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Chairman and Members of the
Council

Your contact: Martin Ibrahim
Ext: 2173
Date: 17 October 2016

cc. All other recipients of the Council
agenda

Dear Councillor

COUNCIL - 19 OCTOBER 2016: SUPPLEMENTARY AGENDA NO 1

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

6. Members' questions (Pages 3 - 4)
14. Human Resources Committee: Minutes - 5 October 2016 (Pages 5 - 10)
15. Corporate Business Scrutiny Committee: Minutes - 11 October 2016 (Pages 11 - 18)
16. Development Management Committee: Minutes - 12 October 2016 (Pages 19 - 30)
18. Appointment of an Independent Person to the Standards Sub-Committee (Pages 31 - 34)

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

Yours faithfully

Martin Ibrahim
Democratic Services Team Leader

Democratic Services

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MEETING : COUNCIL
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 19 OCTOBER 2016
TIME : 7.00 PM

COUNCIL – 19 OCTOBER 2016

MEMBERS' QUESTION

Question 1

Councillor P Ballam to ask the Executive Member for Environment and the Public Space:

As an enthusiastic and diligent recycler I have been pleased by the increase in quantity and variety of recycling that East Herts, as a Council, has achieved over the last few years. I was, therefore, concerned to read in the national press recently that, although recycling was increasing generally, there was an increase in the number of loads of recyclables which were sent to landfill, having been refused by the depots as contaminated. It was also reported that in some areas the men emptying the bins were receiving physical as well as verbal attacks. Therefore, I wish to ask the Executive Member if he can tell me what our current percentage of recycling is and if we are experiencing an increase in the number of loads being refused as contaminated? I should also like to know if our contractors are experiencing any animosity from residents.

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MINUTES OF A MEETING OF THE
HUMAN RESOURCES COMMITTEE HELD
IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 5 OCTOBER 2016, AT 3.00
PM

PRESENT: Councillor C Woodward (Chairman)
Councillors P Ballam, S Bull, S Cousins,
J Goodeve, P Ruffles and M Stevenson.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Vicki David	- Human Resources Officer

378 MINUTES

The Chairman referred to Minute 130 (Turnover Report April 2015 to March 2016) and stated that Members had not received any information on how the “buddy” system in Revenues and Benefits worked. He asked the Human Resources (HR) Officer to follow this up.

The Chairman also referred to Minute 133 (Learning and Development 2015/16) and the issue of Diabetes Awareness Training and sought assurances that the Learning and Development Programme for 2016-18 incorporated this issue. This was confirmed.

RESOLVED – that the Minutes of the meeting held on 6 July 2016 be confirmed as a correct record and signed by the Chairman.

379 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded Members that as the Local Joint

Panel meeting on 7 September 2016 was cancelled, there were no Minutes for consideration.

The Chairman reminded Members that Hertford Theatre would be hosting The Mental Awareness World Day and encouraged all to go along.

In conclusion, the Chairman stated that if any Member wanted to include an item on the agenda to contact him.

380 HUMAN RESOURCES MANAGEMENT STATISTICS -
QUARTERLY REPORT

The Head of Human Resources and Organisational Development submitted a report setting out management statistics for the period April to September 2016. The Human Resources Officer provided a summary of the report highlighting key areas.

Councillor P Ruffles referred to the current voluntary leaver's rate during the period in question, i.e. 4.9% (equating to 18 voluntary leavers) and queried what the impact was departmentally. The Human Resources Officer explained that this would be explained in more detail within the Annual Report. In terms of the impact on a department, the HR Officer explained the steps which would be put in place to mitigate a problem, such as succession planning, when vacancies occurred.

Councillor J Goodeve hoped that potential changes in career could be addressed at the Personal Development Review (PDR) stage.

Councillor P Ruffles referred to long term sickness and sought assurances that any sickness which might be brought on, e.g. as a result of stress, was being acted upon. The HR Officer provided such assurance.

