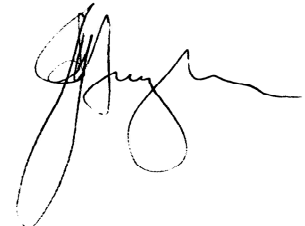


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EAST HERTFORDSHIRE DISTRICT COUNCIL

NOTICE IS HEREBY GIVEN that the annual meeting of East Hertfordshire District Council will be held in the Council Chamber, Wallfields, Hertford on Wednesday 18th May, 2011 at 7.00 pm, for the purpose of transacting the business set out in the Agenda below, and you are hereby summoned to attend.

Dated this 11th day of May 2011



Jeff Hughes
Head of Democratic and
Legal Support Services

Note: The meeting will commence with prayers. Those Members who do not wish to participate will be invited to enter the Chamber at their conclusion.

AGENDA

1. Chairman's Announcements

To receive any announcements.

2. Election of Chairman of the Council for the Civic Year 2011/12

3. Chairman to make the statutory declaration of acceptance of office

4. Appointment of Vice-Chairman of the Council for the Civic Year 2011/12

5. Vice-Chairman to make the statutory declaration of acceptance of office

6. Further Chairman's Announcements

To receive any announcements of the newly-elected Chairman.

7. Minutes (Pages 7 - 16)

To approve as a correct record and authorise the Chairman to sign the Minutes of the Council meeting held on 2 March 2011.

8. Declarations of Interest

To receive any Members' declarations of interest.

9. Members' questions

To receive any Members' questions.

10. Executive Report - 8 March 2011 (Pages 17 - 24)

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

(A) Environmental Health Enforcement Policy

(Minute 582 refers)

11. Executive Report - 22 March 2011 (Pages 25 - 28)

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

(A) Hertfordshire Waste Partnership Inter-Authority Agreement

(Minute 637 refers)

Note - Members are asked to bring to the meeting their copy of the Executive agendas for these meetings.

12. Minutes of Committees

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

(A) Development Control Committee - 9 March 2011 (Pages 29 - 74)

Chairman: Councillor W Ashley

(B) Licensing Committee - 10 March 2011 (Pages 75 - 84)

Chairman: Councillor M McMullen

(C) Environment Scrutiny Committee - 15 March 2011 (Pages 85 - 92)

Chairman: Councillor Mrs D Hollebon

(D) Community Scrutiny Committee - 21 March 2011_(Pages 93 - 102)

Chairman: Councillor C Woodward

(E) Corporate Business Scrutiny Committee - 22 March 2011 (Pages 103 - 110)

Chairman: Councillor D Andrews

(F) Audit Committee - 23 March 2011 (Pages 111 - 122)

Chairman: Councillor J Ranger

(G) Development Control Committee - 24 March 2011 (Pages 123 - 166)

Chairman: Councillor W Ashley

13. Decision-Making Arrangements

To follow

14. Review of Constitution

To follow

15. Motions on Notice

To receive Motions on Notice.

PERSONAL AND PREJUDICIAL INTERESTS

1. A Member with a personal interest in any business of the Council who attends a meeting of the Authority at which the business is considered must, with certain specified exemptions (see section 5 below), disclose to that meeting the existence and nature of that interest prior to the commencement of it being considered or when the interest becomes apparent.
2. Members should decide whether or not they have a personal interest in any matter under discussion at a meeting. If a Member decides they have a personal interest then they must also consider whether that personal interest is also prejudicial.
3. A personal interest is either an interest, as prescribed, that you must register under relevant regulations or it is an interest that is not registrable but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of the Council more than it would affect the majority of inhabitants of the ward(s) affected by the decision.
4. Members with personal interests, having declared the nature of that personal interest, can remain in the meeting, speak and vote on the matter unless the personal interest is also a prejudicial interest.
5. An exemption to declaring a personal interest applies when the interest arises solely from a Member's membership of or position of general control or management on:
 - any other body to which they have been appointed or nominated by the authority
 - any other body exercising functions of a public nature (e.g. another local authority)

In these exceptional cases, provided a Member does not have a prejudicial interest, they only need to declare their interest if they speak. If a Member does not want to speak to the meeting, they may still vote on the matter without making a declaration.

6. A personal interest will also be a prejudicial interest in a matter if all of the following conditions are met:
 - the matter does not fall within one of the exempt categories of decisions
 - the matter affects your financial interests or relates to a licensing or regulatory matter
 - a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgement of the public interest.

7. Exempt categories of decisions are:
- setting council tax
 - any ceremonial honour given to Members
 - an allowance, payment or indemnity for Members
 - statutory sick pay
 - school meals or school transport and travelling expenses: if you are a parent or guardian of a child in full-time education or you are a parent governor, unless it relates particularly to the school your child attends
 - housing; if you hold a tenancy or lease with the Council, as long as the matter does not relate to your particular tenancy or lease.
8. If you have a prejudicial interest in a matter being discussed at a meeting, you must declare that interest and its nature as soon as the interest becomes apparent to you.
9. If you have declared a personal and prejudicial interest, you must leave the room, unless members of the public are allowed to make representations, give evidence or answer questions about the matter, by statutory right or otherwise. If that is the case, you can also attend the meeting for that purpose. However, you must immediately leave the room once you have finished or when the meeting decides that you have finished (if that is earlier). You cannot remain in the public gallery to observe proceedings.
10. Members intending to make a declaration of interest, are invited to complete the form below and to hand this to Jeff Hughes or Martin Ibrahim, prior to the meeting. This will assist in recording all declarations. Members are still required to make a verbal declaration at agenda item 8.

Member:			
Minute or item number	Subject	Personal or Personal and Prejudicial	Nature

MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 2 MARCH 2011, AT 7.00 PM

PRESENT:

Councillor A D Dodd (Chairman)
Councillors M R Alexander, D Andrews,
W Ashley, P R Ballam, K A Barnes,
R Beeching, A L Burlton, M G Carver,
R N Copping, A F Dearman, J Demonti,
R Gilbert, Mrs M H Goldspink, P Grethe,
L O Haysey, Mrs D Hone, A P Jackson,
G E Lawrence, J Mayes, G McAndrew,
M P A McMullen, T Milner, M Newman,
R L Parker, M Pope, R A K Radford,
J O Ranger, P A Ruffles, S Rutland-Barsby,
G D Scrivener, V Shaw, R I Taylor,
J J Taylor, M J Tindale, A L Warman,
J P Warren, N Wilson, M Wood,
C Woodward and B M Wrangles

OFFICERS IN ATTENDANCE:

Anne Freimanis	- Chief Executive
Simon Drinkwater	- Director of Neighbourhood Services
Philip Hamberger	- Programme Director of Change
Jeff Hughes	- Head of Democratic and Legal Support Services
Martin Ibrahim	- Senior Democratic Services Officer
Lorraine Kirk	- Senior Communications Officer
Alan Madin	- Director of Internal Services
George A Robertson	- Director of

Customer and
Community
Services

573 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting and reminded Members that the meeting was being webcast and that they should remain seated when speaking.

The Chairman advised that Councillor J Hedley had been admitted to hospital through illness and expressed best wishes on behalf of the Council.

He detailed a number of his recent engagements. This being the last Council meeting of this Administration, the Chairman thanked all staff for their support throughout the previous four years. He expressed best wishes to all Members seeking re-election and thanked those retiring Members for their valued work.

The Leader of the Council also thanked the staff and paid tribute to those Members known to be retiring. In particular, he thanked Councillors R N Copping, R Gilbert, A M Graham, P Grethe and R L Parker and referred to their specific achievements.

Councillor M Wood echoed these comments and expressed his view that East Herts was a better place as a result of their efforts.

Councillor K A Barnes concurred with the Leader and commented that although he had not always agreed with them, he was sorry to see them go.

574 MINUTES

Councillor V Shaw referred to Minute 567 – Members' Questions and the supplementary question she had asked relating to the issue of a leaflet by the Conservatives in Ware.

She commented that the response attributed to the Executive Member for Planning Policy and Transport was inaccurate and should be amended to read that the Executive Member had stated that he was not responsible for such matters. The Executive Member commented that, whilst he would need to refer to his notes, he believed that the Minute, as presented, was accurate.

RESOLVED – that the Minutes of the Council meeting held on 23 February 2011, be approved as a correct record and signed by the Chairman.

575 MEMBERS' QUESTIONS

Councillor V Shaw asked the Executive Member for Community Safety and Protection, why she had been told last week, that if a town council defaulted on its payment for CCTV cameras, East Herts Council would not be liable, when in the Executive papers of 11 January 2011, Agenda item 7, regarding the future plans for CCTV, the risk management implications had stated that there was no service level agreement with town councils and East Herts Council was vulnerable to councils withdrawing and not paying their contribution.

In reply, the Executive Member asked whether Councillor V Shaw was suggesting that town councils were going to default. He questioned whether this would happen, given the benefits resulting from the investment in CCTV cameras. He stated that the Executive report of 11 January 2011, had detailed all the costs that East Herts Council would be liable for. In the unlikely event that a town council did default, then East Herts Council would have to manage the risk, but not necessarily the costs. Ultimately, the costs would be borne by the council taxpayer.

The Executive Member reminded Council of the ongoing work being carried out in exploring partnership opportunities and alternative funding sources with relevant stakeholders. He hoped that all Members would support the forthcoming review of the Community Safety Strategy.

In response to a supplementary question, the Executive Member stated that, if there was a defaulting town council, there were a range of options that could be considered, such as withdrawing cameras, which would have an impact on security. He referred to a number of recent decisions that had been taken to demonstrate the Council's commitment to Ware.

Councillor A Burlton asked the Executive Member for Housing and Health if he was aware that East Herts PCT had told the dentists surgery at Thorley Community Centre that it was withdrawing its NHS funding with effect from last Friday, 25 February 2011 and that they would no longer be able to treat NHS patients. He also asked if he was aware of any consultation that had been carried out with a huge number of patients spread over 3 wards in Bishop's Stortford who had relied upon this practice for 25 years.

In reply, the Executive Member outlined the communications he had received on this matter before and since the 25 February 2011. He expressed concern at the timing and believed that the short notice given was unacceptable. He understood that a short term extension until the end of August 2011 had been granted, but that the PCT would have to determine arrangements beyond this date. The Executive Member hoped that an amicable settlement could be reached and that patients would receive timely advice on the availability of an NHS dentist.

In response to a supplementary question, the Executive Member did not accept that residents in Bishop's Stortford appeared to be treated worse than residents in the western part of the District. He believed that service provision was there, but that perhaps, they were sufficiently publicised. He was working with NHS providers and hoped that this issue would be addressed by the provision of a suitable document that informed local people.

576 COUNCIL TAX 2011/12 - COUNTY COUNCIL AND POLICE AUTHORITY ELEMENTS

The Executive Member for Resources and Internal Support submitted a report advising that Hertfordshire County Council's and Hertfordshire Police Authority's precepts for 2011/12, as they affected East Hertfordshire District Council taxpayers, would total £73,621,497.95. This comprised £65,029,756.09 for the County Council and £8,591,741.86 for the Police Authority, giving Band D equivalents of £1,118.83 and £147.82 respectively.

RESOLVED - that the Hertfordshire County Council and Hertfordshire Police Authority's precepts be noted.

577 COUNCIL TAX 2011/12 - PARISHES

Council considered a report of the Executive Member for Resources and Internal Support setting out Parish Council precepts for 2011/12 in the District. Council noted that the total Parish spending in 2011/12 would be £3,525,900.93 compared to £3,514,180.50 in 2010/11.

RESOLVED – that the Parish Council precepts for 2011/12, as set out in the schedule now submitted, be noted.

578 COUNCIL TAX 2011/12 - FORMAL RESOLUTION

The Executive Member for Resources and Internal Support submitted a report setting out the formal Resolution necessary to set the Council Tax for 2011/12 (Essential Reference Paper 'A' to these Minutes). This was based on the precepts from Parish Councils, Hertfordshire County Council and Hertfordshire Police Authority, as well as the District Council budgets set at the Council meeting held on 23 February 2011 (Minute 568 refers).

Council approved the Council Tax Resolution as now detailed.

RESOLVED - that the Council Tax Resolution, as set

out at Essential Reference Paper 'A' to these Minutes, be approved.

579 AMENDMENTS TO CONSTITUTION

Further to Council's consideration of proposed amendments to the Constitution at its meeting held on 23 February 2011 (Minute 570 refers), the Monitoring Officer submitted a further report as requested. Council considered the proposed amendment relating to the role of Scrutiny Committees as detailed at paragraph 2.5 of the report now submitted.

Councillor Mrs M H Goldspink moved, and Councillor R Taylor seconded, a motion that paragraph 2.5 be amended with the inclusion of the words "before it comes to the Executive" after "...urgent business".

Councillor J O Ranger commented that as the forward plan was usually blank, it was unnecessary to restrict this matter to forward plan items only. Therefore, he suggested an amendment by deleting the words "in the Forward Plan". Councillor Mrs M H Goldspink agreed to accept this amendment.

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

Councillor A P Jackson moved, and Councillor M G Carver seconded, a motion that paragraph 2.5 be amended with the deletion of the words "in the Forward Plan". After being put to the meeting and a vote taken, the amendment was declared CARRIED.

Council approved the recommendations as now amended.

RESOLVED – that the amendment to the Constitution, as now amended, be approved.

The meeting closed at 7.48 pm

ESSENTIAL REFERENCE PAPER A

EAST HERTFORDSHIRE DISTRICT COUNCIL

RESOLUTION

RECOMMENDED

- 1 That the following, as previously approved be noted:-
 - a) the revised revenue estimates for the year 2010/11 and the revenue estimates for 2011/12
 - b) the revised capital programme for the year 2010/11 and the capital programme for 2011/12 to 2013/14
- 2 That it be noted that at its meeting on 8 December 2010 the Council calculated the following amounts for the year 2011/12 in accordance with regulations made under Section 33(5) of the Local Government Finance Act 1992:-
 - a) 58,123.00 being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 as its Council Tax base for the year.

b) Part of the Council's Area

Parish/Town Council of:-	2011/12 Tax Base	For information only	
		Precept £	Parish Band D £
Albury	276.92	6,905.00	24.93
Anstey	154.94	3,800.00	24.53
Ardeley	207.46	4,000.00	19.28
Aspenden	123.96	1,800.00	14.52
Aston	435.05	11,931.00	27.42
Bayford	222.15	4,100.00	18.46
Bengeo	298.37	5,500.00	18.43
Benington	393.64	16,500.00	41.92
Bishop's Stortford	15,201.88	1,095,046.00	72.03
Bramfield	119.15	1,764.00	14.80
Braughing	579.39	21,525.00	37.15
Brent Pelham/Meesden	148.39	2,400.00	16.17
Brickendon	291.17	9,500.00	32.63
Buckland	125.97	4,030.00	31.99
Buntingford	2,003.58	219,654.00	109.63
Cottered	317.22	6,000.00	18.91
Datchworth	747.76	22,392.00	29.95
Eastwick and Gilston	195.52	4,900.00	25.06
Furneux Pelham	254.90	5,000.00	19.62
Great Amwell	1,019.77	12,710.00	12.46
Great Munden	142.19	2,000.00	14.07
Hertford	11,361.30	1,039,260.00	91.47
Hertford Heath	977.98	31,000.00	31.70
Hertingfordbury	311.64	10,400.00	33.37
High Wych	323.93	8,000.00	24.70
Hormead	329.88	15,000.00	45.47
Hunsdon	479.27	14,649.00	30.57
Little Berkhamsted	277.04	6,700.00	24.18
Little Hadham	533.47	13,500.00	25.31
Little Munden	417.70	8,200.00	19.63
Much Hadham	939.27	24,000.00	25.55
Sacombe	88.71	0.00	0.00
Sawbridgeworth	3,719.92	181,029.00	48.66
Standon	1,795.16	60,000.00	33.42
Stanstead Abbots	745.83	34,000.00	45.59
Stanstead St Margarets	713.13	8,000.00	11.22
Stapleford	260.72	4,904.00	18.81
Stocking Pelham	82.18	1,545.00	18.80
Tewin	815.73	24,800.00	30.40
Thorley	302.01	2,250.00	7.45
Thundridge	623.48	16,000.00	25.66
Walkern	650.95	20,500.00	31.49
Ware	7,339.23	498,186.93	67.88
Wareside	316.49	3,850.00	12.16
Watton at Stone	989.45	29,995.00	30.31
Westmill	162.52	5,175.00	31.84
Widford	233.95	3,500.00	14.96
Wyddial	72.68	0.00	0.00
	58,123.00	3,525,900.93	

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations as the amounts of its council tax base for the year for dwellings in those parts of its area to which one or more special items relate.

