

# Public Document Pack



Chairman and Members of the  
Council

Your contact: Martin Ibrahim  
Ext: 2173  
Date: 26 January 2015

cc. All other recipients of the Council  
agenda

Dear Councillor

## **COUNCIL - 28 JANUARY 2015: SUPPLEMENTARY AGENDA NO 1**

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

8. Development Management Committee: Minutes - 7 January 2015 (Pages 3 - 16)

*Chairman: Councillor M Newman*

9. Human Resources Committee: Minutes - 14 January 2015 (Pages 17 - 24)

*Chairman: Councillor G McAndrew*

*To consider a recommendation on the matter below:*

(A) Pay Policy Statement 2015/16

*Minute 465 refers*

10. Joint meeting of Scrutiny Committees: Minutes - 20 January 2015 (Pages 25 - 38)

*Chairman: Councillor G Jones*

11. Audit Committee: Minutes - 21 January 2015 (Pages 39 - 46)

*Chairman: Councillor J Ranger*

Please bring these papers with you to the meeting next Wednesday.

Yours faithfully

Martin Ibrahim  
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Democratic Services  
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**MEETING** : COUNCIL  
**VENUE** : COUNCIL CHAMBER, WALLFIELDS, HERTFORD  
**DATE** : WEDNESDAY 28 JANUARY 2015  
**TIME** : 7.00 PM

MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT  
COMMITTEE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 7 JANUARY 2015, AT 7.00  
PM

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PRESENT: Councillor M Newman (Chairman).  
Councillors D Andrews, E Bedford, S Bull,  
K Crofton, G Jones, J Jones, P Moore,  
P Ruffles, N Symonds and G Williamson.

ALSO PRESENT:

Councillors P Ballam, M Carver, T Herbert,  
P Phillips, S Rutland-Barsby and J Wing.

OFFICERS IN ATTENDANCE:

Christopher Barnes	- Planning Enforcement Officer
Simon Drinkwater	- Director of Neighbourhood Services
Peter Mannings	- Democratic Services Officer
Kevin Steptoe	- Head of Planning and Building Control Services
Alison Young	- Development Manager

456 APOLOGIES

Apologies for absence were submitted on behalf of Councillors M Alexander and Mrs R Cheswright. It was noted that Councillor S Bull was substituting for Councillor Alexander.

457 CHAIRMAN'S ANNOUNCEMENTS

The Vice-Chairman advised that the Chairman was unwell and he would be chairing the meeting.

458 MINUTES – 10 DECEMBER 2014

RESOLVED – that the Minutes of the meeting held on 10 December 2014 be confirmed as a correct record and signed by the Chairman.

459 3/14/1583/FP – ERECTION OF 22 HOUSES INCLUDING 13 OPEN MARKET AND 9 SHARED OWNERSHIP TOGETHER WITH A NEW ACCESS OFF DANE O'COYS RD, BISHOP'S STORTFORD FOR GRANGE BUILDERS LLP AND OTHERS

Jane Orsborn and Tony Prior addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that subject to the applicant or successor in title entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/14/1583/FP, planning application be granted subject to the conditions detailed in the report now submitted.

The Director advised that the first issue for Members to consider was the principle of development on this site. Officers were of the view that planning permission should be granted as this site was part of a wider area of land identified for residential development.

Members were advised that there were options for the mix of subsidised housing as part of this application and the achievable options were detailed on page 22 of the report. The Director stated that the current policy of the Authority was to ensure that such provision was provided within a development site as there were generally limited options to secure provision elsewhere.

The Director commented that the site was located

immediately adjacent to the wider Bishop's Stortford North ASR sites where some provision of subsidised housing could be made. Members were advised that the Council's Solicitor was concerned that an adverse precedent would be set if the 100% shared ownership option was selected contrary to Council policy.

The Director stated that if the Committee considered that the development proposal had merit in principle; Members should attach limited weight to the preference of the applicant for off-site provision of subsidised housing.

Councillor G Jones disagreed with the conclusions of paragraph 6.13 that the Bishop's Stortford Silverleys and Meads Neighbourhood Plan could not be given significant weight until the document had been considered further and subjected to a referendum, given that the final content of the plan was known. He also expressed some concern regarding the impact of the conclusions of paragraph 6.13 on other Neighbourhood Plans across the District and the lack of weight that could be assigned to documents that had been the subject, in this case, of at least two years work.

Councillor N Symonds stated that she was very concerned that no social housing had been included on the site as part of this application. She commented that the application constituted overdevelopment of the site and ingress and egress would be very difficult into what was currently a muddy field with no proper access road.

Councillor Symonds commented that Bishop's Stortford Town Council and Chantry Community Association were against the application and she was concerned over the impact of the application on wildlife. She stated that the site was the last area of green space left in this part of Bishop's Stortford apart from Hoggates Wood.

Councillor P Moore expressed concerns in respect of the point raised on page 12 of the report that the main Bishop's Stortford North development area was a more suitable location for social housing. She was also

concerned in respect of the assertion that owner occupiers looked after property and the environment better than those who rented. Councillor Moore expressed her support for the application on the basis of option (a) on page 20 of the report as regards the tenure of affordable housing.

In response to a question the Director stated that there was no history of previous planning applications on this site as regards residential development of this nature. Members were reminded that the site had been identified as within an area that was, in principle, acceptable for development as part of the Bishop's Stortford North allocation.

The Director acknowledged the characteristics of the locality with regard to highways access. Members were advised that improvements to the existing unsurfaced and surfaced access roads would be required if the application was supported. However any engineering improvements would not be so significant as to alter the character of the area.

The Director advised that the Council's affordable housing policies supported the delivery of both shared ownership properties and those which were rented through Registered Providers. Members were advised that this application did then include social or affordable housing. However, the Council's current policy preference was for the provision of 25% shared ownership and 75% rented accommodation.

The Director advised that the Neighbourhood Plan and the weight that could be assigned to it were covered by a relatively new area of legislation and cases were now being tested across the country. Members were advised that some Neighbourhood Plans had been given weight in their emerging stages with regard to the principle of the location of areas of development.