Updates were provided in relation to non-reportable accidents and Performance Management.

The HR Officer referred to the new HR Payroll system and the intention to encourage staff to disclose more information which would feed into the equalities monitoring indicators.

It was noted that 70% of the workforce was female. The Chairman suggested that this be broken down by grade to make the information more meaningful and that this be included within future statistical reports. This was supported.

The Committee approved the report, as now detailed.

RESOLVED – that (A) the Human Resource Management Statistics for April to September 2016, be approved; and

(B) in terms of equalities monitoring indicators, future management statistics reports include a breakdown of the employee workforce, by grade and gender.

381 EQUALITY AND DIVERSITY REPORT 2015/16

The Head of Human Resources and Organisational Development submitted the Equality and Diversity Annual Report for 2015/16. The HR Officer provided a summary of the report, as now detailed. The report provided a detailed analysis of monitoring data within six key areas:

- Recruitment
- Employee profile
- Performance Management (PDR ratings)
- Discipline and Grievance
- Training Course participants
- Leavers

The HR Officer explained that the report had been submitted to the Leadership Team which had asked that the Equalities Monitoring Form be amended to include information regarding sexual orientation. Councillor P Ballam queried the need to do this, given the sensitivity of the information. The HR Officer explained that this information was confidential and that the Equalities Monitoring Form was kept separate from the

application.

Councillor P Ruffles hoped that when interviewing, HR was prepared to look beyond qualifications to establish whether an applicant was capable and had the right experience to undertake a role. The HR Officer explained the Council's position and what steps the Council was able to take in furthering careers including an approach to "grow your own". The Chairman commented that he was confident that HR was doing all it could in terms of staff improvement.

Councillor M Stevenson hoped that HR was getting the support it needed in terms of disability advice in relation to job applications. In response to a query regarding people with disabilities, the HR Officer explained how, through working patterns and adjustments to equipment, disability needs could be addressed.

The Committee noted the report and approved the recommendations (numbers 1 - 15), as detailed in paragraph 2.2 of the report.

RESOLVED – that (A) the Equality and Diversity Annual Report for 2015/16 be noted; and

(B) the recommendations as detailed in paragraph 2.2 of the report be approved.

382 EMPLOYEE VOLUNTEERING PROGRAMME

The Head of Human Resources and Organisational Development submitted a report outlining a new employee volunteering programme. The HR Officer provided a summary of the report.

Councillor P Ballam supported the scheme and wondered whether the Council should be promoting Trustee roles. Councillor J Goodeve queried whether individuals involved in charity work could impact positively in terms of their Personal Development Reviews (PDRs) and the possible award of a higher grade. The HR Officer explained that this would not

affect their grades, but an individual's skill set might benefit from the voluntary work. Councillor Goodeve supported the initiative, adding that this would bring the Council into a positive light in terms of its corporate social responsibility.

The issue of insurances and legal liability were debated. It was suggested that the programme should clearly set out a volunteer's legal liability and obligations, while working for the Council. This was supported.

The Committee noted the new Employee Volunteering Programme.

RESOLVED – that (A) the new employee volunteering programme be noted; and

(B) the volunteering programme be amended to clearly establish a volunteer's legal liability and obligations while employed by the Council.

383 HEALTH AND SAFETY: MINUTES - 26 JULY 2016

The Health and Safety Minutes for 25 July 2016 were submitted for information.

Councillor P Ballam referred to Minute 2 (Note from 9 December 2015) and the ongoing issue of the defective fire door. She hoped that this had now been resolved. The HR Officer agreed to look into this.

Councillor S Bull referred to Minute 3 (Accident/Incident Reports) and expressed concern about the remoteness of Buntingford (Depot) should an accident occur. The HR Officer agreed to feed this back to the Health and Safety Committee.

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

(B) the Members' comments now detailed, be referred back to the Health and Safety Committee.