- 3 That the following amounts be now calculated by the Council for the year 2011/12 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:-
 - a) £ 75,277,441.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (2) (a) to (e) of the Act (Gross expenditure including Parish Precepts and Special Expenses)

- b) £ 56,454,462.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 32 (3) (a) to (c) of the Act (Revenue Income)
- c) £ 18,822,979.00 being the amount by which the aggregate at 3 (a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 32 (4) of the Act, as its budget requirement for the year.
- d) £ 6,048,078.00 being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant, additional grant or special grant increased by the amount of the sums which the Council estimates will be transferred in the year from its collection fund to its general fund in accordance with section 97(3) of the Local Government Finance Act 1988 (LGF Act 1988) (Council Tax Surplus).
- e) £ 219.79 being the amount at 3(c) above less the amount at 3(d) above, all divided by the amount at 2(a) above, calculated by the council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.
- f) £ 3,525,900.93 being the aggregate amount of all special items referred to in Section 34(1) of the Act. (Parish Precepts)
- g) £ 159.13 being the amount at 3(e) above less the result given by dividing the amount at 3(f) above by the amount at 2(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.

h) Parts of the Council's Area

Parish/Town Council of:-	Band D District plus Parish £
Albury	184.06
Anstey	183.66
Ardeley	178.41
Aspenden	173.65
Aston	186.55
Bayford	177.59
Bengeo Rural	177.56
Benington	201.05
Bishop's Stortford	231.16
Bramfield	173.93
Braughing	196.28
Brent Pelham/Meesden	175.30
Brickendon Liberty	191.76
Buckland	191.12
Buntingford	268.76
Cottered	178.04
Datchworth	189.08
Eastwick and Gilston	184.19
Furneux Pelham	178.75
Great Amwell	171.59
Great Munden	173.20
Hertford	250.60
Hertford Heath	190.83
Hertingfordbury	192.50
High Wych	183.83
Hormead	204.60
Hunsdon	189.70
Little Berkhamsted	183.31
Little Hadham	184.44
Little Munden	178.76
Much Hadham	184.68
Sacombe	159.13
Sawbridgeworth	207.79
Standon	192.55
Stanstead Abbots	204.72
Stanstead St Margarets	170.35
Stapleford	177.94
Stocking Pelham	177.93
Tewin	189.53
Thorley	166.58
Thundridge	184.79
Walkern	190.62
Ware	227.01
Wareside	171.29
Watton at Stone	189.44
Westmill	190.97
Widford	174.09
Wyddial	159.13

being the amounts given by adding to the amount at 3(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount in 2(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

i) Parts of the Council's Area

**COUNCIL TAX VALUATION BANDS
DISTRICT plus PARISH**

Parish/Town Councils of:-	A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£	£
Albury	122.71	143.16	163.61	184.06	224.96	265.86	306.77	368.12
Anstey	122.44	142.85	163.25	183.66	224.47	265.29	306.10	367.32
Ardeley	118.94	138.76	158.59	178.41	218.06	257.70	297.35	356.82
Aspenden	115.77	135.06	154.36	173.65	212.24	250.83	289.42	347.30
Aston	124.37	145.09	165.82	186.55	228.01	269.46	310.92	373.10
Bayford	118.39	138.13	157.86	177.59	217.05	256.52	295.98	355.18
Bengeo	118.37	138.10	157.83	177.56	217.02	256.48	295.93	355.12
Benington	134.03	156.37	178.71	201.05	245.73	290.41	335.08	402.10
Bishops Stortford	154.11	179.79	205.48	231.16	282.53	333.90	385.27	462.32
Bramfield	115.95	135.28	154.60	173.93	212.58	251.23	289.88	347.86
Braughing	130.85	152.66	174.47	196.28	239.90	283.52	327.13	392.56
Brent Pelham/Meesden	116.87	136.34	155.82	175.30	214.26	253.21	292.17	350.60
Brickendon Liberty	127.84	149.15	170.45	191.76	234.37	276.99	319.60	383.52
Buckland	127.41	148.65	169.88	191.12	233.59	276.06	318.53	382.24
Buntingford	179.17	209.04	238.90	268.76	328.48	388.21	447.93	537.52
Cottered	118.69	138.48	158.26	178.04	217.60	257.17	296.73	356.08
Datchworth	126.05	147.06	168.07	189.08	231.10	273.12	315.13	378.16
Eastwick & Gilston	122.79	143.26	163.72	184.19	225.12	266.05	306.98	368.38
Furneux Pelham	119.17	139.03	158.89	178.75	218.47	258.19	297.92	357.50
Great Amwell	114.39	133.46	152.52	171.59	209.72	247.85	285.98	343.18
Great Mundon	115.47	134.71	153.96	173.20	211.69	250.18	288.67	346.40
Hertford	167.07	194.91	222.76	250.60	306.29	361.98	417.67	501.20
Hertford Heath	127.22	148.42	169.63	190.83	233.24	275.64	318.05	381.66
Hertingfordbury	128.33	149.72	171.11	192.50	235.28	278.06	320.83	385.00
High Wych	122.55	142.98	163.40	183.83	224.68	265.53	306.38	367.66
Hormead	136.40	159.13	181.87	204.60	250.07	295.53	341.00	409.20
Hunsdon	126.47	147.54	168.62	189.70	231.86	274.01	316.17	379.40
Little Berkhamsted	122.21	142.57	162.94	183.31	224.05	264.78	305.52	366.62
Little Hadham	122.96	143.45	163.95	184.44	225.43	266.41	307.40	368.88
Little Mundon	119.17	139.04	158.90	178.76	218.48	258.21	297.93	357.52
Much Hadham	123.12	143.64	164.16	184.68	225.72	266.76	307.80	369.36
Sacombe	106.09	123.77	141.45	159.13	194.49	229.85	265.22	318.26
Sawbridgeworth	138.53	161.61	184.70	207.79	253.97	300.14	346.32	415.58
Standon	128.37	149.76	171.16	192.55	235.34	278.13	320.92	385.10
Stanstead Abbots	136.48	159.23	181.97	204.72	250.21	295.71	341.20	409.44
Stanstead St Margarets	113.57	132.49	151.42	170.35	208.21	246.06	283.92	340.70
Stapleford	118.63	138.40	158.17	177.94	217.48	257.02	296.57	355.88
Stocking Pelham	118.62	138.39	158.16	177.93	217.47	257.01	296.55	355.86
Tewin	126.35	147.41	168.47	189.53	231.65	273.77	315.88	379.06
Thorley	111.05	129.56	148.07	166.58	203.60	240.62	277.63	333.16
Thundridge	123.19	143.73	164.26	184.79	225.85	266.92	307.98	369.58
Walkern	127.08	148.26	169.44	190.62	232.98	275.34	317.70	381.24
Ware	151.34	176.56	201.79	227.01	277.46	327.90	378.35	454.02
Wareside	114.19	133.23	152.26	171.29	209.35	247.42	285.48	342.58
Watton at Stone	126.29	147.34	168.39	189.44	231.54	273.64	315.73	378.88
Westmill	127.31	148.53	169.75	190.97	233.41	275.85	318.28	381.94
Widford	116.06	135.40	154.75	174.09	212.78	251.46	290.15	348.18
Wyddial	106.09	123.77	141.45	159.13	194.49	229.85	265.22	318.26

being the amounts given by multiplying the amounts at 3(g) and 3(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

4 That it be noted that for the year 2011/12 the Hertfordshire County Council and the Hertfordshire Police Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

Precepting Authority	A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£	£
Hertfordshire County Council	745.89	870.20	994.52	1,118.83	1,367.46	1,616.09	1,864.72	2,237.66
Hertfordshire Police Authority	98.55	114.97	131.40	147.82	180.67	213.52	246.37	295.64

- 5 That having calculated the aggregate in each case of the amounts at 3(i) and 4 above the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2011/12 for each of the categories of dwellings shown in the valuation bands below:-

Part of the Council's Area

Parish/Town Council of:-	COUNCIL TAX VALUATION BANDS							
	A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£	£
Albury	967.15	1,128.33	1,289.53	1,450.71	1,773.09	2,095.47	2,417.86	2,901.42
Anstey	966.88	1,128.02	1,289.17	1,450.31	1,772.60	2,094.90	2,417.19	2,900.62
Ardeley	963.38	1,123.93	1,284.51	1,445.06	1,766.19	2,087.31	2,408.44	2,890.12
Aspenden	960.21	1,120.23	1,280.28	1,440.30	1,760.37	2,080.44	2,400.51	2,880.60
Aston	968.81	1,130.26	1,291.74	1,453.20	1,776.14	2,099.07	2,422.01	2,906.40
Bayford	962.83	1,123.30	1,283.78	1,444.24	1,765.18	2,086.13	2,407.07	2,888.48
Bengeo	962.81	1,123.27	1,283.75	1,444.21	1,765.15	2,086.09	2,407.02	2,888.42
Benington	978.47	1,141.54	1,304.63	1,467.70	1,793.86	2,120.02	2,446.17	2,935.40
Bishops Stortford	998.55	1,164.96	1,331.40	1,497.81	1,830.66	2,163.51	2,496.36	2,995.62
Bramfield	960.39	1,120.45	1,280.52	1,440.58	1,760.71	2,080.84	2,400.97	2,881.16
Braughing	975.29	1,137.83	1,300.39	1,462.93	1,788.03	2,113.13	2,438.22	2,925.86
Brent Pelham/Meesden	961.31	1,121.51	1,281.74	1,441.95	1,762.39	2,082.82	2,403.26	2,883.90
Brickendon Liberty	972.28	1,134.32	1,296.37	1,458.41	1,782.50	2,106.60	2,430.69	2,916.82
Buckland	971.85	1,133.82	1,295.80	1,457.77	1,781.72	2,105.67	2,429.62	2,915.54
Buntingford	1,023.61	1,194.21	1,364.82	1,535.41	1,876.61	2,217.82	2,559.02	3,070.82
Cottered	963.13	1,123.65	1,284.18	1,444.69	1,765.73	2,086.78	2,407.82	2,889.38
Datchworth	970.49	1,132.23	1,293.99	1,455.73	1,779.23	2,102.73	2,426.22	2,911.46
Eastwick & Gilston	967.23	1,128.43	1,289.64	1,450.84	1,773.25	2,095.66	2,418.07	2,901.68
Furneux Pelham	963.61	1,124.20	1,284.81	1,445.40	1,766.60	2,087.80	2,409.01	2,890.80
Great Amwell	958.83	1,118.63	1,278.44	1,438.24	1,757.85	2,077.46	2,397.07	2,876.48
Great Munden	959.91	1,119.88	1,279.88	1,439.85	1,759.82	2,079.79	2,399.76	2,879.70
Hertford	1,011.51	1,180.08	1,348.68	1,517.25	1,854.42	2,191.59	2,528.76	3,034.50
Hertford Heath	971.66	1,133.59	1,295.55	1,457.48	1,781.37	2,105.25	2,429.14	2,914.96
Hertingfordbury	972.77	1,134.89	1,297.03	1,459.15	1,783.41	2,107.67	2,431.92	2,918.30
High Wych	966.99	1,128.15	1,289.32	1,450.48	1,772.81	2,095.14	2,417.47	2,900.96
Hormead	980.84	1,144.30	1,307.79	1,471.25	1,798.20	2,125.14	2,452.09	2,942.50
Hunsdon	970.91	1,132.71	1,294.54	1,456.35	1,779.99	2,103.62	2,427.26	2,912.70
Little Berkhamsted	966.65	1,127.74	1,288.86	1,449.96	1,772.18	2,094.39	2,416.61	2,899.92
Little Hadham	967.40	1,128.62	1,289.87	1,451.09	1,773.56	2,096.02	2,418.49	2,902.18
Little Munden	963.61	1,124.21	1,284.82	1,445.41	1,766.61	2,087.82	2,409.02	2,890.82
Much Hadham	967.56	1,128.81	1,290.08	1,451.33	1,773.85	2,096.37	2,418.89	2,902.66
Sacombe	950.53	1,108.94	1,267.37	1,425.78	1,742.62	2,059.46	2,376.31	2,851.56
Sawbridgeworth	982.97	1,146.78	1,310.62	1,474.44	1,802.10	2,129.75	2,457.41	2,948.88
Standon	972.81	1,134.93	1,297.08	1,459.20	1,783.47	2,107.74	2,432.01	2,918.40
Stanstead Abbots	980.92	1,144.40	1,307.89	1,471.37	1,798.34	2,125.32	2,452.29	2,942.74
Stanstead St Margarets	958.01	1,117.66	1,277.34	1,437.00	1,756.34	2,075.67	2,395.01	2,874.00
Stapleford	963.07	1,123.57	1,284.09	1,444.59	1,765.61	2,086.63	2,407.66	2,889.18
Stocking Pelham	963.06	1,123.56	1,284.08	1,444.58	1,765.60	2,086.62	2,407.64	2,889.16
Tewin	970.79	1,132.58	1,294.39	1,456.18	1,779.78	2,103.38	2,426.97	2,912.36
Thorley	955.49	1,114.73	1,273.99	1,433.23	1,751.73	2,070.23	2,388.72	2,866.46
Thundridge	967.63	1,128.90	1,290.18	1,451.44	1,773.98	2,096.53	2,419.07	2,902.88
Walkern	971.52	1,133.43	1,295.36	1,457.27	1,781.11	2,104.95	2,428.79	2,914.54
Ware	995.78	1,161.73	1,327.71	1,493.66	1,825.59	2,157.51	2,489.44	2,987.32
Wareside	958.63	1,118.40	1,278.18	1,437.94	1,757.48	2,077.03	2,396.57	2,875.88
Watton at Stone	970.73	1,132.51	1,294.31	1,456.09	1,779.67	2,103.25	2,426.82	2,912.18
Westmill	971.75	1,133.70	1,295.67	1,457.62	1,781.54	2,105.46	2,429.37	2,915.24
Widford	960.50	1,120.57	1,280.67	1,440.74	1,760.91	2,081.07	2,401.24	2,881.48
Wyddial	950.53	1,108.94	1,267.37	1,425.78	1,742.62	2,059.46	2,376.31	2,851.56

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

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

ALSO PRESENT:

Councillors D Andrews, W Ashley,
K A Barnes, J Demonti, A D Dodd, R Gilbert,
M P A McMullen, J O Ranger, P A Ruffles,
C Woodward

OFFICERS IN ATTENDANCE:

Anne Freimanis	- Chief Executive
Linda Bevan	- Committee Secretary
Simon Drinkwater	- Director of Neighbourhood Services
Alan Madin	- Director of Internal Services
Lois Prior	- Head of Strategic Direction (shared) and Communications Manager
George A Robertson	- Director of Customer and Community Services

ALSO IN ATTENDANCE:

Helen Manuef	- Hertfordshire County Council Internal Audit Service
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580 APOLOGIES

An apology was submitted on behalf of Councillor M Alexander.

581 LEADER'S ANNOUNCEMENTS

The Chairman informed the Executive that sadly Councillor D A Peek had died earlier that day. He paid tribute to Councillor Peek and referred to the invaluable support he had given him when he first became a Councillor and then the Leader of the Council. He said he was sure all present would join him in sending their condolences to his family.

The Chairman welcomed the press representative and Helen Maneuf of Hertfordshire County Council Internal Audit Service to the meeting.

582 ENVIRONMENTAL HEALTH ENFORCEMENT POLICY

The Executive Member for Community Safety and Protection submitted a report seeking to amend the existing Environmental Health Enforcement Policy to ensure that it was in accordance with current legislative requirements and guidance.

The Council's Enforcement Policy had been approved in 2004, in line with Government guidelines. The revised Environmental Health policy was supplementary to this policy. The revision was in response to new legislation and guidelines arising from the Hampton report into regulatory functions and the burdens created by regulation.

In response to a question, the Director of Neighbourhood Services said that the core Enforcement Policy would be reviewed in due course.

The Executive recommended the Environmental Health Enforcement Policy be approved.

RECOMMENDED – that the Environmental Health Enforcement Policy as set out in Essential Reference Paper ‘B’ of the report now submitted, be approved.

583 MINUTES

RESOLVED – that the Minutes of the meeting held on 8 February 2011 be confirmed as a correct record and signed by the Chairman.

584 ISSUES ARISING FROM SCRUTINY

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

RESOLVED - that the report be received.

585 A SHARED INTERNAL AUDIT SERVICE

The Executive Member for Resources and Internal Support submitted a report seeking confirmation of the Council's participation in the Herts Shared Internal Audit Service.

The sharing of internal audit services had been considered as part of Herts Pathfinder and recent developments had allowed more rapid progress. The partnership would offer resilience, ready access to a wider range of skills and lower risk delivery of cost savings built into the MTFP (Medium Term Financial Plan). There was a need to become more efficient and reduce costs while remaining abreast of current best audit practice.

The proposed scheme, which was called SIAS (Shared Internal Audit Service), would be hosted by Hertfordshire County Council. It would be a collaborative arrangement overseen by participating Councils' Section 151 Officers. Each Council's Audit Committee would have unchanged responsibilities and reporting arrangements.

Some existing staff would transfer to Hertfordshire County Council. Consultation had begun with staff and Unison and the aim was to start the service from 1 July 2011.

