

# Public Document Pack



Chairman and Members of the Council

Your contact: Martin Ibrahim  
Ext: 2173  
Date: 23 September 2011

cc. All other recipients of the Council agenda

Dear Councillor

## **COUNCIL - 28 SEPTEMBER 2011: SUPPLEMENTARY AGENDA 1**

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

### 8. Executive Report - 6 September 2011

*To receive a report from the Leader of the Council and to consider the following recommendations:*

- (B) Budget Process and Medium Term Financial Strategy/Updated MTFP 2012/13 - 2015/16 and Application of the New Homes Bonus (Pages 167 - 170)

*(Minute 258 refers).*

### 9. Minutes of Committees

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

- (K) Environment Scrutiny Committee - 13 September 2011 (Pages 171 - 176)

*Chairman: Councillor Mrs D Hollebon.*

(L) Development Control Committee - 14 September 2011 (Pages 177 - 190)

*Chairman: Councillor W Ashley.*

(M) Community Scrutiny Committee - 20 September 2011 (Pages 191 - 200)

*Chairman: Councillor G McAndrew.*

Please bring these papers with you to the meeting next Wednesday

Yours faithfully

Martin Ibrahim  
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**MEETING** : COUNCIL  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : WEDNESDAY 28 SEPTEMBER 2011  
**TIME** : 7.15 PM

## Agenda Item 8b - Executive Minute 258 refers

### New Homes Bonus (NHB)

1. The NHB grant is composed of two elements a basic sum of £1440 per additional house plus £350 for each affordable house. In two tier areas 20% of both elements are paid to the County Council and 80% to the District Council. As part of the review of local government resources the cost of the NHB scheme will be top sliced from future business rate income. The basis on which top slicing will work is not yet decided.
2. There are 3 uses to which the grant will be applied in East Herts.
  - a. in support of the revenue budget and to offset top slicing
  - b. to enhance support for a key council priority
  - c. to fund activity and projects in and for those communities where housing building takes place
3. In terms of allocations to each of the above uses it is proposed that an allocation of the 80% received by the Council (i.e. of the sum received after the allocation to the County) be made as follows:
  - a. 50% (£576/£716\*\* per property at band D for each of 6 years)
  - b. 25% (££288/£358 per property at band D for each of 6 years)
  - c. 25% (££288/£358 per property at band D for each of 6 years)\*\* the higher sums refers to affordable properties
4. Funding for a. will be added to the MTFP as unringfenced net income to meet top slicing of business rate income nationally, and to meet circumstances in which a reduction in the council tax base (for example because of extensive renovation works to a number of homes) in one or more parishes reduces the grant receivable in respect of the rest of the area. Funding for B will be ring fenced for the specific purpose.

Funding for C will be identified as a specific grant line in the budget.

### Allocation of community funding

5. The basic amount of NHB is calculated by reference to the council tax base each October using returns made to the government. Those returns will be used to identify those parish and town councils with an increase in the tax base on which the bonus will be paid. Separate returns are made to DCLG on new affordable home as the basis for the £350 top up.
6. The presumption will be that the community funding will be paid to those councils with an increase in their tax base.
7. However, prior to making these allocations the Executive Member for Finance will consult with the ward members for those areas to determine whether there is good reason for an alternative basis of allocation. Where an alternative basis is used information on the allocations will be included in the Members Information Bulletin. Alternatives might include an allocation on a ward basis or to a community organisation other than a town or parish council.
8. Where allocations are made to town and parish councils there will be no restrictions placed on its use and no requirement to account to this Council for its use.
9. In the event that allocations are made other than to town and parish councils recipient organisations will be expected to set out the proposed use as follows:
  - State the opportunity or problem to be addressed.
  - Show how the grant will be spent and its use for the benefit of the local community (rather than only for the membership of a group, club or organisation where membership is restricted).
  - How the impacts and change arising from the spending will be demonstrated.

- What is novel, unusual and different about the proposal? Experimenting with something different is encouraged and less than full success is acceptable provided there is learning for the future.
- Other sources of funding where relevant
- When the money will be required

The organisation will be required to confirm later that the funding was used for the purpose given.

10. In most circumstances the allocations will be paid out when the Council receives the grant income. However, town and parish councils may defer take up of grant until it is required. In such cases any balances built up will attract interest at the rate received by this Council on its cash balances. In exceptional circumstances and where unused balances so permit the Council may agree to pay future years allocations in advance of receipt of the grant .