The meeting closed at 3.52 pm

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MINUTES OF A MEETING OF THE
CORPORATE BUSINESS SCRUTINY
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 11 OCTOBER 2016, AT 7.00 PM

PRESENT: Councillor M Allen (Chairman)
Councillors R Brunton, M Casey, B Deering,
J Kaye, P Phillips, M Pope, M Stevenson and
J Wyllie.

ALSO PRESENT:

Councillors A Alder, D Andrews, P Ballam,
E Buckmaster, S Bull, P Ruffles, S Rutland-
Barsby, C Snowdon, R Standley and
G Williamson.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Carol Bulloch	- Systems and Support Manager
Philip Gregory	- Head of Strategic Finance and Property
Martin Ibrahim	- Democratic Services Team Leader
Ceri Pettit	- Corporate Planning and Performance Manager
Su Tarran	- Head of Revenues and Benefits Shared Service
Liz Watts	- Chief Executive
Ben Wood	- Head of Communications, Strategy and

Policy

ALSO IN ATTENDANCE:

Patrick Towey

- Hertfordshire County
Council384 APOLOGIES

An apology for absence was submitted on behalf of Councillor K Brush.

385 MINUTES – 30 AUGUST 2016

Councillor B Deering referred to Minute 218 (Proposal to assess the feasibility of a Housing Company) in terms of resolution (B). He stated that it was his recollection that Members had supported a tentative approach rather than that stated in the minutes which, he commented, was a more definitive approach. The Chairman agreed that he felt that the discussion was more about supporting the feasibility of a housing development company. Members requested that the Minutes be amended accordingly. This was supported.

RESOLVED – that the Minutes of the meeting held on 30 August 2016, be confirmed and a correct record and signed by the Chairman, subject to the amendment of recommendation (B) to include the words, “feasibility for the” before the word, “establishment”.

386 CHAIRMAN'S ANNOUNCEMENTS

The Chairman commented that he had agreed to add an urgent item of business onto the agenda in terms of a presentation to Members regarding draft financial and business planning budget proposals covering a three year period, in order to avoid delays to the budget setting process.

The Chairman welcomed all present and Mr Patrick Towey from Hertfordshire County Council. He asked Members to switch off their mobile phones. The Chairman announced that a new Scrutiny Officer had been appointed and would be joining the Council in mid-November 2016.

387 EXCLUSION OF THE PRESS AND PUBLIC

The Committee passed a resolution pursuant to Section 100 (A) (4) of the Local Government Act 1972 as amended, to exclude the press and public during consideration of Minute 388 - the presentation on Financial and Business Planning on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the said Act.

388 MEMBER ENGAGEMENT – FINANCIAL AND BUSINESS PLANNING

The Corporate Planning and Performance Manager and Head of Strategic Finance and Property gave a presentation on draft financial and business planning proposals covering a three year period. They provided Members with an overview of the key activities in terms of the service planning process for 2017/18, investment proposals and where savings could be achieved. They also provided a summary of the Council's financial position and stated that Heads of Service had reviewed responsibilities within their remit and had advised the Leadership Team where savings could be made. Future funding proposals were explained. Members were provided with a summary of savings, income and growth proposals.

Following a debate on the draft proposals, Officers responded and clarified queries raised by Members. The Head of Strategic Finance and Property encouraged Members to write to him if they needed further information.

The Committee received the presentation.

RESOLVED – that the presentation on draft financial and business planning proposals be received.

389 LOCAL GOVERNMENT PENSION SCHEME

Mr Towey from Hertfordshire County Council provided Members with an overview of the Local Government Pension Scheme (LGPS). He explained how the LGPS was administered at a local level by a Pension Committee, via investment managers, who managed a fund of £3.6bn in assets as at 31 March 2016. Mr Towey explained that the Hertfordshire Fund comprised 279 employers with 95,995 members.