The Director stressed that the Bishop's Stortford Silverleys and Meads Neighbourhood Plan did not

suggest that there should be no residential development in this location and therefore, there was no issue between the Neighbourhood Plan and the development proposals with regard to the development in principle.

Members were reminded that, unlike emerging District Plans which moved from draft concepts to final plans, Neighbourhood Plans were supported or rejected on the basis of a referendum vote and until that vote had taken place there had to be some uncertainty that they would proceed to completion.

Councillor G Jones proposed and Councillor N Symonds seconded, a motion that application 3/14/1583/FP be deferred to enable further consideration to be given to the weight that can be assigned to the emerging Bishops Stortford Silverleys and Meads Neighbourhood Plan, and consideration of the proposals in light of that.

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 as now submitted.

RESOLVED – that in respect of application 3/14/1583/FP, planning permission be deferred to enable further consideration to be given to the weight that can be assigned to the emerging Bishops Stortford Silverleys and Meads Neighbourhood Plan, and consideration of the proposals in light of that.

460 3/14/0369/FP – DEMOLITION OF EXISTING PUBLIC HOUSE AND ERECTION OF PUB/RESTAURANT WITH GUEST ACCOMMODATION, CAR PARKING, LANDSCAPING AND PLAY AREA AT THE JOLLY WAGGONERS, WIDFORD ROAD, MUCH HADHAM, SG10 6EZ FOR SANDHILL HOME LTD

Mr Key addressed the Committee in objection to the application. Mr Thackray and Mr Sneddon spoke for the application.

The Director of Neighbourhood Services recommended that in respect of application 3/14/0369/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director referred Members to the late representations summary for additional comments for and against the proposed development. Members were advised that amended layout plans had been submitted which indicated the potential for an increased level of parking provision on the site. The Director advised that the revised plans had not been the subject of public consultation.

Councillor M Carver, as the local ward Member, referred to this being an application for the replacement of a derelict but once vibrant and well respected public house and restaurant with a similar facility that included limited guest accommodation. He commented that Members had received a very extensive critique in respect of the report from those who objected to the application.

Councillor Carver stated that the Officer should be praised for thoroughly addressing the proposals and all points of concern that had been raised on the basis of their planning relevance only. He also praised the Highways engineer for thoroughly engaging with this application.

Councillor Carver urged Members to consider the hierarchy of planning policy as well as the policies of the National Planning Policy Framework (NPPF). He concluded that all of the planning policy arguments had been balanced by Officers and he urged Members to do the same. Councillor Carver stated that the community input from Much Hadham residents was an equal balance of support and objection.

Councillor S Bull welcomed the application and stated that Hertfordshire Highways had no objections in what was one of the prettiest villages in East Herts. Councillor



G Williamson stated that an application for a pub on a site that previously had a pub was preferable to other potential forms of development.

Councillor P Ruffles referred to the hierarchy of planning matters and highlighted that the highways considerations in the report did not accord with his understanding that, as regards off site highways improvements, pedestrians were generally given a greater consideration than cars in highways terms.

Councillor G Williamson commented that the application could be deemed to be inappropriate development in the rural area beyond the Green belt. He stated that this was not a sustainable location in transport terms as the bus service was very thin and he could not see many customers arriving by bus.

The Director advised that the footway improvements in the form of a wider footway would be limited to the area immediately in front of the application site. Members were advised that there did not appear to be any prospect of a more extensive widening of the footway between the site and the main area of the village because land was either not available or this would require a narrowing of the road carriageway which was likely to be unacceptable.

Members were advised that, the character of the footway and the highway in this area was not untypical of many rural areas of the District.

Councillor J Jones stated that he was supportive of the application and he acknowledged that the new pub needed other facilities and guest accommodation in order to be financially viable. He concluded that the proposed development would be of great benefit to the Much Hadham community.

Councillor G Jones commented that the design of the proposed development was not very coherent and the plans could have been to a higher architectural standard.

He accepted the view of Hertfordshire Highways but it was clear that the location was unsustainable in transport terms and all journeys to the site would realistically be by car.

The Director stated that pubs across the country had struggled to survive in the prevailing economic climate and the solution that pubs had deployed was to extend their offer and Members should have regard to the viability risk. Members were advised that, in terms of transport sustainability, it was acknowledged that visits to the site by pedestrians would not be likely to be much other than ramblers in the summer months.

The Director advised that the NPPF set out that when considering transport sustainability in rural areas, account also needed to be taken of other policies in the framework. In response to a comment from Councillor K Crofton, Members were advised that policy OSV8 was a saved policy that could be given due weight.

Members were asked whether they wished to give a view on the amended plans for additional car parking. The Director stated that authority could be delegated to Officers, in consultation with the Chairman of the Committee and the local Ward Member, to consider responses received in relation to any further consultation and determine the application accordingly.

In reply to a query from Councillor N Symonds regarding the additional car parking being provided on a permeable surface, the Director advised that Officers could discuss this with the applicant. Members were advised that the additional car parking had not been subject to public consultation and the Committee could delegate authority to Officers to conduct such consultation.

Councillor S Bull proposed and Councillor K Crofton seconded, a motion that application 3/14/0369/FP be granted subject to further consultation solely in relation to a revised on-site parking layout.

After being put to the meeting and a vote taken, this motion was declared CARRIED. The Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that (A) in respect of application 3/14/0369/FP, planning permission be granted subject to the conditions detailed in the report now submitted and the outcome of (B) below; and

(B) authority be delegated to Officers, in consultation with the Chairman of the Committee and the local Ward Member, to consider responses received in relation to the further consultation and determine the application accordingly.