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MINUTES OF A MEETING OF THE  
ENVIRONMENT SCRUTINY COMMITTEE  
HELD IN THE COUNCIL CHAMBER,  
WALLFIELDS, HERTFORD ON TUESDAY  
13 SEPTEMBER 2011, AT 7.00 PM

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PRESENT: Councillor Mrs D Hollebon (Chairman).  
Councillors W Ashley, S Basra, E Bedford,  
R Beeching, N Poulton, C Rowley, M Wood  
and J Wyllie.

ALSO PRESENT:

Councillors P Moore and P Ruffles.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Jackie Bruce	- Senior Development Officer
Cliff Cardoza	- Head of Environmental Services
Glyn Day	- Principal Planning Enforcement Officer
Marian Langley	- Scrutiny Officer
George A Robertson	- Director of Customer and Community Services
Ian Sharratt	- Environmental Manager

277 APPOINTMENT OF VICE CHAIRMAN

Nominations were sought for the appointment of a Vice Chairman. It was moved by Councillor W Ashley and seconded by Councillor N Poulton that, Councillor C

Rowley be appointed Vice Chairman.

RESOLVED – that Councillor C Rowley be appointed Vice Chairman for the Civic Year 2011/12.

278 APOLOGIES

Apologies for absence were received from Councillors D Abbott and P Gray. It was noted that Councillor E Bedford was substituting for Councillor Gray.

279 MINUTES - 7 JUNE 2011

RESOLVED – that the Minutes of the meeting held on 7 June 2011 be confirmed as a correct record and signed by the Chairman.

280 CHAIRMAN'S ANNOUNCEMENTS

The Chairman encouraged Members to review the work undertaken in the Council's Parks and the Management Plans on display in the Council Chamber. Members supported a suggestion that these plans be put on display at the next Council meeting for all Members to view.

281 ENFORCEMENT REVIEW

Councillor N Poulton submitted a report outlining a number of recommendations following a review by a Planning Enforcement Task and Finish Group which evaluated 12 months of data on the performance indicators previously identified by the Task and Finish Group. Following the conclusion of the work of the Task and Finish Group a number of suggestions to the PI's were made; these included:-

- Deletion of the PI – Cases closed without the need for formal action
- Deletion of the PI – Customer Satisfaction



- Continuation of the PI – Service of Notices
- Inclusion of a new PI - Initial Site Visits

The Committee support the amended performance indicators in relation to the Council's Planning Enforcement Service as detailed in the report now submitted and detailed above and requested that the Executive be advised that the Enforcement Policy be amended to reflect the recommendations of the Environment Scrutiny Committee. The Committee also supported the suggestion that minor amendments be delegated to the Director of Neighbourhood Services and the Portfolio Holder.

RESOLVED – that (A) the amended performance indicators in relation to the Planning Enforcement Service as detailed above be approved; and

(B) the Executive be advised that the Enforcement Policy be amended to reflect the recommendations of the Environment Scrutiny Committee; and

(C) any subsequent minor amendments be delegated to the Director of Neighbourhood Services and Portfolio Holder.

## 282 PARKS AND OPEN SPACES DEVELOPMENT PROGRAMME - PROGRESS REPORT

The Executive Member for Health, Housing and Community Support submitted a report providing an update on the progress of the Parks and Open Spaces Development Programme since March 2009, the detail of which was set out in Essential Reference Paper "B". Updates were also provided in relation to the Play Area Development Programme and other improvements made.

Members were provided with a presentation of the works

which had been carried out at three particular sites:

- Southern Country Park, Bishop's Stortford
- The Ridgeway Local Park, Hertford; and
- Pishiobury Park, Sawbridgeworth

The Chairman reminded Members that the Parks' Management Plans were on display at the back of the Council Chamber. The Committee supported a suggestion that these plans be made available for all Members to view at the next Council meeting.

The Chairman on behalf of the Committee, congratulated Officers for all their hard work in achieving such significant improvements within the District. Members were advised that by continuing to allocate resources enabled the Council to secure match funding to support many of the initiatives which might otherwise not have been possible.