It was noted that the fund was valued every three years to test its solvency and to review individual employers' situations, the objective being, that an employer's fund needed to be fully funded over a 20 year period. At the time of the last valuation in March 2013, East Herts was 79% funded. He explained how the proportion of current staff, staff who have left local government and retired staff affect the funding level, including the impact of an aging workforce profile.

Mr Towey explained governance and administration arrangements and the regulations in relation to funding and the valuation of assets and liabilities / investment strategies. He referred to the Government's request that all LGPS schemes consolidate and pool their assets to reduce costs, and make savings. It was noted that the Hertfordshire Fund was working with other Funds in the South East and East of England (ACCESS) had put forward their pooling submissions to the Government. It was estimated that it could make savings in the region of £25.5m by 2033, which would be channelled back to the employers.

In response to a query from Councillor J Kaye regarding new entrants to the LGPS, Mr Towey provided a summary of employers' responsibilities.

In response to queries from Councillor B Deering and Councillor M Pope, Mr Towey confirmed that the Council's fund was ring fenced and the implications on the Council of paying large additional sums over a three year period.

Councillor M Casey queried discount and deficit values. The issue of higher interest rates and the impact of the deficit values were debated. Mr Towey stressed that the issue of the Council being fully funded needed to be viewed in the context of a 20 year period. The Head of Strategic Finance and Property explained that the Council's assets totalled £89m, its liabilities £117m and that there was a deficit of £28.7m.

Mr Towey stated that the Fund was currently being valued by the Scheme actuary and that individual employer results would be available from November 2016.

The Committee received the report.

RESOLVED – that the report be received.

390 DISCRETIONARY RATE RELIEF POLICY

The Executive Member for Finance and Support submitted a report on a policy for Discretionary Rate Relief. The Head of Revenues and Benefits, Shared Services provided a summary of the report. She explained that the Council was required to periodically review the procedure to determine those groups who were eligible for discretionary relief and so allow officers to administer the service.

Members received the report and supported the recommendation as now detailed.

RESOLVED – that the Executive be advised that, the revised Discretionary Rates Relief policy, as now submitted, be supported.

391 MID-YEAR PROGRESS REPORT ON THE DELIVERY OF THE CORPORATE STRATEGIC PLAN

The Executive Member for Finance and Support Services submitted a report which set out the progress which had been made during 1 April to 30 September 2016 in implementing key actions and performance indicators which supported the Council's Strategic Plan.

In response to a query from Councillor J Kaye regarding other independent leisure provision, the Chief Executive explained that the strategy looked at the Council's own provision and that some leisure centres (three) were shared with local schools. She stated that the new Head of Service was charged with looking at a leisure strategy which contributed to the whole health and wellbeing agenda.

Members referred to the target HH5.1 (Bring Empty Homes Back Into Use) and commented that the target of 10 should be increased to 15. This was supported.

Councillor B Deering referred to the slow progress of the Compulsory Purchase Order (CPO). The Chief Executive agreed that the target for empty homes needed to be improved and supported the suggestion to increase this figure. In relation to the CPO, the CE explained the problems and timeframes associated with a CPO and that at the eleventh hour, an owner might take matters into their own hands and put the property on the market themselves.

The Chairman expressed concern that some targets were not deliverable and cited CPS5.1 (Rationalised Web and Intranet content and Structure support). He stated that having looked on the website, the new templates were not available despite the September 2016 target. The Head

of Communications, Strategy and Policy explained some of the difficulties encountered and advised Members that this would “go live” at the end of November 2016.

Councillor M Casey referred to priority HH17.2 (Undertake feasibility work on setting up a company to build new homes). He stated that although the report referred to a deadline, no formal decision to set up such a company had been made by the Council.

In response to a question regarding leisure provision in the District and particularly in relation to the shortage of football pitches, the Chief Executive explained that Leisure Officers were currently reviewing this issue in the context of the new leisure strategy.

Councillor P Phillips referred to service outcome CSP4.3 (Provision of efficient, easy to use telephony service facilities, to access services and for staff have the tools required to support efficient working) and queried how the target could be achieved, given recent telephone problems. The Head of Communications, Strategy and Policy explained the problems which the Council had encountered in relation to “outages” rather than service provision.