- 461 (A) 3/14/1594/FO – VARIATION OF CONDITION 2 (APPROVED PLANS) OF PLANNING PERMISSION 3/12/1955/FP (THE DEMOLITION OF EXISTING OUTBUILDINGS AND THE RENOVATION OF THE FORMER VICTORIAN SCHOOL) TO PROVIDE AN ADDITIONAL 3 CAR PARK SPACES TO SUPPORT ADDITIONAL CLASSROOM MEZZANINE LEVEL; AND (B) 3/14/1593/LB – INSTALLATION OF NEW TIMBER AND STEEL FLOOR TO FORM A MEZZANINE LEVEL WITHIN THE EXISTING BUILDING CREATING ADDITIONAL CLASSROOM SPACE AND ADDITION OF NEW PAINTED METAL RAILINGS AND GATES TO MATCH EXISTING (MODIFICATIONS TO 3/12/1956/LB) - AMENDED POSITION OF STAIRWELL AND FURTHER AMENDMENT TO MEZZANINE FLOOR AT MUSLEY INFANTS SCHOOL, MUSLEY HILL, WARE, HERTFORDSHIRE, SG12 7NB FOR MUSLEY HILL SCHOOL LTD
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Mr Douglas and Ms Williams addressed the Committee in support of the applications.

The Director of Neighbourhood Services recommended that in respect of applications 3/14/1594/FP and 3/14/1593/LB, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

Councillor J Wing, as the local ward Member, stated that he would be less concerned if the conditions presented to the Committee were enforceable in planning terms. He referred to his objection to the previous application on the grounds of overdevelopment on the site.

Councillor Wing queried whether Members would have still approved so many residential properties on the site had that application included the mezzanine floor and increased size of the school. He stated that he considered that the original application was excessive and did not meet the maximum parking standards as the area was particularly stressed as regards on street parking.

Councillor Wing concluded that this site was already overdeveloped and he urged the Committee to reject both applications as they would place additional parking pressures on an area that was already under severe parking stress.

The Director reminded Members that the existing building had a lawful planning use for school purposes and planning permission was not normally required for a mezzanine floor within an existing school building. Members were advised that planning permission was required for the additional car parking and listed building consent was required as the school was a listed building.

The Director advised that it would be sensible for Members to determine application 3/14/1593/LB, the listed building consent, before application 3/14/1594/FO. The Committee was reminded that it would be unwise to refuse application 3/14/1594/FO if Members were supportive of the listed building consent application.

Councillor E Bedford commented that he did not feel that the addition of the proposed mezzanine floor would pose any problems particularly as this would not be attached to the main fabric of the building. He emphasised that additional floor space made this a viable proposition and

the internal alterations would be unobtrusive and would not affect the external appearance of the listed building. He concluded that the parking issue would not be so severe as to be a major problem and he felt that double yellow lines or “keep clear” markings could be used to alleviate problems outside the school.

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

RESOLVED – that in respect of applications 3/14/1593/LB and 3/14/1594/FO, listed building consent and planning permission be granted subject to the conditions detailed in the report now submitted.

462 3/14/1799/FP – ERECTION OF A NEW CARPORT AT 32 BISHOPS ROAD, TEWIN WOOD, TEWIN, AL6 0NW FOR MR E ISMAIL

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The Director of Neighbourhood Services recommended that in respect of application 3/14/1799/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director confirmed to Councillor G Jones that the Authority would be able to control the proposed construction materials as the applicant had submitted the relevant information on the submitted drawings.

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

RESOLVED – that in respect of application 3/14/1799/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

463 E/13/0221/B – UNAUTHORISED USE OF PROPERTY AS A CHILDREN'S HOME AT NUTWOOD COTTAGE, WEST END ROAD, WORMLEY WEST END, HERTS, EN10 7QN

The Director of Neighbourhood Services recommended that in respect of the site relating to E/13/0221/B, the Committee note and endorse the decision of the Director to issue, under delegated authority, an enforcement notice on the basis now detailed.

The Director advised that the original Enforcement decision had a compliance period of 6 months and Officers had not served this notice as the appellant had assured the Authority that they would vacate the property within 3 months. Officers were aware however, that this had not occurred and Members were being asked to endorse the action, taken under delegated authority, to issue an Enforcement action with a 3 month compliance period so that no further time was lost.

After being put to the meeting and a vote taken, the Committee accepted the Director's recommendation to endorse the enforcement action taken in respect of the site relating to E/13/0221/B on the basis now detailed.

RESOLVED – that in respect of E/13/0221/B, the action of the Director of Neighbourhood Services, taken under delegated authority, to take enforcement action on the basis now detailed, be endorsed.

464 ITEMS FOR REPORTING AND NOTING

The Committee congratulated Officers on the performance statistics detailed in the report in respect of planning applications. Councillors G Jones and N Symonds requested that Officers include some performance information in future in respect of Planning Enforcement.

The Director stated that Enforcement Matters were not generally in the public domain and in many cases,

following investigation; the outcome was that there was no breach of planning control. The Director advised that figures that did not identify specific cases would be presented to Members.

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 8.37 pm

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

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MINUTES OF A MEETING OF THE  
HUMAN RESOURCES COMMITTEE HELD  
IN THE ROOM 27, WALLFIELDS,  
HERTFORD ON WEDNESDAY 14  
JANUARY 2015, AT 3.00 PM

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PRESENT: Councillor G McAndrew (Chairman)  
Councillors P Ballam, Mrs D Hone, J Ranger,  
P Ruffles and N Wilson.

ALSO PRESENT:

Councillor C Woodward

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Vicki David	- Human Resources Officer
Emma Freeman	- Head of People and Property Services
Adele Taylor	- Director of Finance and Support Services

465 **PAY POLICY STATEMENT 2015/16**

**The Head of People and Property Services submitted a report on the Pay Policy Statement 2015/16 which, annually, needed to be agreed and published under Sections 38 to 43 of the Localism Act 2011. She stated that the Pay Policy Statement had been amended to reflect the new code in terms of transparency of information.**

**In response to a query raised by Councillor J Ranger at an earlier meeting, the Head of People and Property Services explained the arrangements around apprenticeships. She said that the Council had**

**experienced some difficulties in trying to recruit an apprentice in Facilities Management and that over the last three years; the Council had employed two or three apprentices.**

**In response to a query from Councillor P Ruffles, the Director of Finance and Support Services explained what other professional schemes the Council had to offer, including those offered to graduates.**

**The Committee supported the report, and recommended its approval.**

**RECOMMENDED - that the Pay Policy Statement for 2015/16, as now submitted, be approved.**

466 MINUTES

RESOLVED - that Minutes of the meeting held on 22 October 2014 be confirmed as a correct record and signed by the Chairman.

