

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 6 DECEMBER 2011, AT 7.00 PM

PRESENT: Councillor A Jackson (Chairman/Leader)
Councillors M Alexander, M Carver,
L Haysey and M Tindale

ALSO PRESENT:

Councillors W Ashley, R Beeching,
E Buckmaster, S Bull, Mrs R Cheswright,
J Demonti, J Mayes, M McMullen, T Page,
N Poulton, J Ranger, N Symonds, J Wing,
M Wood, C Woodward and J Wyllie

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Director of Neighbourhood Services
Martin Ibrahim	- Senior Democratic Services Officer
Alan Madin	- Director of Internal Services
George A Robertson	- Director of Customer and Community Services

461 DECLARATIONS OF INTEREST

A number of Members declared personal interests in the matter referred to at Minutes 463 and 474 – Review of Discretionary Rate Relief, as follows:

Councillor W Ashley – Director of Wodson Park.

Councillor S Bull – member of Buntingford Town Council and

local community centre.

Councillor N Poulton – Director of Wodson Park, Trustee of Hertford Museum and two Parish Council halls.

Councillor J Wing – Director of Wodson Park and trustee of Ware Museum and Ware Priory.

Councillor R Beeching declared a personal interest in the matter referred to at Minutes 462 and 473 – Replacement Gym Equipment at Fanshawe and Leventhorpe Pools, in that he was a governor of Leventhorpe school.

Councillor E Buckmaster declared a personal interest in the matter referred to at Minutes 462 and 473 – Replacement Gym Equipment at Fanshawe and Leventhorpe Pools, in that he used the gym at Leventhorpe.

Councillor M Carver declared a personal interest in the item referred to at Minute 464 – Strategic Land Availability Assessment (SLAA) Next Steps, in that he was Chairman of the Board of Governors at Hertford Regional College.

Councillor J Wing declared a personal interest in the item referred to at Minute 464 – Strategic Land Availability Assessment (SLAA) Next Steps, in that his wife was Vice-Chairman of the Board of Governors at Hertford Regional College.

462 **REPLACEMENT GYM EQUIPMENT AT FANSHAWE AND LEVENTHORPE POOLS (1)**

The Executive Member for Health, Housing and Community Support submitted an “invest to save” proposal for capital expenditure to fund the replacement of gym equipment at Fanshawe and Leventhorpe gyms. She proposed that the Council’s Procurement Regulations be waived so that SLM Ltd could purchase the equipment on the Council’s behalf. This would deliver better value for money and would generate a revenue saving over the remaining seven years of the

leisure contract.

The Executive recommended the proposal as now detailed.

RECOMMENDED - that a £113,000 Capital Expenditure bid to fund the replacement of gym equipment at the Fanshawe Pool & Gym and Leventhorpe Pool & Gym on an 'invest to save' basis, be approved, £84,000 to be spent at Fanshawe Pool & Gym in the current year 2011/12 and £29,000 at Leventhorpe Pool & Gym in 2012/13.

(see also Minute 473 below)

463 **REVIEW OF DISCRETIONARY RATE RELIEF (1)**

The Executive Member for Finance submitted a report reviewing the Discretionary Rate Relief policy, with view to reducing the budget by £30,000, in line with the Medium Term Financial Plan (MTFP).

The Corporate Business Scrutiny Committee, at its meeting held on 29 November 2011, had made some recommendations on areas where discretionary relief could be reduced. The Executive Member commented that these, broadly, were in line with his proposal. He proposed reducing top up relief from 20% to 10% except for Citizens Advice Bureaux and SLM Ltd, withdrawing rural relief for pubs and petrol filling stations, and withdrawing sports clubs with or without bars from charitable relief. He did not propose any changes to post offices and shops.

The Executive Member also suggested that a clearer definition of national charities was needed. In response to questions raised on village halls, the Executive Member undertook to review their position and provide clarification at the Council meeting on 14 December 2011.

The Executive Member acknowledged that his proposals

might result in some hardship cases, for which, he suggested a safety net, by way of representation being made, via the local member, to him for consideration in consultation with the Director of Internal Services.

In response to concerns raised in respect of museums, it was suggested that Members might wish to utilise their grants budget to fund any revenue gaps.

The Executive recommended the proposals as now detailed.

RECOMMENDED – that (A) Discretionary Rate Relief be amended as follows:

- (1) Discretionary Charitable (Top Up) Relief be reduced from 20% to 10%, except for Citizens Advice Bureaux and SLM Ltd, subject to a clearer definition of national charities and a further review of village halls;
- (2) Discretionary Rural Relief be withdrawn for pubs and petrol filling stations;
- (3) Discretionary Charitable Relief be withdrawn for sports clubs with or without a bar.