The Chairman referred to Service Outcome HH9.3 (Identify or build new partnerships and projects that meet Local Public Health priorities and are financially attractive for attracting future funding/commissioning) and suggested that this should not be deleted until there was clarity of other issues. This was supported.

Members supported the recommendation and agreed that the Executive be advised of Members’ comments as now detailed.

RESOLVED – that (A) mid-year progress report be approved; and

(B) the Executive be advised of the comments

now detailed.

392 SCRUTINY WORK PROGRAMME

The Chairman submitted a report inviting Members to review the Committee's future work programme for 2016/17.

The Democratic Services Team Leader explained that in relation to the meeting on 29 November 2016, the reports on Council Tax Support Scheme and the Four-Year Corporate Strategic Plan were no longer required. However, two new reports on Car Parking Fees and Charges and Digital East Herts would be added.

The Democratic Services Team Leader also advised that in relation to the review of the WENTA "MyIncubator" Centre, this would part of a wider review of business support in East Herts.

The Chairman asked Members to contact him if there was any item they felt needed to be added to a future agenda. Councillor M Pope referred to business improvement districts. The Chief Executive undertook to provide Members with information on this, via the Members' Information Bulletin.

The Committee approved the 2016/17 work programme, as now amended.

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

The meeting closed at 8.50 pm

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MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 12 OCTOBER 2016, AT 7.00
PM

PRESENT: Councillor T Page (Chairman)
Councillors M Allen, D Andrews, R Brunton,
S Bull, M Casey, B Deering, M Freeman,
J Goodeve, D Oldridge, P Ruffles and
R Standley.

ALSO PRESENT:

Councillors P Ballam, P Boylan,
E Buckmaster, S Cousins, S Rutland-Barsby
and N Symonds.

OFFICERS IN ATTENDANCE:

Victoria Clothier	- Legal Services Manager
Nurainatta Katevu	- Property and Planning Lawyer
Peter Mannings	- Democratic Services Officer
Nicola McKay	- Senior Planning Officer
Kevin Steptoe	- Head of Planning and Building Control Services
Alison Young	- Development Manager

393 APOLOGIES

Apologies for absence were submitted on behalf of Councillors J Jones and K Warnell. It was noted that Councillors S Bull and D Oldridge were substituting for Councillors K Warnell and J Jones respectively.

394 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all to the meeting and outlined the process to be followed. He outlined general housekeeping issues and reminded those in attendance that the meeting would be webcasted.

The Chairman referred to a planning open office afternoon on Friday 21 October 2016, which would include a lunchtime meeting with Officers and a tour of the planning office. He requested that Town and Parish Council colleagues be reminded of a training event for Town and Parish Councillors on Tuesday 18 October 2016.

The Chairman reminded Members that there would be a briefing regarding Bircherley Green at 7 pm on Wednesday 2 November 2016, at Hertford Theatre. He advised that training events had been arranged for Thursday 24 November 2016 and Thursday 23 February 2017.

Finally, the Chairman welcomed Victoria Clothier, Legal Services Manager, and Councillor P Boylan to their first meetings of the Committee.

395 MINUTES – 14 SEPTEMBER 2016

RESOLVED – that the Minutes of the meeting held on 14 September 2016 be confirmed as a correct record and signed by the Chairman.

396 3/16/1708/OUT – OUTLINE APPLICATION FOR 33 DWELLINGS. ALL MATTERS RESERVED EXCEPT FOR ACCESS AT NORTHFIELDS HOUSE, CAMBRIDGE ROAD, SAWBRIDGEWORTH, CM21 9BZ FOR MR KEMP

Mr Kemp addressed the Committee in support of the application.