467 EQUALITY AND DIVERSITY 2014/15

The Head of People and Property Services submitted a report on the Council's Equality and Diversity Annual Report for 2013/14. The Human Resources Officer provided a summary of the main points contained within the detailed analysis of the Council's workforce under a number of sub-headings, the detail of which was set out in the report now submitted.

In terms of the gender percentage of female to male (69% : 31%), Councillor P Ruffles suggested that it might be necessary for the Council to consider, at some future point, applying positive methods to balance the female to male staff ratio. The Head of People and Property Services stated that from 2014/15 it was anticipated that human resources would be able to provide an audit trail of information from application to appointment, which would provide additional information from a gender viewpoint.

Councillor J Ranger queried whether there was a difference in

terms of gender in relation to those applying for full time or part time employment. The Human Resources Officer explained that the information contained in Figure 3.4 of the report now submitted, provided further clarification. In respect of “unknown” categories in the body of the report, the Head of People and Property Services explained that some people chose not to declare particular types of information.

Councillor J Ranger raised the issue of “male leavers” adding that no reasons had been given. The Head of People and Property Services explained that while exit interviews did take place, some leavers might choose not to give a reason. The Director of Finance and Support Services explained that some reasons were provided within Table 8.2 (ii) of the report now submitted.

Councillor P Ballam raised the issue of the number of males leaving the Council. The Head of People and Property Services explained that paragraph 8.4 of the report now submitted, attempted to provide further information on this matter.

Councillor P Ruffles referred to the positive effects of Member Training organised by the Scrutiny Officer. He felt that this should be published publically.

The Chairman referred Members to the statistics in relation to Personal Development Reviews (PDRs) and reminded Members that concerns had already been voiced about this and that figures to be released in the next few weeks, should reflect a much improved position. In response to a further query about the PDR process, the Head of People and Property Services explained how the process was carried out by Heads of Service and Line Managers.

Councillor P Ruffles further queried the “expectations” of those staff who had gone beyond the usual retirement age in term of the PDR process. The Director of Finance stated that age should not be something for consideration in the PDR process, in that the Council employed an individual to do a particular job. She accepted that disability could be a limitation in terms of a role, adding that objectives had to

reflect the expectations of a role.

Councillor J Ranger stated that he hoped that the interview process picked up on the fact that roles were constantly changing and that appropriate adjustments were made. The Head of People and Property Services stated that the Job Evaluation Process would pick up substantial changes.

The Committee supported the report, as now submitted.

RESOLVED – that (A) the Equality and Diversity Annual Report 2013/14 be approved;

(B) Equalities data be collected at the shortlist and interview stage for all applicants;

(C) Recruitment Panel Members be trained in the Council's Recruitment Policy and Equal Opportunities, and Panels be balanced in terms of gender;

(D) Discipline and Grievance equalities data continue to be monitored;

(E) Equalities data be captured for all participants attending all training courses; and

(F) Data from exit questionnaires continue to be reviewed to establish the disproportionate number of male leavers and that this be incorporated within the regular Turnover Report reported to Corporate Management Team.

#### 468 HOME WORKERS' SICKNESS ABSENCE

The Head of People and Property Services submitted a report on sickness absence by Home Workers following a report to an earlier meeting. The Head of People and Property Services stated that having investigated the matter, there was no particular trend to the reported absences. She added that the findings showed that home workers' sickness absence levels were not higher than expected and that current advice regarding flexible working practices, indicated that there was

no distinction with regard to absenteeism levels between the two different working practices of home working and those who were office based.

The Committee received the report.

RESOLVED – that the report be received.

469 HUMAN RESOURCES MANAGEMENT STATISTICS:  
QUARTERLY PERFORMANCE

The Head of People and Property Services submitted a report setting out Human Resource information for the period 1 April to 31 December 2014.

The Head of People and Property Services advised that, based on the current figures, the projected turnover for 2014/15 was 7.99% which was below the target of 10%. Current voluntary leavers' rate was projected to be 6.46% against a target of 7%. Updates were provided in terms of posts filled both internally and externally.

The Head of People and Property Services explained that short term sickness per full time equivalent (FTE) for the year was 2.76 days overall against a target of 4.5 days and current projected long-term sickness absence per FTE was 0.06 days per month. The current rate of projected long-term sickness for the year was 0.72 days against a target of 2 days.

Updates were provided in relation to Training and Development and Performance Development Reviews (PDRs), Equalities Monitoring and Policy Development. The Head of People and Property Services stated that an update on the PDR statistics would be emailed to all Members of Human Resources Committee at the end of January 2015.

In response to a query from Councillor J Ranger, the Head of People and Property Services provided an update on the National Pay negotiations, adding that UNISON members had rejected, via a ballot, the Employer's Side's proposals and that as a result, the local award had been reduced from 4% to 2%.

It was noted that the Expenses Policy had been referred to the Joint Secretaries for England for further negotiations.

The Committee received the report.

RESOLVED – that the Human Resource Quarterly Management Statistics, as now submitted, be received.

470 LOCAL JOINT PANEL - MINUTES OF THE MEETING: 3 DECEMBER 2014

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RESOLVED – that the Minutes of the Local Joint Panel meeting held on 3 December 2014 be received.

(see also Minutes 471 – 474)

471 GENERAL LEAVE POLICY

The Head of People and Property Services submitted a report updating the General Leave Policy which had been revised following a number of changes suggested by the Local Joint Panel on 3 December 2014.

The Committee considered and approved the recommendations made at the Local Joint Panel meeting held on 3 December 2014.

RESOLVED – that the revised General Leave Policy, as now submitted, be approved.

(see also Minute 470)

472 CARERS POLICY

The Head of People and Property Services submitted a report on a new Carers Policy which had been revised following a number of changes suggested by the Local Joint Panel on 3 December 2014.

The Committee considered and approved the recommendations made at the Local Joint Panel meeting held on 3 December 2014.