Helen Maneuf of Hertfordshire County Council said the shared service would combine the benefits of an in-house service and efficiencies of a larger organisation.

The Chairman of the Audit Committee said it would be important to have a shared vision and expectations, the new venture should address concerns over the past performance of the County Council audit service and a link officer would be needed to promote a good relationship with the District.

The Executive decided to give authority for the agreement to be finalised.

RESOLVED – that the Director of Internal Service, in consultation with the Executive Member for Resources and Internal Services, be authorised to conclude agreement with other participating District Councils and Hertfordshire County Council to set up a shared internal audit service.

586 LOCALISM BILL - EAST HERTS COUNCIL LEADING THE WAY

The Leader of the Council submitted a report on key proposals in the Localism Bill and how the Council was responding to the proposed changes.

It was reported that the Bill was still being debated and had not passed into legislation. The Bill proposed to devolve a range of powers and freedoms to local government and communities. It proposed to overhaul the planning system and underpin the creation of the “Big Society”.

Details of the key proposals were given together with the six essential actions needed for decentralisation. The Council had taken a number of steps in respect of these issues and the Leader outlined some of these at the meeting.

Firstly, following abolition of the National Performance Indicator set, the Council had reviewed its performance indicators. This was to deliver priorities and account to residents for its performance. Hot Performance indicators appeared on the website linked to residents' concerns and interests.

In addition, the Community and Public Engagement Task and Finish Group had been set up to review giving local people and communities a bigger say in services.

Flexible housing options and a house swap scheme were already offered in East Herts.

The Local Development Framework would continue. As regards, planning enforcement, a proposed non-key decision would devolve powers on fly posting to Town Councils.

Finally, webcasting at Council and Development Control Committee had been introduced to increase transparency of government and could be expanded after the elections in May. New ways of communicating and consulting with the public were being investigated e.g. Twitter, MySpace.

Members commented that the final legislation might contain some changes from the current proposals. They thought that the management of public expectations arising from the legislation would be a challenge.

The Executive decided to note the report and ask Scrutiny to look at appropriate issues arising from the Bill in the future.

RESOLVED – that (A) the progress to date against some of the proposals contained in the Localism Bill, be noted; and

(B) the Scrutiny Committees be invited to consider including aspects of the Bill in their work programmes as it progresses through Parliament.

587 2011/12 SERVICE PLANS

The Leader of the Council submitted a report on the planned service activity for 2011/12.

The Executive noted that service plans were produced every year and set out the key actions that needed to be undertaken to deliver corporate priorities and objectives, in line with the budget. Activity would be monitored and reported to the relevant Scrutiny Committee.

The Joint Scrutiny Committees on 15 February 2010, had made a number of detailed comments and these were set out in the "Issues Arising from Scrutiny" report.

The Executive approved the service plans for 2011/12.

RESOLVED – that (A) the comments of the Joint Scrutiny Committees be received; and

(B) the service plan activity for 2011/12, as now submitted, be agreed.

588 2010/11 ESTIMATES AND FUTURE TARGETS

The Leader of the Council submitted a report setting out the performance indicators that the Council was required to monitor and publish annually. He advised the Executive of the estimated performance for 2010/11 and the proposed targets for the next three years.

The Joint Scrutiny Committees on 15 February 2010, had made a number of comments as detailed in the "Issues Arising from Scrutiny" report.

Members raised the question of whether the target for employing people with disabilities and from black and ethnic minorities reflected the population of East Herts. They were assured that this was the case.

The use of empty homes in the District rather than new builds

and the resource needed for that was raised by Members.

The Executive approved the proposals as now detailed.

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

(B) the refined list of performance indicators to be retained and deleted, as set out at paragraph 1.7 of the report submitted, be approved;

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

(D) the targets set out in paragraph 5.1 – 5.3 to either improve, reduce or retain performance, be approved;

(E) the adoption of the new local measures set out in paragraph 6.1 of the report, be approved;

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

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

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

589 MONTHLY CORPORATE HEALTHCHECK - JANUARY 2011

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

The Executive decided that the report be noted as detailed

below.

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

(B) monthly outturn data only being reported for the crime performance indicators as comparative data is no longer available, be noted;

(C) £18,000 of the River and Watercourses capital budget be re-profiled from 2010/11 into 2011/12;

(D) £18,300 of the Wheeled Bin and Recycling capital budget be re-profiled from 2011/12 into 2010/11; and

(E) the Strategic Risks in Essential Reference Paper ‘G’, be noted.

The meeting closed at 8.10 pm

Chairman
Date

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 22 MARCH 2011, AT 5.30 PM

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

ALSO PRESENT:

Councillors S A Bull, R N Copping,
A D Dodd, R Gilbert, M P A McMullen,
N C Poulton, J O Ranger, P A Ruffles,
J P Warren and M Wood

OFFICERS IN ATTENDANCE:

Anne Freimanis	- Chief Executive
Simon Drinkwater	- Director of Neighbourhood Services
Caroline Goss	- Communications Officer
Philip Hamberger	- Programme Director of Change
Martin Ibrahim	- Senior Democratic Services Officer
Alan Madin	- Director of Internal Services
George A Robertson	- Director of Customer and Community Services

635 APOLOGIES

An apology for absence was submitted on behalf of Councillor L Haysey.

636 LEADER'S ANNOUNCEMENTS

The Leader referred to the recent sad news that Councillor J Hedley had passed away and spoke of his dedication as a ward representative and enthusiasm and vigour as a former Chairman of the Audit Committee.

This being the last Executive meeting before the District Council elections, the Leader paid tribute to Councillor R L Parker for his service over many years. He referred to his knowledge of housing matters and the enthusiasm he had shown for the health agenda.

Councillor R L Parker responded by referring to Members and Officers, past and present, of all political persuasions, with whom he had enjoyed working with. He thanked the Executive and wished the Council well for the future.

Finally, the Leader referred to the impending departure of Philip Hamberger and thanked him for his work, particularly on the C3W programme. Councillor M Wood also thanked him.

637 HERTFORDSHIRE WASTE PARTNERSHIP INTER-AUTHORITY AGREEMENT

The Executive Member for Community Safety and Protection submitted a report seeking authority to adopt the Hertfordshire Waste Partnership Inter-Authority Agreement.

The Executive noted the history of the partnership arrangements as detailed in the report now submitted. The Inter-Authority Agreement (IAA) was a legally binding agreement which confirmed previous agreements between the County Council and the 10 District and Borough Councils on funding, collection services and long-term disposal arrangements. The Executive Member detailed the benefits that adopting the IAA would bring.

In response to questions, the Executive Member and the Director of Customer and Community Services clarified a

number of issues in respect of the new waste processing facility, the new refuse and recycling contract due to commence in May 2011 and trade waste. The Executive was reminded that a task and finish group had looked at trade waste issues.

The Executive recommended the proposals as now detailed.

RECOMMENDED – that (A) the Draft Hertfordshire Waste Partnership Inter-Authority Agreement, as now submitted, be approved; and

(B) the Director of Customer and Community Services, in consultation with Executive Member for Environment and Conservation, be authorised to approve minor changes on behalf of the Council.

638 MINUTES

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

The meeting closed at 6.05 pm

Chairman

Date

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

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

ALSO PRESENT:

Councillors P A Ruffles and M J Tindale.

OFFICERS IN ATTENDANCE:

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

590 CHAIRMAN'S ANNOUNCEMENTS

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

The Chairman informed Members that Councillor Duncan Peek had died yesterday afternoon whilst surrounded by friends and family. He stated that Councillor Peek had contributed a tremendous amount to the Committee over many years and his knowledge and experience would be sadly missed.

He advised that he would be sending the condolences of the Committee to the family at this very difficult time.

The Chairman advised that application 3/11/0079/FP would be determined after application 3/11/0050/FP. The Chairman thanked Councillor D Andrews for standing in as a substitute Member for this meeting.

The Chairman advised that the meeting of the Committee due to be held on Thursday 24 March 2011 would start at 5.30 pm.

591 DECLARATIONS OF INTEREST

Councillor D Andrews declared a personal and prejudicial interest in application 3/10/2047/FP in that he worked within the Sainsbury's group. He left the room whilst this matter was considered.

Councillor Andrews declared a personal and prejudicial interest in application 3/10/1295/FN in that he was a governor of Richard Hale School. He left the room whilst this matter was considered.

Councillor R Gilbert declared a personal interest in application 3/10/1200/FP in that he was an acquaintance of the applicant.

Councillor S Rutland-Barsby declared a personal interest in application 3/11/0079/FP in that she occasionally saw the applicant outside of Council business.

Councillor W Ashley declared a personal and prejudicial interest in application 3/11/0079/FP in that he was a partner in William Ashley and Partners. He left the room

whilst this matter was considered and Councillor S Rutland-Barsby chaired the meeting for this item.

Councillor Mrs R F Cheswright declared a personal interest in application 3/10/1583 in that she used the same architect as the applicant.

592 MINUTES

RESOLVED - that the Minutes of the Development Control Committee meeting held on 9 February 2011 be confirmed as a correct record and signed by the Chairman.

593 (A) 3/10/2047/FO - VARIATION OF CONDITION 39 OF PLANNING PERMISSION 3/08/1528/FP TO ALLOW FOR ALTERATIONS TO THE CAFÉ AREA, INTERPRETATION CENTRE, ASSOCIATED ELEVATIONAL CHANGES TO HARTHAM LANE AND (B) 3/10/2048/LB - ALTERATIONS, REFURBISHMENT AND REPAIRS TO LISTED BUILDING TO ACCOMMODATE ANCILLARY ELEMENTS OF THE PROPOSED FOOD STORE AT MCMULLENS BREWERY SITE, HARTHAM LANE, HERTFORD SG14 1QN FOR SAINSBURY'S SUPERMARKETS LTD

Mr McCormick addressed the Committee in opposition to the application. Mr Wilson spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/2047/FO, subject to the agreement of a section 106 obligation which ties the section 106 obligations of the originally approved permission (3/08/1528/FP) to the new planning permission (3/10/2047/FO), planning permission be granted subject to the conditions now detailed.

The Director of Neighbourhood Services also recommended that, in respect of application 3/10/2048/LB, listed building consent be granted subject to the conditions now detailed.

The Director referred to the late representations schedule

detailing comments from Hertford Town Council, Sainsbury's and the East Herts Council Conservation Officer. Members were advised that the report contained all of the conditions from the previous application, subject to a number of minor alterations.

The Director stated that Members were being asked to approve the application and delegate authority to the Director, in consultation with the Chairman of the Development Control Committee, to make amendments to the planning conditions as may become necessary to ensure they are clear, concise and otherwise compliant with the provisions of Circular 11/95.

Councillor S Rutland-Barsby expressed concerns in respect of the loss of the copper hopback and the loss of trees on the site. She referred to negligence by the applicant in failing to secure and look after a Hertford heritage site. She stressed the importance of ensuring there were no further problems.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that, subject to the agreement of a section 106 obligation which ties the section 106 obligations of the originally approved permission (3/08/1528/FP) to the new planning permission (3/10/2047/FO), application 3/10/2047/FO be granted subject to the conditions now detailed.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/2048/LB be granted subject to the conditions now detailed.

RESOLVED - that (A) subject to the agreement of a section 106 obligation which ties the section 106 obligations of the originally approved permission (3/08/1528/FP) to the new planning permission (3/10/2047/FO), in respect of application 3/10/2047/FO, planning permission be granted subject to the following conditions:

1. The development to which this permission relates shall be begun within a period of three years commencing on the date of this notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. Prior to any above ground building works being commenced, samples of the external materials of construction, including rainwater goods for the building hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority. The building works shall be carried out in accordance with the approved samples.

Reason: In the interests of the appearance of the development, and in accordance with Policy ENV1 of the East Herts Local Plan Second Review April 2007.

3. Prior to the commencement of bricklaying, a sample panel of the brickwork shall be provided on the site and shall be formally approved in writing by the Local Planning Authority. The panel shall be retained as a reference for all external brickwork within the development. The development shall be carried out in accordance with the approved sample.

Reason: In the interest of achieving a high quality of design and finish for the development in accordance with Policy ENV1 of the East Herts Local Plan Second Review April 2007 and national guidance in PPS1.

4. The development shall be carried out in accordance with the submitted details in the Smart Waste Plan which identified measures

for the minimizing of waste, recycling of materials as approved by letter 5th November 2010.

Reason: To accord with Hertfordshire Waste Local Plan policies 7 and 8.

5. Prior to the first occupation of the store details of cycle parking facilities shall be submitted to and approved by the local planning authority. The cycle parking facilities shall be provided and retained in accordance with the approved details prior to the first occupation of the store.

Reason: To encourage the use of cycles as means of transport, in accordance with policies TR13 and TR14 and Appendix II of the East Herts Local Plan Second Review April 2007.

6. The applicant shall secure the implementation of the programme of archaeological work in accordance with the Archaeological Solutions written scheme of investigation approved by The County Archaeologist on 23rd August 2010.

Reason: To secure the protection of and proper provision for any archaeological remains, in accordance with Government advice set out in PPG16 'Archaeology and Planning' and in accordance with policy BH2 of the East Herts Local Plan Second Review April 2007.

7. Prior to the commencement of above ground works, detailed drawings of new doors, windows, roof eaves, shopfront and canopy at a scale of not less than 1:20 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the

approved details.

Reason: In the interests of appearance of the proposed development and in accordance with Policy ENV1 of the East Herts Local Plan Second Review April 2007.

8. Prior to the occupation of the store, or within such timetable as may otherwise be agreed in writing with the Local Planning Authority, the repairs and refurbishment of the listed brewery shall be implemented in accordance with a programme of works to be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure the repair and enhancement of the listed brewery, to make it ready for occupation for office, community and arts spaces, and in the interests of the Conservation Area and in accordance with Policy BH6 of the East Herts Local Plan Adopted Second Review April 2007 and with the policies contained in PPS5.

9. Details of refuse facilities shall be provided as approved by the Local Planning Authority in letter dated 13th January 2011 prior to the occupation of the store.

Reason: In the interests of amenity, in accordance with Policy ENV1 of the East Herts Local Plan Second Review April 2007.

10. Prior to the first occupation of the development hereby permitted, 232 spaces shall be provided within the application site for the parking of cars and such spaces shall be retained at all times for use in connection with the development hereby permitted. The car park shall include a designated taxi rank as indicated on plan 2500 SK1008D.

Reason: To ensure adequate off street parking provision for the development, in the interests of highways safety, in accordance with policy TR7 and Appendix II of the East Herts Local Plan Second Review April 2007.

11. No above ground works or development shall take place until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority. These details shall include, as appropriate: (a) Means of enclosure (b) Hard surfacing materials (c) Planting plans (d) Schedule of plants, noting species, planting sizes and proposed numbers/densities where appropriate. The details shall extend to the landscaping of areas of Hartham Common, within the District Councils ownership, to the north of the site, including the enhancement of the recycling bins provision and the implementation of off-site works in plan 06055/32A.

Reason: To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

12. All hard and soft landscape work shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the first occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. 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 Policy ENV2 of the East Herts Local Plan Second Review April 2007.

13. Prior to the first occupation of the development hereby permitted, a schedule of landscape maintenance for a minimum of five years shall be submitted to and approved by the Local Planning Authority and shall include details of the arrangements for its implementation.

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

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), the areas shown for landscaping on the plans hereby approved shall be retained and maintained as open landscaping, and shall not be developed, enclosed or used in any way that is detrimental to that character.

Reason: To ensure the continuity of amenity value afforded by the approved landscaping, in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

15. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), the erection or construction of gates, fences, walls or other means of enclosure as described in Schedule 2, Part 2, Class A of the Order shall not be undertaken without the prior written permission of the Local Planning Authority.

Reason: To ensure the Local Planning Authority retains control over any future development as specified in the condition in interests of amenity and in accordance with policy ENV9 of the East Herts Local Plan Second Review April 2007.

16. The retail store hereby permitted shall only be open for customers between the 07:00 and 22:00 hours Mondays to Saturdays and for no more than six hours between 07:00 and 22:00 hours on Sundays and Bank Holidays.

Reason: Having regard to the amenities of nearby residents and in accordance with policy ENV24 of the East Herts Local Plan Second Review April 2007.

17. The use of the retail store hereby permitted shall be solely for Class A1 planning use with ancillary A3 Café use. The net retail sales floor area shall not exceed 2328sqm.

Reason: Having regard to the retail needs tests of the development and to ensure the scale of the use is appropriate to the site, its provisions for car parking and its retail impacts on the town centre in the interest of the appearance of the Conservation Area and in accordance with Policies ENV1 and STC1 of the East Herts Local Plan Adopted Second Review April 2007 and national guidance in

PPS4.