The Head of Planning and Building Control recommended that in respect of application 3/16/1708/OUT, planning permission be refused for the reasons detailed in the report now submitted. The Head explained that the main issues to consider with the proposal were ones of timing and comprehensiveness. He advised that increased weight could be assigned to the pre-submission version of the District Plan now that this had been approved by Council.

Members were also advised that the other issue of relevance was the matter of unresolved objections to the Plan and this was more of an unknown until the pre-submission consultation revealed whether any feedback was forthcoming regarding this site. Officers were confident that the District Plan was fully compliant with the National Planning Policy Framework (NPPF).

The Head advised that the site was in the green belt so the usual tests applied in terms of whether there were very special circumstances to justify the proposed development. Members were reminded to consider whether there were any very special circumstances that clearly outweighed any harmful impacts.

The Head confirmed that the District Plan included this area of land together with a larger area and, as this application only covered a section of that allocated land, the scheme could be seen as being premature and would undermine the aspiration of securing appropriate supporting infrastructure. Members were advised that the larger site within the District Plan would facilitate the supporting infrastructure and it was for these reasons that Officers had therefore recommended refusal in this case.

Councillors R Brunton, M Casey, J Goodeve and the Chairman made a number of points of relevance to this application. In response, the Head advised that the Peter Brett report was a material consideration as it formed part of the evidence base for the District Plan. The site was within the green belt and, regardless of quality, the NPPF

tests regarding very special circumstances were still relevant.

The Head explained that a deferral would not be appropriate as the consultation on the District Plan would run until at least the end of February or early March 2017 and any form of open ended delay would not be a suitable way forward.

As regards flooding, Members were advised that the Council's advisors had stated that wherever new development was introduced this would create a flood risk albeit a marginal one in some cases. The consultation responses to the pre-submission District Plan would allow this and other matters to be considered in a fully formed manner.

The Head responded to a number of other minor points of relevance that were raised by Members. After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/16/1708/OUT, planning permission be refused for the reasons detailed in the report now submitted.

397 3/16/1654/FUL AND 3/16/1655/LBC – CHANGE OF USE FROM GYMNASIUM (D2) TO RESIDENTIAL (C3) TO CREATE 6NO 1 BEDROOMED DWELLINGS AND 5NO 2 BEDROOMED DWELLINGS, WITH EXTERNAL ALTERATIONS AND INTERNAL ALTERATIONS AT MILLARS ONE, SOUTHMILL ROAD, BISHOP'S STORTFORD, CM23 3DH FOR MR S WEBB

Mr Wallis and Mr Welbourn addressed the Committee in support of the application. Councillor N Symonds addressed the Committee as the local ward Member in support of the Officers' recommendations.

The Head of Planning and Building Control recommended that in respect of application 3/16/1654/FUL, planning permission be refused for the reasons detailed in the report now submitted. The Head also recommended that in respect of application 3/16/1655/LBC, listed building consent be granted subject to the conditions detailed in the report now submitted.

The Property and Planning Lawyer confirmed that the issue of land ownership outside the building was not relevant unless there were any issues with people accessing the building. She commented that without knowing the context under which the local ward Member had made her statement, it was difficult to properly advise Members.

The Head referred to there being two applications with differing recommendations in each case. Members were reminded of the differing regimes for applying for planning permission and listed building consent.

Members were advised that the Conservation Officer had reviewed the plans and was satisfied that the proposed development would not have a detrimental impact on the listed building in terms of the works to be carried out under listed building consent. However, the planning application would result in the loss of a leisure use and LRC1 was the relevant policy consideration and significant negative weight had also been given to the loss of employment.

The Committee was advised that the proposed parking provision was unacceptably low and the level of amenity for future residents was considered to be poor. These matters outweighed the benefits of the provision of housing. Members were reminded that it would be appropriate to refuse planning application then grant listed building consent.

The Head advised that the description of the listed building application would be clarified by deleting

reference to the change of use of the building. A directive would also be added to explain the scope of the listed building approval to the applicant.