RESOLVED – that the Carers Policy as now submitted, be approved.

(see also Minute 470)

473 RETIREMENT POLICY

The Head of People and Property Services submitted a report on the updated Retirement Policy which had been revised following a number of changes suggested by the Local Joint Panel on 3 December 2014.

The Committee considered and approved the recommendations made at the Local Joint Panel meeting held on 3 December 2014.

RESOLVED – that the Retirement Policy as now submitted, be approved.

(see also Minute 470)

474 REVISED FLEXIBLE WORKING POLICY

The Committee considered and approved the recommendations made at the Local Joint Panel meeting held on 3 December 2014.

RESOLVED – that the revised Flexible Working Policy as now submitted, be approved.

(see also Minute 470)

The meeting closed at 4.15 pm

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

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MINUTES OF A JOINT MEETING OF  
 SCRUTINY COMMITTEES HELD IN THE  
 COUNCIL CHAMBER, WALLFIELDS,  
 HERTFORD ON TUESDAY 20 JANUARY  
 2015, AT 7.00 PM

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PRESENT: Councillor G Jones (Chairman).  
 Councillors R Beeching, S Bull, G Cutting,  
 A Dearman, Mrs D Hollebon, J Mayes,  
 P Moore, T Page, M Pope, J Ranger,  
 K Warnell, G Williamson, J Wing, M Wood,  
 C Woodward and J Wyllie.

ALSO PRESENT:

Councillors P Phillips, P Ruffles, S Rutland-  
 Barsby and M Tindale.

OFFICERS IN ATTENDANCE:

- |                    |   |
|--------------------|---|
| Lorraine Blackburn | - Democratic<br>Services Officer  |
| Marian Langley     | - Scrutiny Officer  |
| George A Robertson | - Chief Executive<br>and Director of<br>Customer and<br>Community<br>Services |
| Adele Taylor       | - Director of Finance<br>and Support<br>Services                              |
| Karen Watling      | - Interim Head of<br>Strategic Finance  |

475 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor J Ranger and seconded by Councillor Mrs D Hollebon that Councillor G Jones be appointed Chairman for the meeting.

RESOLVED – that Councillor G Jones be appointed Chairman for the meeting.

476 APOLOGIES

Apologies were submitted on behalf of Councillors D Abbott, W Ashley, P Ballam, E Buckmaster, N Symonds and B Wrangles. It was noted that Councillor R Beeching was substituting for Councillor Ballam.

477 MINUTES – 11 FEBRUARY 2014

RESOLVED – that the Minutes of the joint meeting held on 11 February 2014 be confirmed as a correct record and signed by the Chairman.

478 CHAIRMAN'S ANNOUNCEMENTS

The Chairman stated that this month, the Local Government Information Unit had sent out a Policy Briefing about the Local Government Finance System and commented on the complexity of it.

479 BUDGET REPORT AND MEDIUM TERM FINANCIAL PLAN 2014/15 – 2018/19

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The Executive Member for Finance submitted a report which set out proposals in respect of the following:

- 2014/15 Revised Revenue Estimates
- 2015/16 Revenue Budget
- 2015/16 Schedule of charges
- 2014/15 (Revised) to 2017/18 Capital Programme
- the refreshed Medium Term Financial Plan (MTFP)
- the Council's Reserves

The joint meeting of Scrutiny Committees was advised that the new format budget report had replaced four separate reports which, in previous years, had discussed the revenue and capital budget proposals. At a recent training workshop, Members had identified certain

changes they wished to see in the budget report, such as clearer and expanded explanations of the figures, identification of the key budget changes, the use of plain English and more use of graphs. The Director of Finance and Support Services advised that the new format and content was Officers' response to those requests which, it was hoped, would make the budget proposals easier to understand.

The Director explained that Sections 1 and 2 provided an overview of five "building blocks" forming the Council's revenue budget and referred to the Medium Term Financial Plan for a summary of the Revenue Budget. It was noted that there had been earlier reports to both Corporate Business Scrutiny and Audit Committees regarding the council tax base and business rates would go to Council in January and the Council's Treasury Management Strategy would be going to Audit and Council this month.

The Director stated that Section 3 provided a summary of the key budget proposals and how these supported the Council's priorities. A reprint of Chart 2 was tabled for clarity at the meeting. Section 4 set out the Revised Revenue estimates for 2014/15.

The Chairman referred to additional staffing changes and concerns which had been expressed about the workload around Building Control and Enforcement, and the temporary arrangements currently in place. Councillor J Wing referred to Members' concerns raised at a recent meeting of Corporate Business Scrutiny Committee in relation to adverse performance targets not being met, adding that performance should be at 100%; instead of the 63% currently being achieved. Councillor Wing referred to the impact on the environment if Officers were not making timely site visits. He referred to the income generated by Planning and Building Control and felt that it was crucial that this area be given more resources. Councillor C Woodward supported a suggestion to increase the level of resources. Councillor J Ranger

agreed that there was a huge amount of work in those areas with additional and increasing numbers of planning applications coming in and the need for more staff.

In response to a query from Councillor R Beeching regarding the New Homes Bonus (NHB) and its apportionment, the Director of Finance and Support Services clarified the funding process and referred Members to the MTFP for more detailed information. It was noted that 25% was allocated to Towns and Parishes for disbursement on projects. The Director reminded Members that when the policy had been established, no “strings” had been attached in terms of NHB monitoring or expectation of what the money should be used for. The Council allocates 25% to a New Priority Fund and the Council has earmarked this for the purpose of funding initiatives which promoted economic prosperity in the District.

Councillor C Woodward was concerned that the Council was losing an opportunity to increase its NHB and referred to empty homes in the District and the fact that the Council had more than 2000 people registered on its homeless register. The Director explained the work which had been undertaken to bring empty homes back into use as well as ensure homes were properly classified as empty or not.

The Executive Member for Finance referred to the large level of underspends in the NHB Budget and the £353K which remained. He emphasised that free 30-minute parking had been funded from the NHB.

In response to a query from Councillor P Moore, the Director explained why and in which three areas, underspends had occurred.