18. Prior to the first use of the store, precise details shall be submitted of the internal ground floor layout of the store for areas within 10m of glazed sections of the north and east elevations. Such details shall indicate open areas behind the proposed shop windows within the north and east elevations of the building. No posters, boards, display equipment or other obstructions shall be placed within the identified shop window areas. The development shall thereafter be laid out in and retained in accordance with the approved details

Reason: To ensure that the main building frontages and shop window areas for the new building are attractive and retain transparency in the interest of the appearance of the development in the Conservation Area and in accordance with Policies ENV1, BH6 and STC1 of the East Herts Local Plan Adopted Second Review April 2007.

19. Prior to the commencement of above ground works, details of a phasing programme for the development of the site; methods for accessing the site and provisions for construction traffic access; wheel washing facilities; associated parking areas and storage of materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the approved details.

Reason: To ensure that adequate access for existing users and businesses is maintained at all times and ensure the development proceeds without undue interference to the safe and convenient use of the public

highway.

20. No plant or machinery to be used in connection with any site demolition, site preparation or construction works shall be operated on the premises before 0730hrs on Monday to Saturday, nor at any time on Sundays or bank holidays.

Reason: To safeguard the amenity of residents of nearby properties in accordance with policy ENV24 of the East Herts Local plan Second Review April 2007.

21. Prior to the first occupation of the development, all highway works, including those specified below, shall be completed in accordance with the approved plans unless as otherwise agreed in writing by the Local Planning Authority
- (a) All access roads, parking areas, and pedestrian links, as shown on the approved plan Dwg No. 2500 SK 1008 Rev A.
 - (b) Amendments to the Hartham Lane / Cowbridge junction as shown on the approved plan Dwg No.62422/A/19 Rev B.
 - (c) Realigned Hartham Lane, including new footways.
 - (d) Pedestrian / cycle link and bridge to Folly Island as shown on the approved plan Dwg No. 06055/28 Rev D.
 - (e) Loading facilities for the listed building as indicated on Dwgs No.62422/AR/W1or No.62422/AA/1.

Reason: To ensure the development makes adequate provision for off street parking and manoeuvring of vehicles associated with its use and to assist with increasing the linkage of

the site to the town centre and its surroundings and in accordance with policies TR1 and STC1 of the East Herts Local Plan Second Review April 2007.

22. Prior to the first occupation of the development hereby permitted, the existing vehicular access shall be permanently closed and the kerbs and (footway/verge) reinstated to the satisfaction of the Local planning Authority.

Reason: In the interests of highway safety and amenity.

23. Prior to the first occupation of the development hereby permitted the following visibility splays shall be provided and permanently maintained within which there shall be no obstruction to visibility between 600mm and 2m above the carriageway level:

- (a) Dwg No. 62422/A55 – 25m forward visibility at service yard corner.
- (b) Dwg No. 62422/SK01 – 25m forward visibility at service yard exit.
- (c) Dwg No. 62422/A/25 Rev A – Visibility splays from existing business access.
- (d) Dwg No. 62422/A/21 – Visibility splays from revised McMullen access.
- (e) New store access with realigned Hartham Lane, 2.4m x 43m.

Reason: To ensure adequate visibility for drivers entering and leaving the site and in accordance with policy TR2 of the East Herts Local Plan Second Review April 2007.

24. No external loudspeaker systems shall be installed.

Reason: In the interests of amenity of the

residents of nearby properties, and in accordance with Policy ENV24 of the East Herts Local Plan Second Review April 2007.

25. No deliveries to the site shall take place by vehicles longer than 13.5m. A written record of the time and date of deliveries and vehicle details shall be kept for inspection by the local planning authority on request.

Reason: To mitigate the impacts of deliveries on the environment and in the interests of highway safety.

26. Prior to the commencement of any piling works, details of the method for piling for construction works, including a method statement and noise emissions, shall be submitted to and approved in writing by the Local Planning Authority. All piling works shall be carried out in accordance with the approved details.

Reason: In the interests of the amenities of residents of neighbouring properties and in accordance with Policy ENV1 of the East Herts Local Plan Second Review April 2007.

27. Prior to the first occupation of the store, fire hydrants shall be installed at the site in accordance with details to be previously approved in writing by the Local Planning Authority.

Reason: To ensure the appropriate provision of hydrants for emergency vehicles.

28. Measures for the protection of bats, their roosts and access points, shall be implemented as approved by the local planning authority in its letter dated 13th January 2011.

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

29. Site clearance and removal of buildings, trees and shrub removal should not take place in the breeding season from 1st March to 30th August.

Reason: To avoid unnecessary disturbance to breeding birds in accordance with policy ENV16 of the adopted East Herts Local Plan Second Review April 2007.

30. Floor levels for the building shall be set at least 300mm above the 1 in 100 year level plus climate change flood level of 37.57m above Ordnance Datum.

Reason: To reduce the risk of flooding on the proposed development and future occupants/customers in accordance with policy ENV19 of the adopted East Herts Local Plan Second Review April 2007.

31. Within 2 weeks of the date of this permission details of works for the disposal of surface and foul water shall have been submitted to and provided on site in accordance with details first submitted to and as approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the store.

Reason: In the interests of securing the sustainable and satisfactory drainage of the site and reduce the risks of flooding, in accordance with policies ENV18 and ENV19 of the East Herts Local Plan Second Review

April 2007.

32. Prior to the commencement of the use of the store, directional signage at the site and interpretation boards at the riverside shall be erected in accordance with details to have been previously submitted to and approved in writing by the Local Planning Authority.

Reason: To assist with increasing the linkage of the site to the town centre and its surroundings and to increase awareness of the history and ecology of the local rivers, and in accordance with Policies ENV1 and BH6 of the East Herts Local Plan Second Review April 2007.

33. The development shall be operated incorporating the provisions of the renewable energy systems as detailed within the submitted Energy Statement, and the use of locally sourced supplies (within 10 miles of the site) for the biomass boiler, or by the use of other renewable technologies as otherwise may be agreed in writing with the Local Planning Authority.

Reason: To ensure the energy efficiency of the building and sustainable design within the development in accordance with policies SD1 and ENV1 of the East Herts Local Plan Second Review April 2007 and policy ENG1 of the East of England Plan.

34. No more than 20% of the net retail sales area shall be used for the sale of comparison goods.

Reason: To ensure that the impact of the development on the town centre is minimised in accordance with national guidance in PPS4, and policy STC1 of the East Herts Local Plan

Second Review April 2007.

35. Prior to the commencement of above ground works, details of the amended entrance to the servicing area, including landscaping and revised boundary wall, shall be submitted to and approved in writing by the Local Planning Authority. The details will ensure that the vehicle movements within the development comply with the tracking plans- Dwgs No.62422/AR/Z07 and Nos.62422/AR/Z08 and ensure visibility will comply with Dwgs Nos.62422/A/55 and Nos.62422/SK01. The development shall be carried out in accordance with the approved plans.

Reason: In the interests of highway safety and appearance of the development and in accordance with policies ENV1 and TR2 of the East Herts Local Plan Second Review April 2007.

36. Details of an additional pedestrian access point to the riverside walk to be provided in the south eastern corner of the car park shall be provided as approved in writing on 5th November 2010 by the local planning authority . The access shall be provided in accordance with the approved details.

Reason: To assist with increasing the linkage of the site to the town centre and its surroundings and in accordance with policies STC1 and TR1 of the East Herts Local Plan Second Review April 2007.

37. Full details of the exhibition within the Interpretation Centre shall be submitted for the approval in writing of the local planning authority prior to the first occupation of the new store. The Centre shall be retained open for public access between the hours of 8am

and 6pm on Monday to Saturday and for at least 6 hours on Sundays and Bank Holidays.

Reason : To ensure public access to and appreciation of the heritage asset of the listed brewery having regard to the local and national policy provision of ENV1 and PPS5 and the balanced judgment taken by the Secretary of State in approving the application.

38. The development shall not be brought into use until an external lighting scheme, in accordance with the Institute of Lighting Engineers 2005 Guidance Notes for the Reduction of Obtrusive Light has been submitted to and approved in writing by the local planning authority. External lighting shall only be installed in accordance with the approved scheme.

Reason: In the interests of amenity of the residents of nearby properties, and in accordance with Policy ENV24 of the East Herts Local Plan Second Review April 2007.

39. Development other than that required to be carried out as part of an approved scheme of remediation must not commence until items 1 to 4 below have been complied with. If unexpected contamination is found after the development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until item 4 has been complied with in relation to that contamination.

1. Site Characterisation :

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in

accordance with a scheme to assess the nature and extent of any contamination on site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include: (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service waters, ecological systems, archaeological sites and ancient monuments; (iii) an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'.

2. Submission of Remediation Scheme.

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation of the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation.

The local planning authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of item 1 above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of item 2 above and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared and approved in writing by the local planning authority in accordance with item 3.

5. Long term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation, and the provision of reports on the same must be

prepared and approved in writing by the local planning authority prior to the first occupation of the store hereby permitted. Following completion of the measures identified in that scheme and when remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the local planning authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 111'.

Reason: To minimise and prevent pollution of the land and the water environment in accordance with national guidance in PPS23 and Policy ENV24 of the East Herts Local Plan Second Review April 2007.

40. The development hereby permitted shall be carried out in accordance with the following approved plans: Chetwoods drawings nos: 2500 PL (2) 000A, 2500 PL 100A, 2500 PL 427B, 2500 PL 500B, 2500 PL 614C, 2500 SK 1005D, 2500 SK 100, 2500 SK 1006A, 2500 SK 1008D, Henry Riley drawing 35406, TLP drawings nos 06055/26D, 06055/27D, 06055/28D, 06055/29C, 06055/30K, 06055/31B, 06055/32A, GGA drawings nos 19391 SK 102 P6, SKi 04 P3, Acanthus drawings nos 3912 41, 3912 42, 3912 43, 3912 63A, 3912 64, 3912 67A, 3912 71C, 3912 72F, 3912 73C, 3912 74A, 3912 75A, 3912 76B, 3912 82A, 3912 83AB, 3912 84A, 3912 85A, 3912 86A, 3912 87A, 3912 101, 3912 102, 3912 103, 3912 104, 3912 105, 3912 106, 3912 121H, 3912 122B, 3912 123, 3912 124, 3912 125, 3912 126, 3912 127, 3912 128, 3912 129, 3912 130, 3912 131, 3912 132, 3912 133, 3912 134, 3912 135, 3912 136, 3912 233A, 3912 240.

Reason :To ensure the development is carried out in accordance with the approved plans, drawings and specifications

Directives:

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body eg. Fire Officer, Health and Safety Executive, Environment Agency (Water Interest) etc. Neither does this permission negate or override any private covenants which may affect the land.
2. This permission should be read in conjunction with the specifications and conditions attached to the listed building consent granted under LPA ref: 3/08/1529/LB.
3. The granting of this permission does not convey or imply any consent to build upon land not within the ownership of the applicant, without the approval of the landowner.
4. You are advised to contact Hertfordshire Highways at Highways House, 41-45 Broadwater Road, Welwyn Garden City, Herts SG7 3SP, tel: 01992 356343, with regard to the carrying out of any works on any footway, carriageway, verge or other land forming part of the highway.
5. The applicant is advised to liaise with the Council's Environmental Health section to ensure the proper legal disposal of asbestos at the site.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies ENV1; ENV2; BH2; BH6; TR2; TR7; TR13; TR14; STC1; ENV24; ENV9; ENV16 and PPS5. The balance of the considerations having regard to those policies and the considerations of the Secretary of State's decision letter in January 2009 is that permission should be granted.

(B) in respect of application 3/10/2048/LB, listed building consent be granted subject to the following conditions:

1. 3 year time limit (1T12)
2. Samples of materials (2E12)
3. New Rainwater Goods (8L09)
4. Making Good (8L10)
5. Subject to the Conservation Officers referral on the precise method for cleaning of brickwork and the repair and replacement of floor boarding in the brewery, the submitted schedule of works and repairs is approved and shall be implemented unless as otherwise agreed in writing by the local planning authority.

Reason : In the interests of the special historic and architectural interest of this listed building having regard to the provisions of national guidance in PPS5.

Directive:

1. Materials already approved under listed

building consent 3/08/1529/LB are approved for the purposes of Condition 2.

(C) authority be delegated to the Director of Neighbourhood Services, in consultation with the Chairman of the Development Control Committee, to make such subsequent amendments to the planning conditions as may become necessary to ensure they are clear, concise and otherwise comply with the provisions of Circular 11/95.

594 3/10/1295/FN - RENEWAL OF PLANNING PERMISSION GRANTED UNDER REF. 3/05/1062/FP FOR THE ERECTION OF NEW GYMNASIUM AT RICHARD HALE SCHOOL, HALE ROAD, HERTFORD

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1295/FN, planning permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/1295/FN be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/1295/FN, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Approved plans (2E10) Insert:- 002, 003
3. Levels (2E05)
4. Samples of materials (2E12)
5. Detailed plans, at an appropriate scale, of the proposed pedestrian access bridge and ramp cycle storage facilities, any external plant, flues or extracts, and of brickwork details to

columns and plinths, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. Thereafter the development shall be implemented in accordance with the approved details.

Reason: The plans submitted are insufficient for consideration of the details mentioned.

6. Prior to the commencement of development hereby permitted, the vehicle access width onto Pegs Lane shall be 4.1m with kerb radii of 6m, and surfaced in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Any gates shall be set back a minimum of 5m from the edge of carriageway. A pram crossing shall be provided at the tangent point to each radius.

Reason: So that vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway and for the convenience and safety of pedestrians and disabled persons, in accordance with Appendix 1 (C) of the East Herts Local Plan.

7. Provision and retention of parking spaces (3V23)
8. Tree retention and protection (4P05)
9. Hedge retention and protection (4P06)
10. Landscape design proposals (4P12) (b, e, f, g, h, i, j, k, l)
11. Landscape works implementation (4P13)
12. Prior to the first use of the development hereby permitted, details of the arrangements

for the building's shared use by the community including public access at weekends and evenings, shall be submitted and approved in writing by the local planning authority. The use of the building shall thereafter continue in accordance with the approved scheme unless as otherwise may be varied and approved in writing by the local planning authority.

Reason: To ensure the provision of the building responds to the opportunity to provide for shared community use and in accordance with Policy LRC2 of the adopted East Herts Local Plan 2007.

Directives:

1. Other Legislation (01OL)
2. You are advised that if during construction or excavation, any contaminated material is revealed then the movement of such materials should be in consultation with the regularity authority.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan 2008, Minerals Local Plan, Waste Local Plan and the 'saved' policies of the East Herts Local Plan Second Review April 2007), and in particular policies SD1, SD2, LRC2, TR7, TR13, ENV1, ENV2, ENV11, BH6, IMP1 and PPS1 and PPS5. The balance of the considerations having regard to those policies is that permission should be granted.

595 3/10/1200/FP - NEW FUNCTION BARN TO PROVIDE ENTERTAINMENT SPACE FOR WEDDINGS, CHARITY FUNDRAISING EVENTS IN ASSOCIATION WITH TEWIN BURY FARM HOTEL AT TEWIN BURY FARM HOTEL, HERTFORD ROAD TEWIN, AL6 0JB FOR MR V WILLIAMS

Mr Saint Pier and Mr Williams addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1200/FP, planning permission be refused for the reasons now detailed.

The Director read out a written submission on behalf of Councillor L O Haysey, as the local ward Member. Councillor Haysey had stated that the application had been deferred pending the outcome of an appeal decision, to avoid the possibility of costs being awarded if the application had been approved whilst there was an outstanding appeal decision.

She had stated her continued support for this application and urged Members to recall their extensive and constructive comments at the November meeting of this Committee and subsequently approve the application.

Councillor R Gilbert expressed his disappointment that Officers had not been able to support this scheme. He had visited the site and had not been able to see the marquees from the approach road over the River Mimram.

He stressed that the marquees were obscured by a number of large buildings on the site, some of which were listed. Councillor Gilbert stated that the proposed function barn would be smaller than the marquees currently in place on the site.

He commented that there was a large high hedge around the car park which served to screen the site from view. He referred to the significant amount of space required on

the site for the manoeuvring of large vehicles and farm machinery.

Councillor Gilbert referred to the work of the applicant in preserving significant parts of the River Mimram valley, even though he was under no obligation to do so. He stated that The Herts and Middlesex Wildlife Trust had no specific objections to the application.

Councillor Gilbert stressed that he was not prepared to reject an application when the loss of the marquees without a suitable replacement would result in the loss of approximately 20 jobs.

The Director commented that the key issue was the green belt location. He stressed that the national and local planning policy was very firm in stating that there should be no development in the green belt unless very special circumstances could be demonstrated for going against policy.

The Director referred to the inspector's appeal decision in upholding the enforcement notice in respect of the marquees. He stressed that Officers felt that this business would not be at risk of failure if this application was refused. Officers' views were weighted in favour of adhering to the clear provisions of green belt policy.

The Director referred to the issue of deferring the application to address issues of wildlife interests along the River Mimram. The appeal inspector had stated that the issues of wildlife and habitat protection should be given no weight by Members and Officers felt that any section 106 planning obligations would be subject to challenge on that basis. Members were also advised that the inspector had stated that the site had reached its limit in terms of capacity for new buildings.