A Member congratulated Officers on the work done specifically in Pishiobury Park, Sawbridgeworth and also thanked the volunteers and particularly Town Councillor Rochester for his work. He suggested that in relation to Southern Country Park that consideration be given to improved signage to the entrance from the by-pass road. The Vice Chairman commented on the improvements to The Ridgeway, Hertford which he believed had played a strong role in bringing the community together.

The Committee noted the progress of the Parks and Open Spaces Development Programme 2007 -2012 and the Play Area Development Programme 2007 – 2012 and that a further report be submitted to Committee in 2012. The Committee also agreed that the Council should continue to earmark funding in the capital programme to take advantage of opportunities to secure external match funding bids as they arise.

RESOLVED – that (A) the Committee note the progress within the Parks and Open Spaces Development Programme 2007 – 2012 and the Play Area Development Programme 2007 – 2012 and that a review of the Parks and Open Spaces Strategy 2007 – 2012 be undertaken and submitted to Committee 2012; and

(B) East Herts Council continue to earmark funding in the capital programme to enable advantage to be taken of opportunities for external match funding bids as they arise.

283 ENVIRONMENT SCRUTINY HEALTHCHECK - APRIL TO JUNE 2011

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The Director of Customer and Community Services submitted a report on the performance of key indicators relating to Environment Scrutiny Committee during the period April to June 2011, the detail of which was set out in the report now submitted.

Clarification was sought and provided in relation to a query on the price of glass recycling and how this would affect the Council's income.

Member received the report.

RESOLVED – that the report be received.

284 WORK PROGRAMME 2011/12

The Committee considered items for scrutiny during the civic year 2011/12. The Scrutiny Officer advised that no changes to the programme were envisaged at this point in time.

The Committee approved the Work Programme as submitted.

RESOLVED – that the work programme as

detailed be agreed.

The meeting closed at 7.45 pm

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

MINUTES OF A MEETING OF THE  
DEVELOPMENT CONTROL COMMITTEE  
HELD IN THE COUNCIL CHAMBER,  
WALLFIELDS, HERTFORD ON  
WEDNESDAY 14 SEPTEMBER 2011, AT  
7.00 PM

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PRESENT: Councillor W Ashley (Chairman).  
Councillors M Alexander, S Bull, A Burlton,  
Mrs R Cheswright, J Demonti, G Jones,  
G Lawrence, M Newman, S Rutland-Barsby,  
J Taylor and B Wrangles.

ALSO PRESENT:  
  
Councillors R Beeching, E Buckmaster,  
P Moore, T Page and P Ruffles.

OFFICERS IN ATTENDANCE:

Glyn Day	- Principal Planning Enforcement Officer
Simon Drinkwater	- Director of Neighbourhood Services
Lydia Dye	- Planning Officer
Peter Mannings	- Democratic Services Assistant
Martin Plummer	- Assistant Planning Officer
Alison Young	- Development Control Manager

285 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 applications 3/11/1211/FP and 3/11/1212/LB – Refurbishment of premises including

internal alterations, relocation of main entrance to side, new covered rear terrace area, extension to car park and associated landscaping works at the Coach and Horses, Thorley Street, Thorley, Bishops Stortford, CM23 4AS for McMullen and Sons Limited had been withdrawn from the agenda.

The Chairman also advised that application 3/11/1286/FP would be determined after application 3/11/1067/FP and prior to the Enforcement Matters.

## 286 DECLARATIONS OF INTEREST

Councillor S Bull declared a personal interest in application 3/11/1033/FP in that he was acquainted with many of the residents of Greenways, Buntingford.

Councillor W Ashley declared a personal and prejudicial interest in application 3/11/1286/FP in that he was one of the partners of the firm that was the applicant. He left the room and Councillor S Rutland-Barsby chaired the meeting during consideration of this matter.

## 287 MINUTES

RESOLVED – that (A) the Minutes of the meeting held on 17 August 2011 be confirmed as a correct record and signed by the Chairman; and

(B) the Minutes of the meeting held on 25 August 2011 be confirmed as a correct record and signed by the Chairman, subject to the noting of the request for a recorded vote by Councillor J Taylor and the noting of the revised conditions now detailed and subject to the following amendment:

Insert as 19<sup>th</sup> paragraph –  
'.....Councillor M Tindale commented that refusing the applications would be morally bankrupt.'