The Chairman referred to the underspend in the revenue budget of £1,243K and the possibility that this could increase to £1.7m if the unallocated amounts in the contingency budget and NHB Priority Spend Fund were

not used.

In response to a query from Councillor M Pope, the Director explained the background to Section 31 Grants and how these were awarded and the effects this had on the Council's income in terms of business rates.

The Director summarised Section 5 – the 2015/16 Revenue Budget: Net Cost of Services, the detail of which was set out in the key Essential Reference Papers. In response to a query from Councillor G Cutting regarding provision for a Leisure Development Manager, the Chief Executive and Director of Customer and Community Services clarified the current arrangements.

In response to a query from Councillor J Wing regarding net cost of services in respect of Revenues and Benefits and what proportion was funded from Government sources to undertake collection on their behalf, the Director agreed to write to Members.

The Director summarised Section 6 – 2015/16 Revenue Budget: Proposed Growth and Saving, the detail of which was set out in the key Essential Reference Papers. Councillor R Beeching referred to the issue of public health and stated that the Council should be promoting its support for public health more actively. Both he and Councillor C Woodward asked whether the ear-marked public health budget and expenditure against that budget could be presented as an item in its own right and not broken up across the services.

Councillor M Wood referred to the issue of leaf clearance and the detrimental effect decomposing leaves had on grass verges and gullies. He suggested that the Council should consider working with community and resident groups to develop a partnership to cover special collection arrangements following any organised leaf clearance activity. Councillor K Warnell suggested that Towns and Parishes might be approached in relation to financial support for the initiative. The Executive Member

for Finance agreed that the Executive could review the possibility of specialist collections.

In response to a query from Councillor G Cutting, the Director of Finance and Support Services provided clarification on the budget figures in relation to residents' parking restrictions at Southmill area in Bishop's Stortford. The Executive Member for Economic Development advised that there was no surplus generated and there would be a report to the Executive in February 2015 which would provide further details in relation to income and expenditure on residents' parking.

The Director of Finance and Support Services summarised Section 7 2015/16 Revenue Budget: Proposed Schedule of charges, the detail of which was set out in the key Essential Reference Papers. Councillor J Wing referred to the charges charities incurred in relation to pre-application planning fees. He suggested that charities be granted exemption status from such charges. Councillor J Wing sought clarification on what charges were completely reimbursed. The Director explained that charities received a 25% reduction in charges.

Councillor T Page commented that he did not understand the reasoning behind the fee changes giving the example that building and development control fees had not increased but that Bed and Breakfast rates had risen by 2.5%.

Councillor J Wyllie suggested that, given the underspends, there should be no increase in fees and charges.

The Chairman recognised that a number of Members had concerns about increases in fees and charges and that Members supported a suggestion that some underspends / reserves be used to limit charges to a zero increase unless there was a statutory requirement for full-cost recovery or to increase them.

The Chairman referred to the fees and charges for Hertford Theatre and the degree of flexibility which needed to take account of its varied programme and the building's use by "not for profit" groups. Members acknowledged the varied programme and agreed that the Box Office Management needed flexibility in its programme pricing arrangements.

Members also supported a suggestion that Scrutiny Committees be given an opportunity to review how fees and charges were set during 2016/17 to establish whether they were appropriate in the current commercial environment and met with community needs. The Chief Executive and Director of Customer and Community Services asked Members to let Heads of Service know where their concerns lay in terms of fees and charges.

The Director of Finance and Support Services summarised Section 8 – 2015/16 Revenue Budget: Corporate Budgets, the detail of which was set out in the key essential reference papers. In response to a query from Councillor M Pope regarding the £1m contribution to the Pension Fund, the Director of Finance and Support Services explained that the Council had received advice on possible future contributions but were seeking further clarification before a recommendation would be made about whether to make any contribution if it made financial sense to do so.

The Director of Finance and Support Services summarised Section 9 – 2015/16 Revenue Budget: proposed contributions to and from reserves, the detail of which was set out in the key Essential Reference Papers. The Director explained that Officers were recommending that £1.831m be used to fund the 2015/16 Revenue Budget and that £144K be put into reserves for specific items.

Councillor J Ranger expressed concern that money was not being spent and suggested a fund be established to

more robustly defend planning cases on appeal. The Executive Member for Finance stated that the Council could only do so where there was a justification in using Council Taxpayers money to defend planning appeals. The Chief Executive and Director of Customer and Community Services assured Members that in appeal cases, Counsel's opinion would always be sought. In response to a query from Councillor C Woodward, the Director of Finance and Support Services clarified the position regarding funding neighbourhood plans.

The Director of Finance and Support Services summarised Section 10 – 2015/16 Revenue Budget: Sources of Funding, the detail of which was set out in the key essential reference papers. The Director stated that this was based on information which the Council currently held to funding its activities.

Councillor J Ranger sought clarification with regard to the percentage of decrease this authority had had in relation to Revenue Support Grants since the government cuts had started. The Director undertook to write to the Member. The Director clarified the position in relation to the Collection Fund distributed deficit. She also referred to requests for business rate revaluations and the need to provide an estimate about the numbers who might appeal.

The Director of Finance and Support Services summarised Section 11 – 2015/16 Revenue Budget: Proposed Council Tax Demand (East Herts element), the detail of which was set out in the key Essential Reference Papers. She explained that there was a zero increase in Council Tax proposed for 2015/16.

Councillor J Wing referred to the significant levels of Council reserves and suggested that there be a reduction in Council Tax. The Executive Member for Finance referred to unknown and uncertain elements which could impact on the Council's finances, e.g. the General Election, a possible reduction in the NHB and the



assumptions in the MTFP. He referred to the fact that a freeze on Council Tax was proposed for 2015/16 and a 1% increase was proposed in 2016/17. He stated that the Council needed to take an affordable and sustainable approach to its finances.

The Director of Finance summarised Section 12 – Capital Programme 2014/15 (Revised) to 2017/2018), the detail of which was set out in the key Essential Reference Papers. Councillor C Woodward suggested that in terms of new schemes, the Council should be looking to improve facilities for disabled swimming arrangements in Bishop's Stortford.