Councillor Mrs R F Cheswright stated that the proposed barn would encourage locals to use the site and she stressed that the Committee should support the diversification of farms and farm buildings. Councillor

Cheswright stated that the application should be supported in relation to policies GBC1, ENV1, PPS7 and GBC8 of the East Herts Local Plan Second Review April 2007.

In response to a query from Councillor Gilbert in relation to conditions, the Director stated that he could see the merits of Members giving Officers a very clear view around the conditions that would be imposed if the application was approved.

The Director advised that this would in effect be a deferral and Officers would come back with a range of conditions for Members to consider. The alternative would be for the Committee to delegate the conditions entirely to Officers in consultation with the Chairman of the Committee. Councillor M R Alexander commented that although he could support a deferral, he felt that deferring all the conditions to Officers was too much and these must come back to Members for approval.

Councillor Mrs M H Goldspink proposed and Councillor R I Taylor seconded, a motion that application 3/10/1200/FP be approved subject to conditions to be agreed by the Director of Neighbourhood Services in consultation with Councillors M R Alexander, W Ashley, Mrs R F Cheswright, R Gilbert and Mrs M H Goldspink.

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

The Committee rejected the recommendation of the Director of Neighbourhood Services that application 3/10/1200/FP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/10/1200/FP, planning permission be granted subject to conditions to be agreed by the Director of Neighbourhood Services, in consultation with Councillors M R Alexander, W Ashley, Mrs R F Cheswright, R Gilbert and Mrs M H Goldspink.

596 3/10/1583/OP - THE ERECTION OF A PUBLIC HOUSE AND TWO DWELLINGS AT THE FORMER COCK PUBLIC HOUSE, STOCKING PELHAM FOR MR D LYLE SMITH

Mr Barker and Mr Nicholls addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1583/OP, planning permission be refused for the reasons now detailed.

Councillor M J Tindale, as the local ward Member, stressed how essential it was for a pub to be secured for Stocking Pelham. He referred to the Officers' view that a single dwelling was sufficient as enabling development for a pub in this location. He questioned the advice given to the applicant that it was not acceptable to submit a business plan to Officers that featured revenue costs.

Councillor Tindale stressed that the applicant should be free to submit a business plan that satisfied Officers. He commented that if a single dwelling was viable for the applicant, an application would have been submitted on that basis. He also stated that approving the application would give the pub the very best chance of success.

He urged the Committee to approve the application as although the pub may not succeed with two houses as enabling development, giving the pub the very best chance of success was a risk worth taking to secure a pub for Stocking Pelham.

The Director advised that the judgment for Officers was to consider how much other development was acceptable to facilitate the raising of the necessary capital to build a new pub in this location. He stressed that approving an application for development to enable an applicant to offset previous losses was an approach that Officers had not been able to support.

The Director accepted the local desire for the pub. He

stressed however that Officers felt that approving an application for a pub that may very likely struggle to survive was not a responsible approach that Officers felt able to support.

Councillor R Gilbert referred to the key issue as being an economic consideration rather than a genuine planning issue. He stressed that the key issue was the economic case for the pub's viability. He stated that most pubs needed a good food offer in order to survive, even though there was significant support locally.

Councillor S A Bull stated that a pub in this location would be a key hub for Stocking Pelham. He urged the Committee to overturn the recommendation and approve the application then delegate the conditions to Officers. He stressed the continued loss of the pub would kill the community of Stocking Pelham.

Councillor Mrs M H Goldspink supported the views of Councillor Bull, and expressed concerns in relation to what would happen on the site if this application was refused. She stressed this pub was a very important community facility which should be supported.

The Director stressed that although the principle of what Members were advocating was straight forward, in practice, Officers may not be able to resolve all of the outstanding issues without bringing a report back to Members for a decision.

Councillor S A Bull proposed and Mrs M H Goldspink seconded, a motion that application 3/10/1583/OP be deferred to enable the formulation of appropriate conditions and legal agreement to support the resolution to grant planning permission.

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

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

3/10/1583/OP be refused planning permission for the reasons now detailed.

RESOLVED – that, in respect of application 3/10/1583/OP, planning permission be deferred to enable the formulation of appropriate conditions and legal agreement to support the resolution to grant planning permission.

597 3/10/2154/FP - CHANGE OF USE OF LAND AND EXTENSION AND ALTERATIONS TO EXISTING BUILDING TO PROVIDE 30 NO. KENNELS, NEW ISOLATION BLOCK AND PARKING AT BIRCH FARM KENNELS, WHITE STUBBS LANE, EN10 7QA FOR MR M FERRARO

Mr Padalino addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/2154/FP, planning permission be refused for the reasons now detailed.

Councillor J J Taylor stated that she failed to see how this application would harm neighbour amenity and queried why dog kennels could not be supported as a form of countryside development.

Councillor J J Taylor commented that this application was not a change of use and was perfectly suited to the site. She reminded Members that there had been no objections from any of the statutory consultees. The only objection had been from the immediate neighbouring site that had recently been the subject of an application for residential development in the green belt.

Councillor J J Taylor stressed that noise, smell and insufficient parking were not, in her opinion, significant issues for concern. She stated this was an appropriate and sustainable countryside development that was perfectly suited to this site.

Councillor J J Taylor stated that Officers had considered

the scheme to be generally acceptable in relation to the rural character of the area, with minimal encroachment into the countryside. Councillor R N Copping commented that traffic was not an issue as significantly more vehicle movements were caused by the zoo opposite this site.

Councillor J Demonti stated that this was a material change of use and kennels tended to be located away from houses, whereas this scheme was only 25 metres from existing residential development and 5 metres from a proposed new dwelling.

Councillor Demonti commented that this application was contrary to policies GBC9, TR7, ENV24 and PPG2, which stated that special circumstances must be demonstrated before development was approved in the green belt. She stated that no such special circumstances had been demonstrated in this case.

The Director advised that hunt kennels and boarding kennels were what Officers referred to as Sui Generis in that these uses do not fit into any of the established use classes. As such, and bearing in mind the material differences between the two uses, this application did constitute a material change of use.

The Committee was advised that kennels can be located in rural areas and in many cases they had to be. The Director stressed that Officers felt this was inappropriate development in the green belt, particularly as the application involved substantial alterations to the building and not just the re-use of a redundant agricultural building.

The Director stated that noise was an issue for concern, particularly for the outdoor areas which were impossible to sound proof. Officers were also concerned that insufficient information had been submitted in relation to traffic generation.

Councillor J J Taylor proposed and Councillor R N Copping seconded, a motion that application

3/10/2154/FP be granted on the grounds that this scheme was an appropriate and acceptable countryside usage in the green belt.

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

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/2154/FP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/10/2154/FP, planning permission be refused for the following reasons:

1. Within MGB – EHLP (R021)
2. Insufficient information has been submitted to demonstrate that the building does not require complete or substantial reconstruction before adaptation to the new use, and the proposed conversion includes substantial extensions and physical alterations that would be unsympathetic to the character and appearance of this simple rural building, and intrude into the openness of the Green Belt. The proposal is therefore contrary to policies GBC1 and GBC9 of the East Herts Local Plan Second Review April 2007.
3. The proposed development would be likely to result in harm to neighbour amenity by way of noise disturbance, contrary to policy ENV24 of the East Herts Local Plan Second Review April 2007.
4. Insufficient information has been submitted on anticipated vehicular movements and staff numbers to properly determine the impact of the development on the rural highway

network, disturbance to adjacent neighbouring property, and the associated on-site parking provision. The proposal is therefore contrary to policies TR7 and TR20 of the East Herts Local Plan Second Review April 2007.

598 A) 3/10/2229/FP AND B) 3/10/2230/LB - SINGLE STOREY REAR FLAT ROOFED EXTENSION TO ADMINISTRATION BLOCK AT WARESIDE PRIMARY SCHOOL, WARESIDE, WARE, SG12 7QR FOR MRS ELAINE BATTEN

The Director of Neighbourhood Services recommended that, in respect of applications 3/10/2229/FP and 3/10/2230/LB, planning permission and listed building consent be granted subject to the conditions now detailed.

The Committee supported the recommendations of the Director of Neighbourhood Services that applications 3/10/2229/FP and 3/10/2230/LB be granted subject to the conditions now detailed.

RESOLVED – that (A) in respect of application 3/10/2229/FP, planning permission be approved subject to the following conditions:

1. Three year time limit (1T12)
2. Sample of materials (2E12)
3. Approved plans (2E102) (3251001, 3251002, 3251003, 3251004).

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies GBC3, ENV1, LRC1, TR7 and Planning

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

(B) in respect of application 3/10/2230/LB, listed building consent be approved subject to the following conditions:

1. Listed building three year time limit (1T14)
2. Samples of materials (2E12)
3. Listed building (making good) (8L10).

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular Planning Policy Statement 5: Planning for the Historic Environment. The balance of the considerations having regard to that policy is that permission should be granted.

599 3/11/0017/FP - EXTENSIONS TO EXISTING SALES BUILDING WITH REPOSITIONED DISABLED PARKING BAY, NEW COMPOUND AREA AND NEW PLANT AREA AT HOWE GREEN SERVICE STATION, BALDOCK ROAD, BUNTINGFORD, SG9 9EG FOR BP OIL UK LTD

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0017/FP, planning permission be granted subject to the conditions now detailed.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0017/FP

be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0017/FP, planning permission be granted subject to the following conditions:

1. 3 Year time limit (1T12)
2. Approved plans (2E10) Plan refs: 12931-20, 12931-21A, 1
3. Tree retention and protection (4P05)
4. Contaminated land survey and remediation (2E33)
insert '*including a verification report*'
5. Prior to the commencement of the development hereby approved, a scheme for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented prior to the first use of the development.

Reason: To prevent the pollution of the water environment and safeguard the residential amenities of nearby properties in accordance with policies ENV1 and ENV20 of the East Herts Local Plan Second Review April 2007.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular policies SD2, GBC2, GBC3, TR7, TR23, ENV1, ENV2, ENV4 and ENV26. The balance of the considerations having regard to those policies and the permission

granted under LPA Ref 3/09/0688/FP is that permission should be granted.

600 3/11/0104/FN - REPLACEMENT OF FLAT ROOF WITH PITCHED ROOF, RENEWAL OF LPA REFERENCE 3/08/0565/FP AT 18 CHANTRY ROAD, BISHOP'S STORTFORD, CM23 2SF FOR MR A BROWN

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0104/FN, planning permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0104/FN be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0104/FN, planning permission be granted subject to the following conditions:

1. Three year time limit (1T121)
2. Matching materials (2E13)

Directive:

1. Other legislation (010L1).

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular saved policies ENV1, ENV5 and ENV6. The balance of the considerations having regard to those policies and LPA reference 3/08/0565/FP is that permission should be granted.

601 3/10/2177/FP - CONSTRUCTION OF A BASEMENT BELOW THE EXISTING DWELLING AT SCHOLARS HILL HOUSE, SCHOLARS HILL, HELHAM GREEN, WARESIDE, WARE, SG12 7RE FOR MR MURRELL

The Director of Neighbourhood Services recommended that, in respect of application 3/10/2177/FP, planning permission be granted subject to the conditions now detailed.

The Director referred Members to the additional representations schedule for a revised version of the second condition as follows:

‘Prior to the commencement of the development hereby permitted, details of the proposed means of disposal of the excavated spoil from the development shall be submitted to and approved in writing by the local planning authority. Thereafter, the soil disposal shall be carried out in accordance with those approved details unless otherwise agreed in writing.

Reason: In the interests of the appearance of the site, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007’.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/2177/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/2177/FP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (1T121)
2. Prior to the commencement of the development hereby permitted, details of the proposed means of disposal of the excavated spoil from the development shall be submitted

to and approved in writing by the local planning authority. Thereafter, the soil disposal shall be carried out in accordance with those approved details unless otherwise agreed in writing.

Reason: In the interests of the appearance of the site, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

3. Approved plans (2E10) – 10-1862-000; 10-1862; 6215se-01.

Directive:

1. Other legislation (01OL1).

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular saved policies GBC3, ENV1, ENV5 and ENV6. The balance of the considerations having regard to those policies and the limited harm to the character and appearance or openness of this rural site from the development, is that permission should be granted.

602 3/10/2244/FP - TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSIONS AT 27 CHURCH ROAD, LITTLE BERKHAMSTEAD, HERTFORDSHIRE FOR MR ROBERT BEECH

The Director of Neighbourhood Services recommended that, in respect of application 3/10/2244/FP, planning permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the

Director of Neighbourhood Services that application 3/10/2244/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/2244/FP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (IT12)
2. Approved Plans (2E10)1601-01a, 1601-02a, 1601-03c, 1601-04c, 1601-05a, 1601-06c, 1601-07b.
3. Matching Materials (2E13)

Directive:

1. Other Legislation (01OL)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies GBC1, ENV1, ENV5 and ENV6. The balance of the considerations having regard to those policies is that permission should be granted.

603 3/11/0050/FP - RAISE ROOF AND INSERT 4NO DORMERS TO CREATE FIRST FLOOR ACCOMMODATION, NEW FRONT BAY WINDOW AND CANOPY, CONVERSION OF GARAGE TO HABITABLE ROOM AT ELM SIDE, HORSESHOE LANE, GREAT HORMEAD, BUNTINGFORD, HERTS, SG9 0NQ FOR MR DAVID WHITE

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0050/FP, planning

permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0050/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0050/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Sample of materials (2E12)
3. Approved plans (2E10) (Location Plan, D100502/1, D100502/2B, D100502/3A).

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies GBC3, ENV1, ENV5, ENV6 and TR7. The balance of the considerations having regard to those policies and the planning permission granted under LPA reference 3/10/0985/FP is that permission should be granted.

604 3/11/0079/FP - CONVERSION AND EXTENSIONS AND ALTERATIONS TO EXISTING SHEDS TO PROVIDE 6 LIVE WORK UNITS AT MONKS GREEN FARM, MONKS GREEN LANE, BRICKENDON FOR WILLIAM ASHLEY AND PARTNERS

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0079/FP, planning permission be granted subject to the conditions now detailed.

In response to a query from Councillor R Gilbert in respect of extant planning permission for application 3/08/1739/FP, the Director confirmed that this application remained extant and it would be a matter for the applicant to decide which planning application to implement.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0079/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0079/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Boundary walls and fences (2E07)
3. Materials of construction (2E11)
4. Refuse disposal facilities (2E24)
5. Lighting details (2E27)
6. Contaminated land survey and remediation (2E33)
7. New doors and windows (2E34)
8. Prior to the first occupation of the development hereby approved, the parking areas shown on the approved plans shall be provided and retained at all times thereafter.

Reason: To ensure a high quality site layout and adequate off street parking provision for the development in the interests of highway safety, in accordance with Policy ENV1 and TR7 of the East Herts Local Plan Second Review April 2007.

9. Landscape design proposals (4P12) parts d, e, i, j, k and l
10. Landscape works implementation (4P13)
11. Live/work units (5U14)
12. No external storage (5U07)
13. No external working (6N06)
14. Approved plans (2E10) – 11/MGF/SC/01A, 11/MGF/SC/02A, 11/MGF/SC/03A.

Directive:

1. Other Legislation (01OL)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and East Herts Local Plan Second Review April 2007), and in particular policies GBC1, GBC9, GBC10, TR7, EDE7, ENV1, BH1, BH2 and BH3. The balance of the considerations having regard to those policies and PPG2 is that permission should be granted.

605 E/10/0095/A - UNAUTHORISED CHANGE OF USE OF LAND AND UNAUTHORISED ERECTION OF TREE HOUSE AND WALKWAY AT 1 HENDERSON PLACE, EPPING GREEN, HERTFORD, HERTS, SG13 8GA

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/10/0095/A, enforcement action be authorised on the basis now detailed.

In response to queries from Councillors R N Copping and R Gilbert, the Director confirmed that Officers could stipulate that the trees that had been lost as a direct result of the unauthorised works must be replaced.

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the sites relating to E/11/0095/A on the basis now detailed.

RESOLVED – that in respect of E/10/0275/B, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to take enforcement action under s.172 of the Town and Country Planning Act 1990 and any such further steps as may be required to cease the unauthorised use of the land and to secure the removal of the tree house and walkway.

Period for compliance: 3 months

Reason why it is expedient to issue an enforcement notice:

1. The unauthorised change of use of the land from woodland to garden land represents an incursion into the countryside which has an adverse effect on the character and appearance of the local landscape, and the potential to adversely affect wildlife within the woodland. It is therefore contrary to policies ENV1, ENV2, ENV7, ENV16 and ENV17 of the East Herts Local Plan Second Review April 2007 and national policy contained in PPS1 and PPS9.

606 UPDATE ON ENFORCEMENT STATISTICS AND AUTHORISED ACTION

The Director of Neighbourhood Services submitted a report updating Members on recently authorised enforcement action.