288 3/11/1033/RP - ERECTION OF 50 DWELLING HOUSES TOGETHER WITH ACCESS ROAD AND LANDSCAPING AT LAND OFF TYLERS CLOSE, WEST OF GREENWAYS, BUNTINGFORD, HERTS FOR LEACH HOMES

Mr Christopher Santer addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1033/RP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor S Bull, as the local ward Member expressed concerns that the proposed flats would be visually intrusive and the development would be clearly visible from the A10. He emphasised the importance of the road markings being put in place at the bottom of Greenways as soon as the applicant started to implement the application.

Councillor Bull also emphasised the importance of appropriate screening of the development to protect the privacy of rear gardens. He stressed that obscured windows should be in place where there was a risk of overlooking.

The Director stressed that Officers were of the opinion that the development, in particular the flats, would not be unduly prominent in this location. Members were advised that the concerns of Councillor Bull were all covered by the conditions detailed in the report now submitted.

Councillor A Burlton commented on why details of the locations of white line road markings had not been finalised prior to the application being reported to Members. The Director advised that the fine detail of the location of road markings was often finalised after an application was granted planning permission.

In response to concerns from Councillor Burlton in relation to the lack of on site amenity space, the Director advised that Members had supported the provision of off site amenity space when approving the outline application.

Councillor M Alexander expressed concerns that this application would not result in the best outcomes for Buntingford. He also expressed concerns that the social housing element was segregated from the rest of the proposed development. He commented on whether the Authority should encourage a more integrated approach. The Director advised that, ordinarily, Officers sought to encourage a pepper pot approach to the location of social housing. Members were advised that Officers felt that the clustering of the social housing was acceptable on balance in this instance.

In response to concerns from Councillor Alexander, the Director advised that Officers had been in dialogue with Hertfordshire Constabulary in relation to crime prevention measures and Officers considered the scheme to be acceptable from that point of view.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now detailed.

RESOLVED – that in respect of application 3/11/1033/RP, planning permission be granted subject to the conditions detailed in the report now submitted.



- 289 3/11/1103/FP - CHANGE OF USE OF AISLED BARN TO MIXED USE (D1 ART GALLERY AND SUI GENERIS WEDDING CEREMONY/RECEPTION USE), CHANGE OF USE OF THE CONSERVATORY IN DANE TREE HOUSE TO MIXED USE (B1 OFFICE AND SUI GENERIS WEDDING CEREMONY/RECEPTION USE) AND ASSOCIATED CAR PARKING AT DANE TREE HOUSE, PERRY GREEN, MUCH HADHAM, SG10 6EE FOR THE HENRY MOORE FOUNDATION
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The Director of Neighbourhood Services recommended that, in respect of application 3/11/1103/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1103/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

- 290 3/11/1239/FP - ERECTION OF A TERRACE OF 3 X 2 BEDROOM DWELLINGS WITH PARKING AT LAND TO THE REAR OF 20 TO 22 SAYESBURY AVENUE, SAWBRIDGEWORTH, CM21 0ED FOR RAVEN ESTATES LTD
- 

Mr Joseph Fitzgerald addressed the Committee in objection to the application. Jane Orsborn spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1239/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director referred Members to the additional representations schedule for a revised wording for

condition 13. Members were also advised that the Authority was required by policy PPS3 of the East Herts Local Plan Second Review April 2007 to identify suitable land for development, with a particular priority given to previously developed brownfield land.

The Director advised that the policies of the local plan tended to encourage development closer to the major towns and settlements. Members were advised to pay particular attention to policy HSG7 when determining this application.

Councillor R Beeching addressed the Committee in opposition to the application on behalf of the ward Members for Sawbridgeworth. He stressed that when on site, Members would have seen the reality of the likely impact of this application.

Councillor Beeching stated that the scheme was contrary to policy HSG7 and would have a significant detrimental impact on surrounding properties and green space. He referred to the likely impact on nearby trees, some of which were under consideration for tree preservation orders. He also stated that some of the trees were already the subject of protective covenants.

Councillor Beeching expressed concerns that the access road was not adopted. He referred to the unacceptable impact of the application in relation to sewage drainage capacity and issues around the inadequacy of parking provision and manoeuvring issues for vehicles. He also expressed concerns in relation to the loss of light for nearby residents' gardens, particularly as the building line was set back from existing buildings.

Councillor E Buckmaster expressed concerns that the proposed development was unduly overbearing in relation to the surrounding street scene. Councillors Beeching and Buckmaster urged the Committee to refuse the application.