Councillor G Cutting supported this and referred to the absence of a 50m pool in the district to allow swimming clubs to support their best swimmers progress to higher level of competition. Councillor J Wing referred to the lack of sports facilities in Bishop's Stortford, particularly in relation to football clubs and the shortage of pitches in the District as a whole. Councillor M Wood supported this, adding that adequate service provision of facilities was essential given the town's predicted growth from 38,000 to 50,000 people. Councillor C Woodward supported the acquisition of land for sports facilities stating that facilities, as they stood, were totally inadequate. Members supported a suggestion that capital funding should be used to acquire land for sports facilities including a sports hall and the expansion of Grange Paddocks swimming pool.

The Chief Executive and Director of Customer and Community Services acknowledged Members' strong feelings on this issue, and referred to Section 106 Monies arising from proposed developments in the town which are identified for community/sports facilities. He was aware however that there were already many calls on that funding.

The Director of Finance summarised Section 13 – Medium Term Financial Plan (MTFP), the detail of which

was set out in the report and key Essential Reference Paper. She explained to Members the need for caution in relation to the MTFP estimates from 2016/17 onwards, adding that the information given, was based on the best estimates the Council had, bearing in mind the potential changes to local government finance and what might arise from a new Government and a new Public Sector Comprehensive Spending Review. The Executive Member for Finance explained the need to make responsible projections and assumptions in order to establish a proper budget.

The Director of Finance and Support Services summarised Section 14 – Review of the Council's Reserves, the detail of which was set out in the report and key Essential Reference Papers. Councillor J Wyllie referred to the Council's current reserves of £1.4M in excess of its current Reserves Policy of £8M. He suggested that the £1.4M be put into the pension fund. In response to a query from Councillor K Warnell, the Director of Finance and Support Services explained the interest equalisation reserve and its impact on bank rates.

In response to a query from the Chairman regarding the Council's substantial reserves, the Director of Finance advised Members that the Council was using some of its reserves and referred Members to Essential Reference Paper 'K' (Review of the Council's Reserves) for more detailed information.

The Director of Finance and Support Services summarised Section 15 – Advice from the Director of Finance and Support Services (Section 151 Officer), the detail of which was set out in the report and the key Essential Reference Paper. The Director assured Members that the budget and MTFP estimates were prudent, sensible and robust.

Councillor J Ranger thanked the Officers for the clarity and organised format of the report. The Chairman, on behalf of Members, also added his thanks to Officers for

the new and clearer format of the report.

The joint meeting of Scrutiny Committees, in summary, resolved to inform the Executive that:

- staffing resources within Building Control and Enforcement be reviewed in view of the fact that performance targets were not being met and of the potential increase in workload expected during 2015/16;
- the Council considers working in partnership with active community groups in relation to leaf clearance and in arranging special collection of leaves collected by those groups;
- some underspends in the Council's budget be used to set charges to a zero increase (with the exception of those which may need to be increased as a result of a statutory requirement);
- Scrutiny Committees in 2015/16 review Fees and Charges relevant to their specific areas in order to assess whether they are commercially viable and meet community needs;
- fees and charges for Hertford Theatre be afforded a level of flexibility in their box office pricing arrangements in order to take account of its varied programming and the use of the building by not-for-profit local groups; and
- capital funding (including the use of Section 106 monies and NHB), be used to improve current facilities and acquire land for new sporting facilities across the District and in particular, in Bishop's Stortford, including football pitches, a sports hall and the extension of Grange Paddocks swimming pool to allow users of the pool to train and compete at a regional and national level.

RESOLVED – that the Executive be informed that the joint meeting of Scrutiny Committees considers that:

- (A) staffing in Building Control and Enforcement be reviewed in order to achieve established performance targets and an anticipated increased in workload in 2015/16;
- (B) the Council works in partnership with active community groups to support leaf clearance and in arranging the special collection of leaves collected by those groups;
- (C) some underspends in the Council's budget be used to set charges to a zero increase (with the exception of those which might need to be increased as a result of a statutory requirement);
- (D) Scrutiny Committees in 2015/16 review Fees and Charges relevant to their specific areas in order to assess whether they are commercially viable and meet community needs;
- (E) Hertford Theatre be afforded a level of flexibility in their box office pricing arrangements in order that management can reflect its varied programmes and the use of the building by not-for-profit local groups; and
- (F) Capital funding (including the use of Section 106 monies and NHB) be used to improve current facilities and acquire land for new sporting facilities across the District and in particular, the provision of football pitches, a sports hall and the extension of Grange Paddocks swimming pool in Bishop's Stortford to allow users of the pool to train and compete at a regional and national level.

The meeting closed at 9.48 pm

MINUTES OF A MEETING OF THE  
AUDIT COMMITTEE HELD IN THE  
COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON WEDNESDAY 21  
JANUARY 2015, AT 7.00 PM

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PRESENT: Councillor J Ranger (Chairman).  
Councillors D Andrews, W Mortimer,  
M Pope, R Sharma, N Wilson and  
J Wing.

OFFICERS IN ATTENDANCE:

Chris Gibson	- Head of Governance and Risk Management
Peter Mannings	- Democratic Services Officer
Adele Taylor	- Director of Finance and Support Services

ALSO IN ATTENDANCE:

Paul Grady	- Grant Thornton, External Auditor
Sarah Ironmonger	- Grant Thornton, External Auditor
Helen Maneuf	- Shared Internal Audit Service

480 MINUTES – 26 NOVEMBER 2014

RESOLVED – that the Minutes of the meeting held on 26 November 2014 be approved as a correct record and signed by the Chairman.

481 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that the External Auditors had been delayed in traffic and the Training Item and the External Audit Grants Claim Certification report would be considered later in the meeting when the Auditors arrived.

482 TREASURY MANAGEMENT STATEMENT AND ANNUAL INVESTMENT STRATEGY

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The Executive Member for Finance submitted a report which set out the 2015/16 Treasury Strategy Statement and Annual Investment Strategy together and Prudential Indicators.