In response to comments from Councillor M R Alexander on the Esbies Estate making up a majority of outstanding Enforcement Cases, the Committee requested that Officers report back following the outcome of the forthcoming public enquiry for this site.

The Director stated that Officers hoped to be in a position to report back in July or August 2011.

The Committee noted the report as now detailed.

RESOLVED – that the report be noted.

607 VALIDATION OF PLANNING APPLICATIONS - 'LOCAL LIST' CONSULTATION

The Head of Planning and Building Control submitted a report inviting the Committee to approve a revised 'local list' of validation requirements for planning applications.

The Committee received the report.

RESOLVED – that (A) the proposed amendments to the 'local list' of validation requirements be endorsed; and

(B) the adoption of the revised list for Development Control purposes from 1st April 2011 be approved.

608 ITEMS FOR REPORTING AND NOTING

RESOLVED – that the following reports be noted:

(A) Appeals against refusal of planning permission / non determination;

(B) Planning Appeals lodged; and

(C) Planning Appeals: Inquiry and Informal Hearing dates.

The meeting closed at 8.53 pm

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 10 MARCH
2011, AT 4.30 PM

PRESENT: Councillor M P A McMullen (Chairman)
Councillors W Ashley, P R Ballam,
A L Burlton, K A Barnes, R Beeching,
Mrs R F Cheswright, J Demonti, N C Poulton,
P A Ruffles, J J Taylor, R I Taylor and
N Wilson

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Assistant
Paul Newman	- Interim Licensing Manager

609 APOLOGIES

An apology for absence was submitted on behalf of Councillor B M Wrangles.

610 CHAIRMAN'S ANNOUNCEMENTS

The Chairman said there was an update in relation to Early Morning Restriction Orders. It was reported that in respect of Early Morning Restriction Orders, which Officers hoped to apply flexibly between midnight and 6 am.

The Authority now had much stronger powers to remove licences from or refuse to grant licences to any premises that had caused problems in the local area.

The Interim Licensing Manager stated that the aim was to extend the flexibility of Early Morning Restriction Orders to provide licensing authorities with an additional tool to

shape and determine local licensing. Such an order could stipulate that a licensed premises must close at midnight and could not re-open until 6 am.

Members were advised that a local levy could be applied as an additional fee when an application was received for a premises licence. The funds could then be used to support taxi marshalling or more generally to address issues arising from the night time economy.

The Licensing Process Manager stated that the Authority must determine how to apply these additional powers, the police as a responsible authority may have some helpful views on this issue.

611 MINUTES

RESOLVED – that the minutes of the meeting held on 4 November 2010 be confirmed as a correct record and signed by the Chairman.

612 LICENSING SUB-COMMITTEE

RESOLVED – that the Minutes of the meetings held on 14 and 25 October, and 6 December 2010 be received.

613 ATTENDANCE AT LICENSING SUB-COMMITTEE

The Director of Internal Services submitted a report on details of Members' attendance at meetings of the Licensing Sub-Committee held since 12 May 2010.

The Committee received the report.

RESOLVED – that the report be received.

614 LICENSING UPDATE - QUARTER 4 2010

The Director of Neighbourhood Services submitted a report presenting licensing data for the last quarter of

2010. This included information on alcohol, entertainment and late night refreshment licences under the Licensing Act 2003; gaming licences under the Gambling Act 2005 and taxi drivers', vehicle proprietors' and operators' licences.

The Licensing Process Manager advised that the Statement of Licensing Policy had been approved by Council and would be published shortly.

The Committee was advised that the applicant for the Premises Licence at the former Chicago Rock Café in Bishop's Stortford was entitled to open the premises as No Where Bar, subject to the terms of the decision notice. Members were advised that the premises had not opened as the venue was being refurbished. The fact that the applicant had appealed to the magistrates court did not prevent the premises from opening as the appeal did not relate to a review.

The Committee was advised that, following the District and Parish Elections in May, Members would be offered Licensing Training in partnership with St Albans City and District Council. Key topics for this training would be the Licensing Act and Gambling Legislation.

The Interim Licensing Manager advised that funding from the County Council had been secured for head cams for Taxi Marshalls. CCTV was also available and appropriate signage was in place.

In response to a query from Councillor Mrs R F Cheswright, Members were advised that 50% of the funding had come from Hertfordshire County Council, so long as East Herts Council could match fund this support. Hertford Town Council had pledged £5,000. The Head of Community Safety and Licensing had applied for grant funding for the year ahead.

The Committee was advised that the Licensing Enforcement Team had achieved a 95% collection rate in

respect of renewal fees. Where fees had not been paid, this could justify a risk rating inspection by Officers.

The Enforcement Team had worked particularly hard to ensure taxi driver and vehicle information was up to date. A rolling 2 year penalty points system had been introduced for taxi drivers' licences.

In response to a query from Councillor R I Taylor, Members were advised that there would be a scale of penalty points for various offences. The Licensing Process Manager stressed that although this would mean less cases being reported to the Sub-Committee or the magistrates court, the more serious cases would appear before Members.

Members were advised that the numbers of applications for Temporary Event Notices (TENS) had increased in the run up to Christmas 2010. The number of applications for taxi driver/vehicle licences had also increased.

The Licensing Process Team had dealt with a steady flow of 431 applications for quarter 4 in 2010. There had been five Sub-Committee meetings, of which the review hearing for The Sugar Hut in Hertford had proved the most challenging.

The Committee received the report.

RESOLVED – that the report be received.

615 CERTIFICATION OF FILMS

The Director of Neighbourhood Services submitted a report informing Members of the Licensing Authority powers under the Licensing Act 2003 to authorise public screening of films.

It was reported that the Licensing Authority had responsibility for authorising public film exhibitions. Premises Licences and Club Premises Certificates that

authorised film exhibition had to include a condition that admission of children to films be restricted in accordance with recommendations given by the British Board of Film Censors (BBFC) or Licensing Authority. The Licensing Authority had to take Statutory Guidelines into account when authorising films.

The Licensing Authority might consider a request to authorise a film which had been classified by the BBFC where a distributor was appealing against the decision of the BBFC or an independent party requested that the Licensing Authority reclassified or authorised the film for local screening.

The Licensing Authority should be primarily concerned with the protection of children from harm. It should refer to the BBFC guidelines which were nationally accepted and understood. Film exhibition authorisations would only apply to the area covered by the Licensing Authority.

Details of certification (including age restrictions) could be included on the Council's website. It was the applicant's responsibility to ensure the film did not contravene the law.

The Licensing Committee was asked to decide whether film certification should be delegated to Officers and the Licensing Sub-Committee in accordance with the procedure set out in Essential Reference Paper 'B' of the report now submitted.

Councillor R I Taylor stated that Local Authorities in London often issued certificates where general certification by the BBFC had not resulted in a film being rated as 18. In response to a query from Councillor N C Poulton in relation to holiday videos, Members were advised that a certification by the Authority would be required for a public viewing or where the public had been invited to regulated entertainment where there was a charge for attending.

The Interim Licensing Manager stated that a sensitive local issue in East Herts could result in a request for a film to be reclassified. The Committee was advised that there was a risk of the Authority receiving frivolous applications.

Members were advised of the circumstances whereby the Authority could receive a request to authorise the re-classification of a film. Members might also have to authorise the rating of a movie that was unclassified by the BBFC.

In addition, the Licensing Authority might be requested to authorise a small scale unclassified film e.g. for a film festival or a one-off showing or a trailer, which may not have a BBFC Classification. In most cases however the issue of a film certification would not be necessary as most films already have a BBFC rating.

The Interim Licensing Manager stated that decisions could be delegated to Officers in certain circumstances. Officers could make a decision on a film that was clearly worthy of a U or 18 rating. In response to a comment from Councillor Poulton on what constituted a film, Members were advised that a film was any exhibition of moving pictures.

Applicants were required to apply not less than 28 days prior to an event. Officers would be reactive in relation to such requests.

In relation to a query from Councillor R I Taylor regarding R18 rated movies being shown in sex shops, Members were advised that there were no R18 rated cinemas in East Herts and similarly there were no sex shops authorised to sell such movies. R18 rated films could not be sold by mail order. On that basis, the Authority would not consider applications for R18 style movies where there was no BBFC classification.

Councillor Poulton asked how the Authority would publicise the new arrangements. The Interim Licensing

Manager stated that it was for applicants to be aware of the new regulations. It was not the role of Officers to publicise the new guidance around BBFC classifications.

RESOLVED – that the power to issue certificates authorising film exhibitions be delegated to Officers and the Licensing Sub-Committee.

616 LICENSING IMPLICATIONS OF ROYAL WEDDING

The Director of Neighbourhood Services submitted a report on the relaxation of licensing laws for the Royal Wedding on 29 -30 April 2011 and some ancillary information about road closures for street parties.

The Government had decided that an additional 2 hours for alcohol sales would be allowed on alcohol licensed premises from 1 am. Some Temporary Event Notices (TENs) were anticipated for street parties where no alcohol would be served, although the number of applications should be low. Hertfordshire County Council had agreed to administer road closures for street parties to celebrate the event.

The Committee received the report.

RESOLVED – that the report be received.

617 TAXI PARKING ENFORCEMENT

The Director of Neighbourhood Services reported on taxi parking in Hertford. This had been investigated following concern expressed by Members at the previous meeting.

Taxis had been queuing outside the designated taxi rank in Railway Street. These were partially parked on the footway posing a safety hazard to pedestrians. The Parking Manager had been asked to ensure that parking restrictions were enforced in the area particularly through the issue of Penalty Charge Notices (PCNs). He had been asked to liaise with the Police to enlist their support.

The Parking Manager had suspended the five minute observation period in Railway Street. He reported that parking enforcement had been carried out at hourly intervals, despite some hostility and threats to Civil Enforcement Officers (CEOs) from taxi drivers. 3 PCNs had been issued but none of these went to taxi drivers as they moved away when approached.

Parking Services proposed to advertise a Traffic Regulation Order designating the Fore Street rank the main rank for the town and converting some bays to free parking for a short period. This might help the problem.

In response to a number of concerns from Members, the Interim Licensing Manager advised that Officers had not encountered any resistance from Hertford's taxi drivers, which would tend to indicate that they were not worried about losing trade.

Councillor J Demonti said that taxi drivers should be issued penalty points for abusive behaviour towards CEOs.

The Committee received the report.

RESOLVED – that the report be received.

618 TAXI LICENSING FEES

The Director of Neighbourhood Services submitted an update in respect of changes to fees and charges in relation to Taxi Licensing, which had been subject to consultation and would come into effect on 1 May 2011.

The increases equated to an 11% rise. A new driver would now pay £200, half of which was a deposit with the remainder paid on approval of the licence. The fee for renewing a licence would be £100.

The Committee noted the report.

RESOLVED – that the report be noted.

The meeting closed at 5.53 pm

Chairman

Date

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MINUTES OF A MEETING OF THE
ENVIRONMENT SCRUTINY COMMITTEE
HELD IN THE WAYTEMORE ROOM,
COUNCIL OFFICES, THE CAUSEWAY,
BISHOP'S STORTFORD ON TUESDAY 15
MARCH 2011, AT 7.00 PM

PRESENT: Councillor Mrs D L E Hollebon (Chairman)
Councillors W Ashley, Mrs M H Goldspink,
P Grethe, G McAndrew, M Newman,
N C Poulton and R Beeching

ALSO PRESENT:

Councillors M R Alexander, D Andrews,
K A Barnes and R I Taylor

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Cliff Cardoza	- Head of Environmental Services
Marian Langley	- Scrutiny Officer
Andrew Pulham	- Parking Manager
George A Robertson	- Director of Customer and Community Services
David Thorogood	- Environmental Co-Ordinator

619 APOLOGIES

An apology for absence was received from Councillor A L Warman. It was noted that Councillor R H Beeching was in attendance as substitute for Councillor A L Warman.

620 MINUTES

RESOLVED – that the Minutes of the meeting held on 16 November 2010 be confirmed as a correct record and signed by the Chairman.

621 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to the recent sad news concerning Councillor D A A Peek and requested that Members stand and observe a minute's silence.

The Chairman welcomed members of the Public and Councillor M Newman to his first meeting of the Committee. The Chairman referred to the fact that it was the last meeting of the Civic Year and thanked Members and Officers for their continued support and hard work.

Members supported Councillor M H Goldspink when she thanked Councillor D L E Hollebon for her Chairmanship of the Environment Scrutiny Committee.

622 DECLARATIONS OF INTEREST

Councillor Mrs M H Goldspink declared a personal interest in Minute 624 (Oak Tree Close Residents' Car Park) in that she used the local printing facilities of Anchor Press.

623 OAK TREE CLOSE RESIDENTS' CAR PARK

The Chairman welcomed Mr Grainger to the meeting. Mr Grainger thanked the Chairman and Members for the opportunity to speak and gave a short presentation (details as set out in Essential Reference Paper 'A' to these Minutes) explaining why the off-street car park (used for the benefit of local residents) was so important to local residents.

The Parking Manager provided the background to the parcel of land used as a local car park. The Officer

explained that the car park had spaces for approximately 22 vehicles and that it was leased and managed by the local Residents' Association, which paid the Council a rent of £300 per annum.

The Parking Manager explained that the original proposal to include the car park within the existing on-street permit parking scheme, which would make the car park available to all householders in the area, had evoked strong interest from ward councillors and local residents. The proposal was withdrawn and the matter referred to this Committee for further discussion. The Parking Manager confirmed that, since the introduction of the on-street parking scheme in "Newtown", there have been no complaints claiming a lack of on-street parking in the area. As such, the Parking Manager confirmed that the service had no current interest in absorbing the car park into the surrounding "Newtown" residents' permit parking scheme.

Councillor Mrs M H Goldspink thanked the Executive and the Chairman for allowing Members to consider the matter further following a decision to "call in" the issue. She explained how well the car park was managed and how closely tied in and necessary the car park was to the community.

Councillor Goldspink stated that if the car park was taken back by the Council, then the fine balance of the area would be upset and parking would go further afield. She explained how two particular local businesses relied on the car spaces and that should the car park be lost, the commercial and community viability of their businesses might be compromised.

Councillor Goldspink emphasised that there was no need for the Council to take back the car park. Residents paid rent to the Council and the Residents' Association managed the car park. She added that individual residents also paid their own Council Resident Parking Permit and of the damage which would ensue to local

businesses if the Council took back the car park. Councillor Goldspink urged Members to allow the current arrangement to continue.

Councillor K A Barnes supported a request that the existing arrangement be allowed to continue adding that the arrangement worked well for the area.

Councillor G McAndrew drew Members' attention to the report which stated that the Parking Service had confirmed that it had no current interest in absorbing the car parking into the surrounding "Newtown" resident permit parking scheme on traffic management grounds, as on-street parking provision in the area appeared sufficient for residents' current needs.

Councillor N C Poulton drew Members' attention to the options contained in the report now submitted, specifically that should the car park not be absorbed into the surrounding on-street scheme as there was no evidence it was needed. He stated that the report referred to the fact that other options for its future might arise including allowing the current arrangements to continue indefinitely, or that this might necessitate revising the current rent or even selling the land.

Members supported a request that the car park be not absorbed and that the matter be referred back to the Portfolio Holder for decision in the light of Members' comments and the contribution from the public as detailed at Essential Reference Paper 'A' to these Minutes.

RESOLVED – that that the matter be referred back to the Portfolio Holder for decision together with Members' comments and the contribution from the Residents' Association, as detailed at Essential Reference Paper 'A' to these Minutes.

624 EAST HERTS CLIMATE CHANGE ACTION PLAN ANNUAL
REVIEW OF PROGRESS

The Acting Chairman of the Climate Change Task and Finish Group submitted a report on the progress made in implementing the agreed actions contained within the Climate Change Action Plan attached to the report now submitted. Subsequently, the Task and Finish Group had met on 17 February 2011 to review progress to date and made a number of additional amendments, which it wished to see included within the Action Plan. These were set out in the report now submitted.

Councillor Mrs M H Goldspink raised the issue of the success of the Hertford Film Festival and queried whether it was possible to hold such an event in Bishop's Stortford. The Environmental Coordinator confirmed that there had been a community partnership approach to the event which had contributed to its success.

The Head of Environmental Services explained that the event was planned and managed by a number of local environmental community groups and the location of events would be determined by them. He agreed to raise with them the possibility that such an event could be held in Bishop's Stortford. The Director of Customer and Community Services referred to the need to identify resources for such an event.

The Chairman referred Members to the Action Plan and to the additional comments raised by the Task and Finish Group on a number of Actions for inclusion in the Action Plan. Clarification was provided on a number of matters contained therein.

In response to a query from Councillor M Newman concerning the Gas Flow Regulator, the Environmental Coordinator confirmed that this would allow, via smart metering, monitoring of how much energy was being used on a daily basis.