Councillor M Newman stated that there was no need for the set back of the proposed development. He expressed concerns that Nos 12 and 13 Stoneleigh would lose a view of trees and gardens and would instead see a blank side wall of the proposed development.

Councillor Mrs Cheswright expressed concerns over the proposed height of the roof pitch and was particularly concerned that this would facilitate further development in the roof leading to further unacceptable overlooking for neighbouring properties.

The Director stated that the application would result in some overshadowing and impact in terms of height and appearance. Members were advised however, that Officers considered that the application was not unduly overbearing and the impact was not so severe as to warrant a recommendation for refusal.

Councillor J Demonti stated that the proposed development would be dominant, oppressive and overbearing in this location. She stressed that she would be able to support a development that had adhered to the existing building lines.

Councillor J Demonti proposed and Councillor G Jones seconded, a motion that application 3/11/1239/FP be refused on the grounds that the application was detrimental to the street scene and general neighbour amenity, was poorly sited and unduly intrusive and intensive and was contrary to policies ENV1 and HSG7 of the East Herts Local Plan Second Review April 2007.

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

After being put to the meeting and a vote taken, there being an equality of votes, the Chairman exercised his casting vote and the Committee supported the recommendation of the Director of Neighbourhood

Services as now submitted.

RESOLVED – that in respect of application 3/11/1239/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

- 291 (A) 3/11/1043/FP AND (B) 3/11/1044/LB - CONVERSION OF FIVE REDUNDANT FARM BUILDINGS TO B1 LIGHT INDUSTRIAL WORKSHOPS AND REPLACEMENT OF ONE UTILITARIAN BUILDING WITH B1 LIGHT INDUSTRIAL WORKSHOP AT NEW HOUSE FARM, WARESIDE, SG12 7QT FOR MR N BUXTON
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The Director of Neighbourhood Services recommended that, in respect of applications 3/11/1043/FP and 3/11/1044/LB, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

Councillor B Wrangles expressed concerns in relation to the narrow lane that was the access to the site.

After being put to the meeting and a vote taken, the Committee supported the recommendations of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of applications 3/11/1043/FP and 3/11/1044/LB, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

- 292 3/11/1200/FP - REPLACEMENT TRIPLE GARAGE AT WILLOW COTTAGE, 12 WATERFORD COMMON, WATERFORD, SG14 2QD FOR MR S DALE
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The Director of Neighbourhood Services recommended that, in respect of application 3/11/1200/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1200/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

293 3/11/1067/FP - CHANGE OF USE FROM RESIDENTIAL GARAGE TO 3NO BOARDING KENNELS AT THORLEY WASH COTTAGE, THORLEY STREET, BISHOP'S STORTFORD, CM23 4AS FOR MR STACEY

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1067/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1067/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

294 3/11/1286/FP - SOLAR PANELS ON THE SOUTH AND WEST FACING PITCHES OF 4NO. AGRICULTURAL BUILDINGS AT MONKS GREEN FARM, MONKS GREEN LANE, HERTFORD, SG13 8QL FOR MR WILLIAM ASHLEY

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1286/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application

3/11/1286/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

295 E/11/0167/B - THE UNAUTHORISED RESIDENTIAL USE OF AN OUTBUILDING AT THE REAR OF 3 PILGRIMS ROW, WESTMILL, SG9 9LQ

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The Director of Neighbourhood Services recommended that, in respect of the site relating to E/11/0167/B, enforcement action be authorised on the basis now detailed.

The Committee accepted the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/11/0167/B on the basis now detailed.

RESOLVED – that in respect of E/11/0167/B, 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 cessation of the unauthorised use and the removal of the physical elements of the development that form part and parcel of, and an integral part of, the use, as now submitted.

296 E/11/0037/B - UNAUTHORISED ERECTION AND DISPLAY OF INTERNALLY ILLUMINATED ADVERTISEMENTS AT UNIT 4A AND 4B STAR STREET, WARE, HERTS, SG12 7AQ

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The Director of Neighbourhood Services recommended that, in respect of the site relating to E/11/0037/B, enforcement action be authorised on the basis now detailed.

The Director advised that although an application had been received for new illuminated signage, this

application had not been registered or validated.

The Committee accepted the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/11/0037/B on the basis now detailed.