Councillor M Casey stated that the parking provision of 5 spaces for 11 flats was inadequate and he felt that the application should be refused on those grounds alone. After being put to the meeting and a vote taken, the Committee accepted the recommendations of the Head of Planning and Building Control as now submitted.

RESOLVED – that (A) in respect of application 3/16/1654/FUL, planning permission be refused for the reasons detailed in the report now submitted; and

(B) in respect of application 3/16/1655/LBC, listed building consent be granted subject to the conditions detailed in the report now submitted.

398 3/16/1252/FUL – AMENDMENT TO APPROVED ACCESS IN OUTLINE PERMISSION 3/13/0886/OP TO RECONFIGURE THE PRINCIPAL ACCESS TO ASR5 FROM THE JUNCTION OF RYE STREET AND HAZEL END ROAD FOR COUNTRYSIDE PROPERTIES

Mr Gimblett addressed the Committee in support of the application.

The Head of Planning and Building Control recommended that in respect of application 3/16/1252/FUL, planning permission be granted subject to the conditions detailed in the report now submitted. The Head stated that the application was for a number of changes to access arrangements to the site known as Area of Special Restraint (ASR) 5 which formed part of the wider area known as Bishop's Stortford North.

Members were advised that Hertfordshire County Council (HCC) had sought to maximise the education provision across all of the ASR sites. The Head detailed the

current thinking of HCC in terms of an optimal solution for education provision which included a 2 form entry (2FE) school as part of ASRs 1-4 plus a further 3FE school to the south-west of this site.

The Committee was advised that, following discussion between Officers, the applicant and representatives of the County Council, it was likely that further amendments to this application might be forthcoming. The Head detailed the likely amendments and stated that Officers had worked with the applicant regarding the conditions and it was suggested that conditions 3 and 5 be deleted with condition 6 amended as detailed in the additional representations summary.

The Head confirmed to Councillor J Goodeve that further modelling work would be required to satisfy the concerns of Hertfordshire Constabulary in respect of ensuring that motorists behaved appropriately regarding the proposed speed limits.

Councillor D Oldridge was assured that the issue of car parking linked to the proposed 3FE school would be addressed when that application was submitted. After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that in respect of application 3/16/1252/FUL, planning permission be granted subject to the following amended conditions:

- (1) Three year time limit (1T121)
- (2) Approved plans (2E103)
- (3) Prior to commencement of any development relating to the new T junction access to Hazelend Road, as shown on approved drawing E3321/731J and E3321/615/J, details of earthworks (to create visibility splays) as

shown on the aforementioned drawings shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the proposed grading and mounding of the resultant embankment, including levels and contours. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the development in accordance with policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007, policy DES3 of the pre-submission East Herts District Plan and highway safety.

- (4) All hard and soft landscape works shall be carried out in accordance with the approved drawings. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved designs, in accordance with policies ENV1 and ENV2 of the East Herts Local Plan Second Review April 2007, policy DES3 of the pre-submission East Herts District Plan and national guidance in section 7 of the National Planning Policy Framework.

- (5) Details of the arrangements to be implemented to secure the subsequent

maintenance of all landscaped spaces provided as part of the development shall be submitted and approved in writing by the Local Planning Authority prior to the first occupation of the residential units approved under application 3/13/0886/OP (or any subsequent amended or alternative application).

Reason: To ensure the provision of amenity afforded by the proper maintenance of new landscape features in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

- (6) No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

Reason: To secure the protection of and proper provision for any archaeological remains in accordance with policies BH2 and BH3 of the East Herts Local Plan Second Review April 2007, policy HA3 of the pre-submission East Herts District Plan and the NPPF.

- (7) Prior to the commencement of development a Construction Environmental Management Plan as detailed in the Environmental Statement Volume 3, Technical Appendix H to Chapter 7 Traffic and Transport Assessment (Terence O'Rourke, May 2013) submitted with the outline planning permission (3/13/0886/OP) must be submitted to and approved in writing by the Local Planning

Authority. In particular, the Plan shall address the measures detailed in paragraphs 7.3 to 7.21. Thereafter the measures shall be implemented as approved.