Councillor R H Beeching raised the issue of energy consumption and condensation at swimming pools (Action 1.31) and asked whether SLM were contributing to the cost of the pool covers. The Director of Customer and Community Services was confident that covers had already been fitted at Hartham and Grange Paddocks. He undertook to write to Members confirming the position on the shared use pools.

Members noted the progress made contained in the Action Plan and the additional points for inclusion in the Action Plan be agreed subject to the following time scale amendments to two of the points:

Action Plan 1.33 – that the supply of bottled water in Room 27, Wallfields, should cease when the contract terminates and if possible, by the end of June 2011.

Action Plan 3.6 – that all laser printers and copiers be set to automatically default to double sided printing by the end of the Civic Year. It was also suggested that consideration be given to this facility to be rolled out to new Councillors following the May 2011 elections. It was noted by Councillor R I Taylor, however, that the future provision of printers to Members was a matter already under discussion by the C3W IT Member/ Officer working group.

RESOLVED – that (A) the progress achieved by the Climate Change Task and Finish Group in relation to the implementation of the East Herts Climate Change Action Plan be noted;

(B) the Action Plan be amended as follows:

(1) Action Plan 1.33 – that the supply of bottled water in Room 27, Wallfields, cease when the contract terminates and if possible, by the end of June 2011; and

(2) Action Plan 3.6 – that all laser printers and

copiers be set to automatically default to double sided printing by the end of the Civic Year.

625 ENVIRONMENT SCRUTINY HEALTH CHECK - OCTOBER 2010 TO JANUARY 2011

The Director of Customer and Community Services submitted a report on the performance of key indicators relating to Environment Scrutiny during the period October 2010 and January 2011.

Councillor P Grethe referred to the significant increase in the number of Planning Appeals and the costs involved. The Director of Customer and Community Services confirmed that he would ask the Head of Planning and Building Control to respond separately.

Councillor M Newman queried the discontinuance of two building control Performance Indicators and whether there were any costs incurred by the Council and whether any costs were incurred when the Council won on an appeal. He questioned whether the fact that they were not monitored was a consequence of an increase in planning appeals.

The Director of Customer and Community undertook to ask the Head of Planning and Building Control and would respond separately on this matter.

Members received the report.

RESOLVED – that the report be received.

626 SCRUTINY WORK PROGRAMME 2011/12

The Committee considered items for scrutiny during the Civic Year 2011/12 and additional items for inclusion within the Committee's Work Programme. These were set out in the report now submitted. Additionally, following the scrutiny evaluation and planning sessions and consultation with Scrutiny Chairmen, Members were

provided with a wider list of potential topic interests which Scrutiny could investigate, resources permitting and the priorities of the Council.

The Scrutiny Officer advised that the public would also be invited to submit their suggestions via an article the Link Magazine.

Members noted the work programme and supported a suggestion that Task and Finish Groups be established for Transport and Parking and Environmental Crime and that anticipated timeframe for a report back to Environment Scrutiny Committee might be November 2011.

RESOLVED – that the work programme be noted and amended by the inclusion of the Task and Finish Groups for Transport and Parking and Environmental Crime.

The meeting closed at 8.05 pm

Chairman
Date

MINUTES OF A MEETING OF THE
COMMUNITY SCRUTINY COMMITTEE
HELD IN THE WAYTEMORE ROOM, THE
CAUSEWAY, BISHOP'S STORTFORD ON
MONDAY 21 MARCH 2011, AT 7.00 PM

PRESENT: Councillor C Woodward (Chairman)
Councillors S A Bull, E Buckmaster and
A D Dodd

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Marian Langley	- Scrutiny Officer
Will O'Neill	- Head of Community and Cultural Services
Mekhola Ray	- Community Projects Team Manager
George A Robertson	- Director of Customer and Community Services
Brian Simmonds	- Head of Community Safety

627 APOLOGIES

Apologies for absence were submitted from Councillors P R Ballam, D Hone, G. Lawrence, V Shaw and J J Taylor. It was noted that Councillor S A Bull was substituting for Councillor P R Ballam.

628 MINUTES

The Minutes of the meeting held on 25 January 2011 were submitted.

In respect of Minute 526 – Annual Review of the Leisure Contract – Presentation by SLM, the Chairman queried whether Councillor P R Ballam had been provided with a report from SLM concerning the delivery of a leaflet detailing the leisure facilities in South Cambridgeshire and not East Herts. The Head of Community and Customer Services undertook to provide a written response to Councillor P R Ballam if necessary.

In respect of Minute 527 – East Herts Housing Strategy Action Plan: Update, Members queried whether a summary of the Registered Social Landlords audit of occupation of their properties had been finalised. Officers undertook to investigate the matter and provide a written response.

RESOLVED – that the Minutes of the meeting held on 25 January 2011 be confirmed as a correct record and signed by the Chairman.

629 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to the recent sad loss of Councillor J Hedley. The Chairman, on behalf of Members, offered his sincere condolences to his family.

The Chairman stated that this was his last meeting for the Civic Year. He expressed his appreciation to all Members for their diligence and support and to Officers who had presented their reports to the Committee. He offered his specific thanks to the Scrutiny Officer and the Committee Secretary for their support in guiding his Chairmanship. In response, Councillor A D Dodd thanked Councillor C Woodward for his Chairmanship.

630 HEALTH ENGAGEMENT PANEL

Councillor D M Hone, Chairman of the Health Engagement Panel submitted her apologies following a recent accident. In her absence, the Chairman read out a written update from her. It was noted that Hertfordshire

County Council's Health Scrutiny Committee which would have been held on 6 April 2011, had been cancelled. The Chairman, on behalf of Members wished her a speedy recovery.

The Minutes of the Health Engagement Panel held on 14 February 2011 were received.

RESOLVED – that (A) the Minutes of the Health Engagement Panel held on 14 February 2011 be received; and

(B) the update provided from the Chairman of the Health Engagement Panel be noted.

631 “EVERYONE MATTERS” - A SUSTAINABLE COMMUNITY STRATEGY FOR EAST HERTS

The Head of Community and Customer Services submitted a report updating Members about “Everyone Matters” – A Sustainable Community Strategy (SCS) for East Herts 2009 – 2024 together with an Action/Delivery Plan.

It was noted that the Action Plan contained 72 activities/projects within key themes which were set out in the Essential Reference Paper, attached to the report now submitted. Members’ comments were sought on the proposed Action Plan which would be submitted to the Local Strategic Partnership Board, for further consideration.

The Director of Customer and Community Services reminded Members that the Sustainable Community Strategy (SCS) was a partnership document, which had brought positive benefits to the people in East Herts.

The Chairman referred Members to the Action Plan. Members made the following comments:

- Reduce levels of acquisitive crime in the district

though joint working with partners and engagement with the community:

Councillors A D Dodd and S A Bull referred to the important role of public meetings like Community Voice in engaging with the public. Councillor E Buckmaster stated that the Sawbridgeworth Community Voice was well supported.

- Furniture Re-Use Project:

Councillor A D Dodd stated that a lot of furniture was not acceptable because it might not comply with fire regulations and it was important for the scheme to avoid getting 'overloaded' with items it could not use.

- Village Hall Broadband Project:

Councillor E Buckmaster referred to a scheme operated by Swindon Council. He undertook to provide the Director of Customer and Community Services with the information.

- Apprenticeship opportunities:

The Chairman queried the Council's role in providing apprenticeship opportunities. The Director advised that the Council already had a trainee Personal Assistant, and an apprentice would shortly be commencing employment at Hertford Theatre. The Director stated that the Council had written to its main contractors advising them of the benefits of using apprentices. The Chairman asked whether it would be possible to establish whether these third parties had taken advantage of the Apprenticeship Scheme. The Director of Customer and Community Services undertook to investigate and advise Members.

- Broxbourne Health Shuttle:

The Chairman referred to the Broxbourne Health Shuttle and the need to think about a similar scheme in other

areas and referred to the use of a mini bus around Bishop's Stortford so that residents could access hospitals. It was acknowledged that some areas were not commercially viable to some mini-bus providers and that the community should step in to fill this gap.

- Learning Partnership Target aimed at residents in Sele and Havers Estates:

The Chairman referred to the need to obtain up to date ward profiles. The Scrutiny Officer advised that this was in hand and new ward profiles would be part of the information pack for every councillor elected in May.

- Working with Jobcentre Plus and their Contractors:

The Director of Customer and Community Services advised Members that the Jobcentre had been offered the use of office space in Charringtons House, but had not taken this up.

- Working with HCC to promote modal shift through better signage of cycle and walking routes:

Councillor A D Dodd raised concerns about the Sustrans decision to have a cycle route through from Harlow to Bishop's Stortford which was not then actioned as part of the route was considered inappropriate. Councillor A D Dodd also expressed his concern regarding the excessive amount of old street signs and unused posts and that this clutter should be reduced. The Chairman agreed that this was something which needed to be considered with its Partners.

- Pursue offer from NHS and HCC for a co-funded officer to co-ordinate on transport arrangements to hospitals, etc:

Councillor S A Bull referred to the fact that many people were not advised of what help they could secure to and from hospitals. He said that some GP's offered transport

services to patients but some did not and that there needed to be consistency in the way eligibility was applied.

- Develop “Friends of” groups to help manage our principal parks and open spaces:

Councillor A D Dodd referred to Pishiobury Park and the fact that the local Sawbridgeworth Scouts’ group were unable to find a base. He suggested that the southern end of the park could offer a suitable base for the Scouts to establish a hut. Councillor E Buckmaster advised that the Scouts were currently negotiating with a landowner and that they may no longer be looking for a base. The Chairman suggested that Officers make contact with Southern Country Park to see what could be done.

- Develop a Sports and Active Recreation Facilities Strategy and audit in partnership with Sport England:

The Chairman advised that this had been completed in other places and the East of England had liked it so much they intended to use the arrangement throughout England. Members supported its inclusion of this issue on the Community Scrutiny work programme for the June 2011 meeting.

The Director of Customer and Community Services reminded Members of the financial constraints placed on the Council in terms of reduced Government funding and how this would impact on the provision of its services.

Members received the report and asked that their comments be forwarded to the Local Strategic Partnership (LSP) Board, where appropriate.

RESOLVED – that the report be received and that Members’ comments be forwarded to the Local Strategic Partnership Board.

632 CRIME AND DISORDER: CRIME AND PERCEPTION OF

CRIME

The Head of Licensing and Community Safety submitted a report about crime and the perception of crime in East Herts. It was noted that whilst crime and antisocial behaviour problems were relatively low in East Herts, the fear of crime was relatively high. Members were advised that crime detection in the District was 36.02% set against a national crime detection figure of 22%.

The report and supporting Essential Reference Papers provided data on main crime types broken down into areas and how East Herts' compared with similar group areas. The report also provided background information on four crime types which had not reduced this year relating to vehicle crime, robbery, serious acquisitive crime and burglary (sheds and theft of lead, etc).

The Head of Licensing and Community Safety explained the difficulties in data capture which was mostly attributable to how individual partner, e.g. the Police, Housing Associations collated information on their own systems.

Members were provided with clarification on the statistics as presented. Councillor A D Dodd referred to the positive news in relation to anti-social behaviour, which he attributed to the contribution of Police Community Support Officers (PCSOs) and Street Pastors.

The issue of Police meetings was considered. The Chairman said that there needed to be better liaison by the Police with the Council about when these meetings were held. He referred to the fact that the Council published all its meetings well in advance.

In relation to the perception of crime, the Chairman queried whether there was an opportunity to raise concerns and work with local residents. The Head of Licensing and Community Safety suggested that one such medium was through IT. He said that young

people's knowledge of IT was extensive and that residents could benefit from being given further information.

The Head of Licensing and Community Safety suggested that the partnership should be congratulated for their work and their achievements. Key issues which needed to be addressed involved the funding of CCTV cameras, PCSOs and their effectiveness.

The Chairman referred to five crimes recently in Bishop's Stortford which might have been deterred if CCTV had been deployed. In terms of the cost, the Head of Licensing and Community Safety said that he anticipated that the cost of CCTV would reduce rapidly. Whilst he supported their use, he added that these needed to be placed in the right areas and that these should not be used to replace personnel.

Members referred to the excellent role of PCSOs in tackling anti-social behaviour and providing a physical presence. It was suggested that Parish Councils might have a role to play in providing partial funding for PCSOs.

The Head of Licensing and Community Safety advised that the Partnership had achieved excellent results and that crime statistics showed that overall crime continued to be reducing making which contributed to the District being recognised as the sixth best place to live in the country by the Halifax 'Quality of Life' survey published in December 2010. He stated that this was the message which needed to be communicated to the public more effectively.

The Chairman welcomed the good news and that the statistics were moving in a positive direction. He urged Members to become more involved from a safety viewpoint in liaising with residents. He also recommended that Members should take advantage of the "Ride Along" scheme offered by the Police.

Members agreed that CCTV funding be included as part of the Community Safety Review and that Officers should explore other sources for funding PCSO's within the community e.g. by approaches to Parish Councils.

RESOLVED – that (A) the report be received; and

(B) CCTV funding be included as part of the Community Safety Review and that officers explore other sources for funding PCSOs within the community, e.g. by approaches to Parish Councils.

633 COMMUNITY SCRUTINY HEALTHCHECK (DECEMBER 2010 TO JANUARY 2011)

The Director of Customer and Community Services submitted an exception report on the performance of key indicators relation to Community Scrutiny Committee for the period December 2010 – January 2011.

The Chairman referred to performance indicator NI181 (Time taken to process Housing Benefit/Council Tax Benefit for new claims and change events) and queried whether these targets were being met by staff having to work a significant amount of overtime and weekend working. The Director of Customer and Community Services undertook to seek clarification and write to Members.

The Chairman referred to performance indicator EHP12 (Net cost/subsidy per visit) and whether this related to visits or swims. The Director of Customer and Community Services confirmed that this was an historical figure and that there was a need to revisit the figures. He undertook to do this.

The Committee received the report.

RESOLVED – that the report be received.

634 WORK PROGRAMME

The Chairman invited Members to review the work programme of Community Scrutiny Committee.

The Scrutiny Officer drew attention to the new meeting dates and that civic calendars detailing this information would be circulated shortly.

It was noted that the work programme for the 21 June 2011 meeting would be amended by the inclusion of the Sports and Active Recreation Facilities Strategy report.

The Scrutiny Officer advised that an article had been published in The Link magazine drawing attention to scrutiny and how the public can get involved. Any scrutiny topics which might come in from the public would be brought to the attention of the committee at the first meeting in the new civic year.

The Committee supported the work programme, as amended.

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

The meeting closed at 8.50 pm

Chairman
Date

MINUTES OF A MEETING OF THE
CORPORATE BUSINESS SCRUTINY
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 22 MARCH 2011, AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors R N Copping, R Gilbert,
G E Lawrence, J Mayes, J O Ranger,
J P Warren and M Wood

ALSO PRESENT:

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

OFFICERS IN ATTENDANCE:

Linda Bevan	- Committee Secretary
Lorna Georgiou	- Performance and Improvement Co-ordinator
Philip Hamberger	- Programme Director of Change
Marian Langley	- Scrutiny Officer
Alan Madin	- Director of Internal Services
Will O'Neill	- Head of Community and Cultural Services
Mekhola Ray	- Community Projects Team Manager
George A Robertson	- Director of Customer and Community Services

639 APOLOGIES

An apology for absence was received from Councillor R Beeching.

640 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to the death of Councillor J Hedley at the weekend. He asked all present to join with him in a minute silence to reflect upon the work of Councillor Hedley for the Council and community.

The Chairman thanked the Scrutiny Officer and Committee Secretary for their support of the Committee and himself as Chairman. He also thanked the Programme Director of Change, who was leaving the Authority, for his work on the C3W Programme and regular updates to the Committee.

641 MINUTES

RESOLVED - that the Minutes of the meeting held on 30 November 2010 be confirmed as a correct record and signed by the Chairman.

642 CHANGING THE WAY WE WORK (C3W) PROGRAMME UPDATE

The Programme Director of Change submitted a report on the progress that had been made on the Changing the Way We Work (C3W) programme.

He reported that the programme was progressing well. A decant/phasing plan had been developed for the refurbishment of Wallfields and was in hand. The first refurbished area was now occupied. He praised the staff involved in particular IT and Facilities Management.

There were 50 homeworkers/casual homeworkers. All employees were being reassessed and this could lead to an increase in homeworking.

The Electronic Document and Records Management System rollout plan had been agreed and was ongoing.

The Office Communications System had been installed throughout the Council Offices. A number of Business Process Improvement (BPI) reports had been completed, were being carried out or were planned. Significant additional funding had been obtained from Improvement East to support this work.

A review of the automated telephone payment system was underway. This was being linked with the telecommunications review and implementation of chip and pin facilities. An ATM was being installed in reception at Wallfields for payments to the Council.

The Head of Customer Services had been appointed as the Programme Manager as the Programme Director was leaving the Authority. A Business Change Manager had also been made available to the Council free of charge by Capita to support the Programme Manager.