RESOLVED – that in respect of E/11/0037/B, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to take enforcement action under Section 224 of the Town and Country Planning Act 1990 and any such other steps as may be required to secure the removal of the unauthorised fascia advertisements at the site, as now submitted.

297 UPDATE ON ENFORCEMENT ACTION ON THE LAND NORTH OF THE OLD COACH ROAD, BIRCH GREEN, HERTFORD, SG14 2LP

The Director of Neighbourhood Services submitted a report that updated the Committee on current enforcement action at the land north of the Old Coach Road, Birch Green, Hertford, SG14 2LP.

The Director advised Members that an injunction had been served on the site on 27 August 2011, and enforcement notices had also been served on 1 September 2011. Members were advised that the enforcement notices would come into force on 30 September 2011 and were subject to the usual 6 month right of appeal.

The Director requested that Members endorse the actions taken by Officers to date and delegate authority to the Council's solicitor, in consultation with the Chairman of the Development Control Committee, to take further action to prevent further breaches of planning control on the site.

In response to concerns from Councillor Mrs R Cheswright in relation to the response time of the Council,

the Director confirmed that Officers had acted as swiftly as the breach of planning control had been reported to the Authority. Councillor M Alexander confirmed this.

Councillor Alexander complimented Officers on the efficiency of their response, in particular, the Head of Legal Services, for securing the injunction at 3.00 pm on the Saturday of a Bank Holiday weekend. He also thanked the Principal Planning Enforcement Officer for acting swiftly in serving the injunction. The Police were also praised for their assistance.

The Director stated that Officers had considered an Article 4 notice that enabled the Authority to enforce against works that would normally be classed as permitted development. Councillor Alexander stressed that the Authority would continue to do all it could within the law to repatriate this piece of land.

The Committee supported the Directors' recommendation as now detailed.

RESOLVED - that (A) enforcement action taken to date in respect of this site, be endorsed; and

(B) authority be delegated to the Director of Neighbourhood Services, in consultation with the Chairman of the Development Control Committee, to take all necessary action to prevent further breaches of planning control on the site.

## 298 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 8.01 pm

Chairman .....

Date .....

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MINUTES OF A MEETING OF THE  
COMMUNITY SCRUTINY COMMITTEE  
HELD IN THE COUNCIL CHAMBER,  
WALLFIELDS, HERTFORD ON TUESDAY  
20 SEPTEMBER 2011, AT 7.00 PM

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PRESENT: Councillor S Bull (Chairman).  
Councillors E Buckmaster, T Herbert,  
Mrs D Hone, J Mayes, P Moore, P Ruffles,  
N Symonds and C Woodward.

ALSO PRESENT:

Councillors L Haysey and J Wing.

OFFICERS IN ATTENDANCE:

Claire Bennett	- Housing Strategy and Policy Officer
Marian Langley	- Scrutiny Officer
Peter Mannings	- Democratic Services Assistant
George A Robertson	- Director of Customer and Community Services
Lizzie Robertson	- Community Safety Co-ordinator

299 APOLOGY

An apology for absence was submitted on behalf of the Committee Chairman Councillor G McAndrew. Councillor S Bull chaired the meeting.

300 MINUTES

In response to a query from Councillor P Ruffles in respect of apprenticeships, the Director of Customer and Community Services undertook to report back on apprenticeships in East Herts and with the council's main contractors. Councillor C Woodward commented that he

would like a report to be submitted to Human Resources Committee on this matter.

Councillor Ruffles commented on whether Housing Associations had undertaken an occupation audit to establish whether there was under occupation of properties. Councillor S Bull explained that there was an agenda item on this matter.

In response to a query from Councillor Ruffles on the Micro Hydro Plan adjacent to Hertford Theatre, the Director advised that a report with an updated business case would be reported to the Executive in November.

Councillor Woodward sought an update as to whether a response had been received from SLM in relation to the quality of the pool at Grange Paddocks and disabled access. The Director undertook to follow this up and seek an answer for Members.

RESOLVED – that the Minutes of the meetings held on 21 March 2011 and 14 June 2011 be confirmed as a correct record and signed by the Chairman.

### 301 DECLARATIONS OF INTEREST

Councillor S Bull declared a personal interest in the matter referred to at Minute 306 – Monitoring and Review of the Homeless and Homeless Prevention Strategy Action Plan 2008 - 2013 on the grounds that he was the Council's representative for South Anglia Housing Association.