(B) in cases of extreme hardship at (2) above, applications via a local Member may be made for consideration by the Executive Member for Finance in consultation with the Director of Internal Services.

(see also Minute 474 below)

464 **STRATEGIC LAND AVAILABILITY ASSESSMENT (SLAA) NEXT STEPS**

The Executive considered and supported the recommendations of the Local Development Framework Executive Panel made at its meeting held on 24

November 2011, in respect of Strategic Land Availability Assessment (SLAA) Next Steps. Additional minor amendments tabled at the Executive meeting were also supported.

RECOMMENDED - that (A) the information received in respect of the SLAA sites, attached at Essential Reference Papers 'B' and 'C' of the report submitted and revised at the meeting, be noted; and

(B) the SLAA Next Steps, Assessment Criteria and Fact Sheet, attached at Essential Reference Papers 'D', 'E' and 'F' of the report now submitted, be agreed.

(see also Minute 475 below)

465 **HERTFORDSHIRE STRATEGIC EMPLOYMENT SITES STUDY (APRIL 2011)**

The Executive considered and supported the recommendations of the Local Development Framework Executive Panel made at its meeting held on 24 November 2011, in respect of Hertfordshire Strategic Employment Sites Study (April 2011).

RECOMMENDED – that the Hertfordshire Strategic Employment Sites Study (April 2011) be agreed and published as a technical study, forming part of the evidence base to inform and support the East Herts Local Development Framework.

(see also Minute 475 below)

466 **LOCAL DEVELOPMENT FRAMEWORK - EVIDENCE BASE - TECHNICAL STUDIES 2010/11 AND 2011/12**

The Executive considered and supported the recommendations of the Local Development Framework Executive Panel made at its meeting held on 24

November 2011, in respect of LDF Evidence Base – Technical Studies 2010/11 and 2011/12.

RECOMMENDED- that (A) it be noted, or as appropriate agreed, that the technical studies listed in Essential Reference Paper 'B' to the report now submitted, which are due for completion, already underway or proposed to be undertaken during 2011/12, contribute to the Local Development Framework Evidence Base and be completed or undertaken by means of:

- (1) seeking competitive quotes or tenders, as appropriate, to engage consultants, with the costs being met from the 2011/12 Planning Policy / Local Development Framework budgets for such purposes; and/or
- (2) partnership working where appropriate, with neighbouring authorities and other relevant partners; and

(B) the Head of Planning and Building Control, in consultation with the Executive Member for Planning Policy and Transport, be given authority to approve funding, within the limits of the 2011/12 Planning Policy/Local Development Framework budgets, for such other relevant planning policy studies, as may be deemed appropriate.

(see also Minute 475 below)

467 **ANNUAL MONITORING REPORT 2010/11**

The Executive considered and supported the recommendations of the Local Development Framework Executive Panel made at its meeting held on 24 November 2011, in respect of Annual Monitoring Report 2010/11.

RECOMMENDED – that (A) the Annual Monitoring

Report 2010/2011 contained as Essential Reference Papers 'B' and 'C' to the report now submitted be approved for publication and submission to the Secretary of State by 31 December 2011; and

(B) the Head of Planning and Building Control, in consultation with the Executive Member for Planning Policy and Economic Development, be authorised to make any necessary amendments or corrections to the above document, which may be required or identified prior to publication and submission to the Secretary of State.

(see also Minute 475 below)

468 **INTERIM PLANNING GUIDANCE NOTE (NOVEMBER 2011)**

The Executive considered and supported the recommendations of the Local Development Framework Executive Panel made at its meeting held on 24 November 2011, in respect of Interim Planning Guidance Note (November 2011).

RECOMMENDED – that (A) the Interim Neighbourhood Planning Guidance Note (November 2011) contained at Essential Reference 'B' to the report now submitted be agreed and published;

(B) further consideration is given to the potential resource implications of Neighbourhood Planning; and

(C) communities be advised to wait before they do any substantive work on Neighbourhood Plans until the Localism Bill has been enacted, associated regulations published and the Council has progressed with its Core Strategy.

(see also Minute 475 below)

469 **MONTHLY CORPORATE HEALTHCHECK -
OCTOBER 2011 (1)**

The Leader of the Council submitted an exception report on the finance and performance monitoring of the Council for October 2011.

The Executive supported the proposals now detailed.