Reason: To protect the amenities of adjoining development and to comply with Policy ENV24 of the East Herts Local Plan Second Review April 2007.

- (8) Action in respect of unsuspected contamination (2E33)

Informatives

- (1) This permission enables the construction of new and realigned road junctions to Farnham Road and Hazelend Road to enable the development of land at ASR5, Bishop's Stortford for residential and other purposes. Planning permission for the development of site ASR5 has been granted under Local Planning Authority ref 3/13/0886/OP dated 1 June 2016. The commencement of development under this permission (3/16/1252/FUL) does not represent the commencement of development of permission 3/13/0886/OP and the conditions applied to that permission and the associated legal obligation agreement do not come into force as a result. However, in order to enable any further development of the ASR5 site beyond the access arrangements hereby granted planning permission there will be a requirement for either the approval of reserved matters applications following permission 3/13/0886/OP or new freestanding full planning permissions. In those circumstances, the conditions applied to 3/13/0886/OP and the associated legal planning obligation agreement will come into

force, or will be replaced by similar arrangements, which the Local Planning Authority will seek to enforce in full.

(2) Ground water source protection (28GP)

(3) Approval for works to the highway (06FC)

Summary of Reasons for Decision

East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan (Minerals Local Plan, Waste Core Strategy and Development Management Policies DPD 2012 and the 'saved' policies of the East Herts Local Plan Second Review April 2007); the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The balance of the considerations having regard to those policies is that permission should be granted.

399 ITEMS FOR REPORTING AND NOTING

At the invitation of the Chairman, the Head of Planning and Building Control highlighted a number of recent appeal decisions and referred in detail to a number of points of interest.

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 8.14 pm

Chairman

Date

EAST HERTS COUNCIL

COUNCIL - 19 OCTOBER 2016

REPORT BY THE MONITORING OFFICER

APPOINTMENT OF THE INDEPENDENT PERSON

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- This report seeks an appointment to be made for the role of Independent Person to the Standards Sub Committee under the Localism Act 2011.

<u>RECOMMENDATION FOR COUNCIL</u> That:	
(A)	Nicholas Moss be appointed as Independent Person.

1.0 Background

1.1 This report seeks an appointment to be made for the role of Independent Person on the Standards Sub Committee due to a vacancy.

2.0 Report

2.1 The vacancy was advertised in accordance with the legislation.

2.2 The individual proposed to be appointed is suitable for the post of Independent Person and meets the criteria in the regulations. He has confirmed that he would be prepared to accept the appointment.

2.3 The Localism Act 2011 requires the Council to appoint an "Independent Person". The Act requires that the views of the Independent Person must be sought on a complaint, alleging a breach of the Code of Conduct, referred for investigation, before the outcome of the complaint is decided by committee.

- 2.4 The Act requires that this appointment be approved by the Members of the Council. The Chief Executive, Leader of the Council and the Committee Chairman have all been consulted and support this recommendation.
- 2.5 Nicholas Moss is a retired media executive. He has and continues to hold appointments in professional and judicial regulatory bodies. He is a longstanding JP and has held many positions on national advisory bodies relating to the broad judicial field. Under the former standards regime he has chaired the Standards Committee of an adjoining district council and currently is their Independent Person. He therefore, comes to the role here with a wealth of experience.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers
Localism Act 2011

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	People This priority focuses on enhancing the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.
Consultation:	There has been no consultation.
Legal:	The legal issues are contained in the report.
Financial:	Travel and expenses are payable which will be met from existing budgets. There will also be a small allowance of £183.75 per month for the role (£2205 p.a)
Human Resource:	There are no implications.
Risk Management:	The Council is required to appoint an Independent Person. Without an Independent Person the Standards Committee would not be able to deal with complaints.
Health and wellbeing – issues and impacts:	None

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