### 302 HEALTH ENGAGEMENT PANEL

Councillor D Hone, Chairman of the Health Engagement Panel, provided a summary of the work of the Panel and the County Council Health Scrutiny Committee. She commented that the Committee had received a petition in respect of the Cheshunt Urgent Care Centre. The Committee had also requested regular updates in relation

to the closure of the Bushey Lane Centre.

The Committee received the report.

RESOLVED – that the update be noted.

303 HEALTH ENGAGEMENT PANEL - MEMBERSHIP

The Chairman of the Health Engagement Panel submitted a report asking the Community Scrutiny Committee to approve an additional seat on the East Herts Health Engagement Panel.

Councillor D Hone explained that there had been occasions when the attendance from the Panel had been low due to attendance at other council and health related events. She emphasised that a good attendance was important when there were often external partners giving presentations.

RESOLVED – that (A) the developing workload and increasing importance of health and public health issues at District level be recognised; and

(B) the membership of the Health Engagement Panel be increased from 5 to 6 Members.

304 COMMUNITY SAFETY: REPORT ON PROGRESS TOWARDS OUTCOMES AND ACTIONS ON THE THREE YEAR PLAN

The Head of Licensing and Community Safety submitted a report on the progress achieved against the East Herts Community Safety Partnership 3 year Community Safety Plan. The Committee was advised that the report summarised 3 years worth of work, which would be of particular interest to the new Members.

Members were advised of the background to the Community Safety Action Plan, as well as the priorities of the Community Safety Partnership. The Committee was referred to pages 50 and 51 of the report now submitted

for details of the most recent summarised crime figures for East Herts.

Members were advised that the opinions of the public had shaped the priorities of the Community Safety Partnership. The Committee was further advised that there had been a low response rate to the most recent on-line public consultation.

In response to a query from Councillor E Buckmaster, Members were advised key staff were accredited Officers with authoritative status to address anti-social behaviour. They are permitted to confiscate alcohol and to request the address of anyone committing anti-social behaviour, for example. Powers for individual officers varies depending on nature of job.

Councillor C Woodward queried whether there were plans to train any more Officers to carry out this work as staff changed. Members were advised that training was carried out by Hertfordshire Police in groups as it was not cost effective to train individuals. Potential Officers were vetted by the Police then given specific training in the appropriate use of the available powers. There were 29 Officers across the Council who were currently permitted to carry out such work.

Councillor P Ruffles sought and was given clarification on whether 71 anti-social behaviour contracts was a low figure. He also received a response in relation to the role of street pastors in East Herts. Councillor N Symonds and the Executive Member for Health, Housing and Community Support spoke positive of their experience of going out alongside the pastors for an evening.

Councillor Symonds commented on the frequent changes in police officers assigned to cover her ward. She stressed that this made it challenging for the police to be aware of the specific problems affecting the District. Officers undertook to provide feedback to Hertfordshire Constabulary.

Councillor S Bull appealed to Members to ensure they completed the Community Safety Questionnaire that had been circulated. He also urged the Committee to encourage the public to complete the questionnaire.

Councillor J Wing referred to ongoing problems of graffiti in Ware. Members were advised that graffiti was always removed from East Herts Council property and was also promptly removed from other premises with the owner's permission if graffiti was of a racist or offensive nature.

The Committee received the report.

RESOLVED – that the report be noted.

305 COMMUNITY SAFETY REVIEW

The Head of Community Safety and Health Services submitted a report to inform the Committee of the East Herts District Council Community Safety Review.

Members were advised that a Task and Finish Group would be set up to review Community Safety in East Herts. Four Members had already volunteered for the Task and Finish Group and a further couple were being sought to join them. A further report would be submitted to the November 2011 meeting of the Committee and a final report would be submitted to Members in February 2012.

The Committee received the report.

RESOLVED – that the report be noted.

306 MONITORING AND REVIEW OF THE HOMELESS AND HOMELESS PREVENTION STRATEGY ACTION PLAN 2008 - 2013

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The Executive Member for Health, Housing and Community Support submitted a report that highlighted successful performance on the third year of the Homeless and Homeless Prevention Strategy Action Plan 2008 – 2013. The report also presented Members with a review

of the Action Plan.