Members were advised that this report was one of the final stages of the budget setting process and was linked to the consolidated budget report recently considered by the joint meeting of Scrutiny Committees.

The Director of Finance and Support Services advised that there had been no additional regulatory changes since those that had been included in the revised Treasury Management Strategy submitted to the Audit Committee on 10 July 2014, and that no additional changes were proposed in respect of the 2015–16 Strategy.

In response to a query from the Chairman, the Director of Finance and Support Services referred to the red figures in the table at paragraph 3.1 of the report submitted. Members were advised how the capital programme was financed in terms of the Council's borrowing need externally and internally.

In reply to a question from Councillor J Wing regarding capital assets and capital receipts, the Director of Finance and Support Services undertook to provide a written response.

Members received the report and made

recommendations to the Executive as detailed in the report.

RESOLVED – that (A) the Treasury Management Strategy and Annual Investment Strategy detailed in paragraphs 2.1 – 2.2 be recommended for submission to the Executive;

(B) the prudential indicators detailed in paragraph 2.3 be recommended for submission to the Executive; and

(C) the counterparty listed detailed in paragraph 2.4 of the report submitted, be recommended for submission to the Executive.

#### 483 SHARED INTERNAL AUDIT SERVICE – INTERNAL AUDIT PLAN PROGRESS REPORT

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The Shared Internal Audit Services (SIAS) submitted a report setting out the progress made in delivering the Council's Annual Audit Plan for 2014/15 as at 5 January 2015. The report also proposed a number of amendments to the approved audit plan and sought approval for the removal of implemented high priority recommendations.

Members were advised that, as at 5 January 2015, 65% of the 2014/15 Audit Plan days had been delivered and the proposed amendments to the 2014/15 Audit Plan were detailed within the report now submitted. Members were also advised that the Audit Plan was more than two thirds complete, with 71% delivered and sufficient further days were booked to ensure delivery of the Audit Plan.

Councillor D Andrews referred to emergency planning and business continuity in the context of the recent events in South Oxfordshire. The Director of Finance and Support Services stated that Officers were confident that systems such as EDM were in place to ensure IT and business continuity but that any lessons learnt from the

events in South Oxfordshire would be considered as part of our business continuity plans.

Members noted the report and approved the recommendations detailed in the report as now submitted.

RESOLVED – that (A) the report be received;

(B) the amendments to the 2014/15 Audit Plan as at 5 January 2015 be approved; and

(C) the removal of the implemented high priority recommendations be approved.

484 TRAINING ITEM – GRANT THORNTON (EXTERNAL AUDIT)  
NATIONAL FINANCIAL RESILIENCE

The External Auditors delivered a presentation in respect of National Financial Resilience Training and the evolution of Local Government in meeting this challenge. Members were advised that whilst most Local Authorities had risen to the challenge, more needed to be done in some areas as regards resilience.

The External Auditors detailed the background and the wider picture facing Local Authorities in light of the 2010 and 2013 spending reviews as well as the demographic changes that were increasing demand for services.

The Auditors concluded by setting out bar chart data regarding risk assessments, Financial Performance Indicators, Strategic Financial Planning and Governance, Financial Control as well as the summary position in respect of national results. Members were also provided with a good practice checklist and details of the financial performance of the NHS by way of a comparison with the financial performance of Local Government.

Members made a number of comments in respect of the presentation. The Committee received the presentation and thanked the External Auditors for their informative



comments.

RESOLVED – that the presentation be received.

485 EXTERNAL AUDIT – GRANTS CLAIM CERTIFICATION  
WORK 2013/14

The External Auditor submitted a letter confirming that one claim had been certified for the 2013/14 financial year relating to expenditure of £36.1M. The External Auditor confirmed that subject to an amendment to this claim which would have no impact on the overall claimed subsidy, they were satisfied that the Council had appropriate arrangements in place to compile and complete accurate and timely claims for audit certification.

It was noted that the indicative scale fee for grant certification for 2013/14 was £11,088.

Members received the report.

RESOLVED – that the report be received.

486 UPDATE ON IMPLEMENTATION OF ANNUAL  
GOVERNANCE STATEMENT ACTION PLAN

The Director of Finance and Support Services submitted a report in relation to the 2013/14 Annual Governance Statement and the 11 measures recommended to enhance East Herts Council's internal control framework during 2014/15. The report also provided details of proposed actions that needed to take place prior to confirmation being given that adequate and effective controls were fully in place.

Members were advised that the Shared Internal Audit Service (SIAS) had cleared outstanding high risk recommendations in their IT review through Price Waterhouse Coopers (PwC) and the status of the corresponding issue was now green as SIAS was satisfied that resilient IT business continuity arrangements

were now in place.

The Head of Governance and Risk Management stated that minor revisions had been made to target dates to reflect the expected delivery of reports from SIAS that would provide extra reassurance and would have a direct bearing on several of the Red, Amber, Green (RAG) assessments. Members were reminded that all of the recommendations made by SIAS were being monitored by Officers and quarterly updates were being submitted to Corporate Management Team (CMT).

Councillor J Wing commented on the prospects of the RAG status of the actions relating to the delivery of the “Here to Help” programme. The Director of Finance and Support Services stated that significant emphasis and resources had been allocated to the ethos of the “Here to Help” programme.

The Chairman commented on the newly identified 2014/15 strategic risk regarding the development of a District Plan which had been approved by the planning inspectorate. The Head of Governance and Risk Management advised that significant work was being undertaken to review the evidence and identify gaps which needed to be filled before the District Plan could move forward to an “amendments consultation” version.

Members noted the progress made against implementing the 2014/15 Annual Governance Statement Action Plan.

RESOLVED – that the progress made against implementing the Action Plan detailed in the 2014/15 Annual Governance statement be noted.

487 AUDIT COMMITTEE WORK PROGRAMME 2015/16 CIVIC YEAR

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The Director of Finance and Support Services submitted a report detailing the proposed work programme for Audit Committee.

The Chairman reminded the Committee that there was no training scheduled for the next meeting. Members approved the work programme as now detailed.

RESOLVED – that the work programme, as now detailed, be approved.

The meeting closed at 8.14 pm

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

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