RECOMMENDED – that (A) a supplementary capital estimate of £38,900 for the Voice Recognition telephony system be approved, in accordance with Financial Regulations 4.62(c), as detailed at paragraph 2.26 of the report submitted;

(B) a supplementary capital estimate of £44,100 for professional fees associated with the Wallfields refurbishment be approved, in accordance with Financial Regulations 4.62(c) as detailed at paragraph 2.27 of the report submitted; and

(C) a supplementary capital estimate of £15,000 to replace the dosing equipment at Fanshawe Pool be approved, in accordance with Financial Regulations 4.62(c) as detailed at paragraph 2.29 of the report submitted.

(see also Minute 476 below)

470 **MINUTES**

RESOLVED that the Minutes of the Executive meeting held on 8 November 2011, be approved and signed by the Leader as a correct record.

471 **ISSUES ARISING FROM SCRUTINY**

The Executive received a report detailing those issues referred to it by the Scrutiny Committees. Issues relating to specific reports for the Executive were considered and detailed at the relevant report of the Executive Member.

RESOLVED – that the report be received.

472 FLYPOSTING POWERS FOR TOWN COUNCILS

The Executive Member for Community Safety and Environment submitted a report proposing a shared responsibility approach in dealing with flyposting. He reminded the Executive of the previous decision taken on this matter and the subsequent discussions held with Town Councils.

Various Members welcomed the proposal and thanked Officers for their efforts. The Executive approved the proposal as now detailed.

RESOLVED - that the Director of Neighbourhood Services be delegated authority to pursue an agreement, the purpose of which will be to enable Town Councils to take up fly-posting removal powers, generally in accordance with the suggestions set out in this report and in consultation with the portfolio holder for Community Safety and Environment.

473 REPLACEMENT GYM EQUIPMENT AT FANSHAWE AND LEVENTHORPE POOLS (2)

The Executive approved the waiver of Procurement Regulations as now detailed.

RESOLVED - that a waiver of the EHC Procurement Regulations [in accordance with PR 12.1] be approved, to allow SLM Ltd, the Council's contracted leisure management contractor, to purchase gym equipment and associated packages on the Council's behalf to secure better value for money than the normal purchasing process.

(see also Minute 462 above)

474 REVIEW OF DISCRETIONARY RATE RELIEF (2)

The Executive reviewed the Discretionary Rate Relief policy.

RESOLVED – that the comments of the Corporate Business Scrutiny Committee be received.

(see also Minute 463 above)

475 LOCAL DEVELOPMENT FRAMEWORK EXECUTIVE PANEL - MINUTES OF THE MEETING HELD ON 24 NOVEMBER 2011

RESOLVED – that the Minutes of the Local Development Framework Executive Panel meeting held on 24 November 2011, be received.

(see also Minutes 464 - 468 above)

476 MONTHLY CORPORATE HEALTHCHECK - OCTOBER 2011 (2)

The Leader of the Council submitted an exception report on the finance and performance monitoring of the Council for October 2011.

RESOLVED - that (A) the budgetary variances set out in paragraph 2.1 of the report be noted;

(B) £12,800 of the Automated Telling Machines capital budget be re-profiled from 2011/12 into 2012/13, as detailed at paragraph 2.28 of the report submitted;

(C) £30k of the Hertford Theatre roof covering capital budget be re-profiled from 2011/12 into 2012/13, as detailed at paragraph 2.30 of the report submitted;

(D) £57,800 be vired from the Disabled Facilities Grants Discretionary and £71,700 of the Decent Homes Grants capital budget to the Disabled Facilities Grants budget, in accordance with Financial

Regulations 4.5.6, as detailed at paragraph 2.31 of the report submitted;

(E) £40k of the Bourne Play Area Development capital budget be re-profiled from 2011/12 into 2012/13, as detailed at paragraph 2.32 of the report submitted;

(F) £53,050 of the Apton Road Car Park resurfacing and lining capital budget be re-profiled from 2011/12 into 2012/13, as detailed at paragraph 2.33 of the report submitted;

(G) £36k of the Grange Paddocks pay and display machine and £3k of the Grange Paddocks tariff board/signs capital budgets be re-profiled from 2011/12 into 2012/13, as detailed at paragraph 2.34 of the report submitted; and

(H) £165k of the Hertford Theatre Micro Hydro Scheme capital budget be re-profiled from 2011/12 into 2012/13, as detailed at paragraph 2.35 of the report submitted.

(see also Minute 469 above)

The meeting closed at 8.11 pm

Chairman
Date