Planning Control Committee £3,690
Chairman of Hackney Carriage Committee £3,690
Chairman of Cabinet Panel £3,690
Chairman of Audit Committee £3,690
Chairman of Liquor & Regulated Entertainment Licensing Committee £3,690
Chairman of Appeals Committee £1,152
Leaders of Opposition Groups £5,520
Chairman of Standards Committee £5,520
Mayor £5,960
Deputy Mayor £1,490

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