Members were advised that the situation regarding the East Herts homeless was continuously fluid and Officers were closely monitoring the situation. The Committee was advised that there were a number of significant changes to legislation that were likely to have an impact on homelessness and the ability of the Housing Options Service to access the private sector to prevent homelessness.

The Committee was advised that access to the private sector was becoming increasingly challenging and that this was the primary prevention tool for Housing Options. The Localism Bill would also provide the Council with increased powers to discharge its homeless duty by use of the private sector.

Members were advised that Housing Associations would shortly begin offering fixed term tenancies, with an option to review the situation at the end of the fixed term, rather than the current lifetime tenancies. Housing Associations were currently developing policies regarding eligibility. A proportion of tenancies would also be offered at up to 80% of the full market rent.

The Committee was advised that Officers were particularly aware of the changes to local housing allowance and were working with the Council's Benefits Service to identify those at risk of losing their accommodation where the reduction in housing allowance may make their current accommodation unaffordable. At particular risk were applicants under the age of 35 currently in one bedroom accommodation who would have their housing allowance reduced to a single room rate.

Officers were also concerned that this included males from broken relationships with access rights to children only being eligible for housing where there were single rooms with shared facilities.

Councillor N Symonds expressed concerns regarding



Herts Young Homeless Group not offering the best help to a number of cases recently involving young people. Members were advised that Herts Young Homeless Group was primarily funded by Hertfordshire County Council and the Crouchfield Trust. East Herts Council did not currently provide funding to support housing assistance and where this had occurred, the amounts were small.

The Committee was advised that there were a number of positive stories relating to the work of Herts Young Homeless Group. Members were advised however, that this organisation was incredibly stretched in the current financial climate in terms of the number of young people being referred to them.

In response to a further query from Councillor Symonds, Members were advised that Officers were aware of problems in relation to private landlords being reluctant to accept tenants on housing benefit.

The Committee was also made aware of problems with Multi-Agency Public Protection Arrangements (MAPPA) applicants and Housing Associations often being unwilling to take the risk of housing these applicants. Officers did attempt to secure places for MAPPA applicants in the private sector if the Housing Associations were unable to assist. Officers also had to consider such cases carefully from a community safety perspective.

The Committee received the report.

RESOLVED – that the report be noted.

307 COMMUNITY SCRUTINY CORPORATE HEALTHCHECK -  
APRIL - JULY 2011

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The Director of Customer and Community Services submitted an exception report on performance indicators relating to Community Scrutiny Committee for the period April to July 2011.

The Director apologised and corrected paragraph 3.0 in that the reference to the 2009/10 financial accounts should have been in relation to the 2010/11 accounts. He also apologised in that there had been some difficulties in presenting the Essential Reference Paper to Members in that some of the explanations had not been very helpful. He undertook to circulate an updated version later in the week.

RESOLVED – that the report be noted.

### 308 COMMUNITY SCRUTINY WORK PROGRAMME

The Committee considered items for scrutiny during 2011/12 and additional items for inclusion within the Committee's Work Programme. These were set out in the report now submitted.

In response to a query from Councillor P Ruffles, the Director of Customer and Community Services undertook to identify the relevant Citizens Advice Service information from the internet and circulate this link to Members.

The Scrutiny Officer asked the Committee to accept an additional report on the agenda of their next meeting concerning community grants. This was agreed.

Councillor J Wing commented on the process where by grant funding was awarded. The Director stressed that Members had reviewed and approved these new processes last year.

The Scrutiny Officer referred to the speakers due to attend the next Health Engagement Panel, which would cover Accident and Emergency Services at QEII hospital and the work of Children Centres in the District and invited all Members to attend.

The Executive Member for Health, Housing and Community Support updated the Committee in respect of speakers from the Hertfordshire NHS Trust. Councillor L

Haysey advised that Nick Carver and Richard Beasley would be giving a presentation to Council in December in relation to developments within the Hertfordshire NHS Trust.

Councillor Ruffles commented on whether the Committee could scrutinise the good work of the East Herts Museums and also in relation to the arts. Councillor Haysey acknowledged the good work that had been done which would be continued. She highlighted the need to ensure Members were kept informed as to what was happening across the District.

Members approved the Committee’s Work Programme as now submitted, with the addition of a report in respect of Community Grants to be submitted to the November 2011 meeting of the Committee.

RESOLVED – that the work programme be approved.

The meeting closed at 8.20 pm

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

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