In response to questions from Members, the Programme Director explained the new Office Communications System provided a telephone via the computer for staff and their same phone number followed them around where ever they logged onto the system. He said he was not aware of plans to change the switchboard number of the Council for the public.

The Committee decided to receive the report.

RESOLVED – that the report be received.

643 MONTHLY HEALTHCHECK - JANUARY 2011

The Leader of the Council submitted an exception report on finance and key performance indicators relating to Corporate Business Scrutiny Committee up to January 2011. The report contained a breakdown of information where remedial action was needed on salary, capital and revenue variances.

In response to a question, the Head of Community Services explained that figures for events at Hertford Theatre subsequent to the pantomime were now favourable. The pantomime had not made as much money as expected because of delays with the building contract.

Officers undertook to give written answers on why contract staff were employed for environmental health inspections (to Councillor J Mayes) and which services had received twice as many complaints as in the previous quarter (to Councillors D Andrews and R N Copping).

Councillor J Mayes repeated her previous complaint about the disabled lift access to Wallfields building and was assured this was in hand.

In response to a question, the Programme Director said that toilets would be refurbished in phases after the C3W Programme had finished as part of normal annual maintenance. Scuff marks to corridors would be addressed once the moves were completed.

Councillor J Mayes said she supported the establishment of a recycling reserve to offset future variations arising from the volatile commodities market.

Councillor J O Ranger commented on the difficulties of explaining the work of the Council to the public particularly with regard to Development Control. He said more work was needed on this.

He also suggested that the Executive should be informed that the Corporate Business Scrutiny Committee would review the complaints about the Council as part of its future work programme. The Committee agreed with this.

The Committee decide to make the comments now detailed to the Executive.

RESOLVED – that the Executive be informed that:

(A) the variances and performance in the report now submitted be noted; and

(B) the Committee will add a review of complaints about the Council to the Work Programme for 2011/12.

644 COMMUNITY AND PUBLIC ENGAGEMENT

The Chairman of the Community and Public Engagement Task and Finish Group submitted a report on the findings of the Group. It had been set up to review the current methods used by the Council to engage with the community and the public and recommend a sustainable, cost effective framework/strategy.

The strategy would ensure that the Council fulfilled its obligation on consultation and engaged with residents at a local level to bring improved opportunities and benefits to everyone in East Herts. The Group had also aspired to link its work with the Government's Big Society concept.

Details of the membership, methodology and objectives were given. External and internal expert witnesses had been interviewed. East Herts Councillors, civic societies, voluntary organisations and residents' associations had been surveyed and the views of parish councillors and young people had been considered.

The review looked at the Council's role as enabler, facilitator and mediator.

Councillor M Wood, Chairman of the Group highlighted the most important recommendations at the meeting. He also thanked the Members and Officers who had been involved in the work of the Group. He stressed the need to revise the Community Voice format.

Councillor J O Ranger referred to a number of issues which had arisen in the Group. These included renaming Officers involved in Community and Public engagement work as the "Community Support Team" or similar. This would be

achieved within existing budgets.

In addition, the renaming of some grants as “Pride Grants” or even “Community Pride Grants” where appropriate had been suggested and this would reflect one of the Council’s own priorities “Pride in East Herts”. Ward Members could be involved in the “signing off” of these. The Group had thought it essential that District Councillors were advised in advance of all planned events in their Wards e.g. visits by the Chairman.

The timetable for reviewing progress was discussed.

The Committee decided to recommend that the Executive approve the report as now detailed.

RESOLVED – that the Executive be informed that the Corporate Business Scrutiny Committee considers that:

- (A) a revised East Herts Community and Public Engagement Strategy and Framework should be drawn up in line with the principles reflected in the report now submitted;
- (B) Senior Management should:
 - (1) consider whether staff involved in this work should be renamed the “Community Support Team”;
 - (2) implement the recommendations within the currently agreed budget and available Officer resources; and
- (C) the Task and Finish Group should reconvene late in September 2011 to review progress and report as necessary to the Corporate Business Scrutiny Committee, meet again in March 2012 and carry out a full review in July 2012.

645 SCRUTINY WORK PROGRAMME 2011/12

The Chairman of the Corporate Business Scrutiny Committee submitted a report inviting the Committee to review its work programme.

The Scrutiny Officer reminded Members of the earlier decision to add a review of complaints to the work programme. She referred to an item in Link magazine inviting the public to put forward items for scrutiny and said these would need to be considered for inclusion on the programme.

Councillor J O Ranger asked that PIDs (Project Initiation Documents) for the shared services currently under consideration be added to the Work Programme and the Committee agreed with this.

The Committee decided to amend the work programme as now detailed.

RESOLVED – that the work programme now submitted be amended by the inclusion of a review of complaints and PIDs for Shared Services currently under consideration, and in addition, items received in response to the article on Scrutiny in the Link magazine would need to be considered.

The meeting closed at 8.20 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
AUDIT COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 23 MARCH
2011, AT 7.00 PM

PRESENT: Councillor J O Ranger (Chairman)
Councillors M Pope, R A K Radford and
J P Warren

ALSO PRESENT:

Councillors W Ashley and P A Ruffles

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Chris Gibson	- Internal Audit and Business Improvement Manager
Alan Madin	- Director of Internal Services
Ceri Pettit	- Head of Strategic Direction (shared) and Performance Manager

ALSO IN ATTENDANCE:

Nick Taylor - Grant Thornton

646 MINUTES

RESOLVED – that the Minutes of the Audit Committee meeting held on 19 January 2011 be confirmed as a correct record and signed by the Chairman.

647 CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to the recent sad loss of Councillor John Hedley who had previously been the Chairman of Audit Committee and had up until his recent death, been the current Vice Chairman. He asked those in attendance to observe a minute's silence.

The Chairman referred to the fact that he had recently attended a meeting at the External Auditors, Grant Thornton, where he had been provided with information relation to a number of important developments and with "Best Practice" in specific areas. The importance of the Annual Governance Statement was stressed. The Chairman stated that, during that meeting, what was highlighted was the fact that Audit Committee should be able to see real changes as a result of their work. He felt that it was a useful and productive meeting.

The Chairman advised that the Council continued to keep in touch with contacts in Japan following a previous visit there. He had received a letter recently referring to the fact that local government in Japan was moving towards how local government operated in the UK. The letter also sought the Council's sympathy and drew attention to the numerous relief funds which had been established to help the country following the recent disasters.

The Chairman sought Members' support to a suggestion that he respond on behalf of the Council, extending its sympathy and that the Council would draw attention to the various methods to contribute to the funding. This was supported.

Finally, the Chairman thanked Officers and Members for their support during his Chairmanship in the civic year.

648 COMMUTED SUMS - SECTION 106: MEMBER TRAINING

The Head of Planning and Building Control provided a presentation on the use of Commuted Sums: Section 106 Agreements. He explained what they were and what guidance was observed in developing such an agreement.

He stressed that whilst the concept was to make an intended development acceptable which would otherwise be unacceptable in planning terms, what needed to be borne in mind was that the benefits offered could not compensate for a substandard development. The Head of Planning and Building Control explained both the County Council's and East Herts Council's approaches to these agreements in terms of planning obligation priorities. He referred to the introduction of the Community Infrastructure Levy (CIL) and how this would impact on Section 106 Agreements.

The Chairman stated that many people living in villages felt aggrieved that they did not feel the benefit of the commuted sums and cited the village of Walkern where there had been three planning developments involving Section 106 agreements. He said that no monies had been invested back into the community. He was concerned that the County Council took the larger share and that this was used for secondary schools which were usually located in towns. He hoped that the Localism Bill would give people more say in their areas.

The Head of Planning and Building Control explained the difficulties in service provision for villages and of the role of Parish Councils and local committees in helping identifying local needs. He said that he was unsure what would come out of the Localism Bill. He explained that the split in relation to commuted sums between the County Council and the District was around 70:30; education and highways costs being high in relation to service provision.

In response to a query from Councillor R A K Radford regarding the percentage of affordable housing allocated for key workers, the Head of Planning and Building Control advised that current policy basis was to seek 40% provision but in the current market the percentage allocated depended on the actual financial viability of the development proposed. The issue of relaxing planning regulations in relation to using office for residential was considered. Councillor R A K Radford felt that there was a steady, widening gap between the needs of town and District Councils.

The Head of Building and Planning Control clarified the position in response to a question from Councillor P A Ruffles regarding the grant of a planning application for 97 homes close to a school and how the County Council allocated the Section 106 monies.

The Chairman stated that, more worryingly, was the fact that the County Council had been remiss in allocating and spending Section 106 commuted sums and that some monies had been returned to the developers. It was acknowledged that some of the County's capital projects had a long lead in time. The Head of Planning and Building Control stated that this was not the case in relation to East Herts and no monies had had to be refunded. He explained that the County Council was becoming more sophisticated in monitoring spend on a more detailed basis.

The Chairman referred to the "new homes bonus" and how this might benefit the Council. The Head of Planning and Building Control said that further assessment needed to be undertaken as to how the appropriate amount of development was to be assessed in the post-Regional Plan period. The Director of Internal Services indicated that there was an expectation that there may be some means of donating funds back into the community where development was taking place.

Councillor J P Warren commented on the issue of affordable housing. He felt that when Developers had to comply with this planning requirement, then the loss was passed on in the shape of increased prices to other prospective buyers.

The Chairman, on behalf of Members, thanked the Head of Planning and Building Control for his presentation.

RESOLVED – that the presentation be received.

649 EXTERNAL AUDITOR'S REPORT - PROGRESS UPDATE

The External Auditor, Nick Taylor, submitted an Audit Progress Report up to March 2011. The report provided an update on the progress made on issues such as the Council's arrangements to restate the 2009/10 Balance Sheet to in line with IFRS requirements, Value for Money in relation to securing financial resilience and how the Council challenge, secured economy, efficiency and effectiveness. The External Auditors also provided an update concerning a reduction in the Audit Fee as a result of recent changes to their work programme.

The Chairman thanked Nick Taylor for his update. He undertook to provide Members with an electronic copy of The Migration of Public Services document.

The Committee noted the report.

RESOLVED – that the report be noted.

650 EXTERNAL AUDITORS REPORT - 2009/10 CERTIFICATION OF WORK

The External Auditor submitted a report concerning the certification arrangements for the work undertaken in 2009/10 by Grant Thornton, acting as agent of the Audit Commission, on behalf of the Council. The results of the work, including the details of claims and returns certified for 2009/10, were set out in the report now submitted.

The External Auditor confirmed that everything was in order.

Members received the report.

RESOLVED – that the report be received.

651 EXTERNAL AUDITOR'S REPORT - FINANCIAL RESILIENCE: TERMS OF REFERENCE

The External Auditor submitted a report concerning a review

of the Council's arrangements for securing financial resilience, specifically in relation to the Council's arrangements regarding performance, financial governance, strategic financial planning and financial control, including the robustness of the Medium Term Financial Plan.

Members noted the report.

RESOLVED – that the report be noted.

652 UPDATE ON IMPLEMENTATION OF ANNUAL GOVERNANCE ACTION PLAN

The Internal Audit and Business Improvement Manager submitted a progress report on the Annual Governance Statement for Action Plan 2010/11. This included reviewing 19 measures to enhance the Council's internal control framework during 2010/10. These were set out in the Essential Reference papers, attached to the report now submitted.

The Internal Audit and Business Improvement Manager referred to Actions and provided updates regarding their changed status. Since the previous Audit Committee, two issues requiring action were considered to be completed.

The Chairman referred to the Pathfinder initiative identified as an outstanding issue and suggested that this action should be re-visited in view of shared service developments. The Chairman, on behalf of Members thanked the Internal Audit and Business Improvement Manager for progressing the actions.

Members received the report and noted the progress made against implementing the action plan contained in the 2009/10 Annual Governance Statement.

RESOLVED – that the report be received and the actions noted.

653 A SHARED INTERNAL AUDIT SERVICE

The Executive Member for Resources and Internal Support submitted a report providing an update on a shared internal audit service following a decision by the Executive on 8 March 2011 that East Herts Council participate with other four other Councils and Hertfordshire County Council in the "Shared Internal Audit Service".

The Director of Internal Service provided the background and rationale for this decision. Essential Reference Paper 'B', attached to the report now submitted, explained the objectives of a shared internal audit service and the key benefits to be achieved. It was noted that existing staff, with the exception of the current head of service, would transfer to Hertfordshire County Council and TUPE arrangements would apply to those staff affected by the transfer.

The Director of Internal Service stated that the Council's internal audit service was excellent and explained that working in partnership would help reduce costs, and provide all staff within the partnership with a broader working spectrum of issues and thereby improve their skills base. He felt that the arrangement therefore provided long term sustainability and better management of costs. The Director added that working as a group also provided some resilience in terms of the management of workload. It was anticipated that the new service would be fully operational from 1 July 2011.

In response to a query from the Chairman regarding the need to maintain the quality of the current service under the new arrangements, the Director of Internal Services advised that all current Heads of Audit would be required to compare their existing working practices so that the new service would commence from the best of those, feed into the new system and provide a new framework. He stated that the Shared Internal Audit Service Head of Assurance would be responsible for the set up of the new organisation and be responsible for making sure it worked. The Director of Internal Services said that he intended to meet regularly with

the new Head of Assurance.

The Director of Internal Services provided assurances that delivering high quality service was the aim and the key was in ensuring a strong appointment process.

Members received the report and the assurances provided by the Director of Internal Services regarding high quality service delivery.

RESOLVED – that (A) the report be received; and

(B) the assurances provided by the Director of Internal Services in relation to high quality service delivery be noted.

654 ANNUAL REVIEW OF DATA QUALITY STRATEGY

The Leader of the Council submitted a report introducing the 2010/11 revisions to the Data Quality Strategy following the cancellation of Comprehensive Area Assessments, Use of Resources and the abolition of the Audit Commission. The revisions to the strategy were set out the Essential Reference Papers attached to the report now submitted. The Head of Strategic Direction (Shared) and Performance Manager reminded Members that the aim of the Data Quality Strategy was to provide good quality performance data on which performance assessments and Council decisions could be based.

The Chairman expressed concern about the quality of data received from partners and other bodies. The Head of Strategic Direction (Shared) and Performance Manager acknowledged the risk, adding that the Council had its own checks and balances in terms of the information received and this would help to mitigate those risks.

Members received the report and noted the revisions made.

RESOLVED – that the report be received and the revisions noted.

655 BRIBERY ACT 2010

The Executive Member for Resources and Internal Support submitted a report detailing the implications of the Bribery Act 2010. The Director of Internal Services explained the context of the report in relation to the Council's functions. The Essential Reference Paper attached to the report now submitted, provided a policy on bribery and set out six principles for bribery prevention. The Director of Internal Services stated that the Council needed to show clear commitment and that it took its responsibility seriously.

The Chairman suggested that what was also important was to ensure that the staff were protected from any allegations and that safeguards, checks and balances, were in place for staff involved in major decisions. The Director of Internal Services referred to the Council's other policies such as "Whistleblowing" as one such policy to protect staff. It was noted that all Heads of Service are required to annually review their processes and report to Internal Audit through their Anti-Fraud and Anti-Corruption Assurance Statement. Employees were also annually asked to sign a declaration concerning, for example, whether they had secondary employment and that this year's declaration had included information in respect of the Bribery Act.

Members stressed the need for Heads of Service to be proactive in reviewing their processes annually.

RESOLVED – that (A) the Bribery Policy be approved;
and

(B) the existing practices whereby Heads of Services are proactively involved in reviewing their processes continue.

656 DRAFT INTERNAL AUDIT PLAN 2011/12

The Internal Audit and Business Improvement Manager submitted a report outlining the content of the draft Internal Audit Plan for 1 April 2011 to 31 March 2012. The draft

Internal Audit Plan was set out in the Essential Reference Paper attached to the report now submitted. The Plan will initially be delivered by the in-house team and subsequently the “Shared Internal Audit Service”.

The Chairman referred to the contingency cut and suggested that Officers monitor this on a day by day basis. This was supported.

RESOLVED – that (A) the content of the Internal Audit Plan for the period 1 April 2011 to 31 March 2012 be noted; and

(B) the contingency element be monitored on a day by day basis.

657 INTERNAL AUDIT SERVICE - POSITION STATEMENT

The Internal Audit and Improvement Manager submitted a report on internal audit activity undertaken since the previous report to Members in January 2011. Updates were provided on what reports had been issued, of ongoing work and what support had been provided to various Town Councils. The Internal Audit and Business Improvement Manager explained that one of the Principal Internal Auditors had continued on a 50% secondment as a Lead Business Improvement Practitioner and that additional resources were being provided by North Herts District Council and Tribal Business Assurance.

The Internal Audit and Business Improvement Manager said that good progress had been made on outstanding recommendations set out in the Essential Reference Paper attached to the report now submitted.

In response to a query from the Chairman regarding whether all leavers completed a “debrief”, the Internal Audit and Business Improvement Manager explained that processes were in place even if an exit interview did not take place.

The Chairman, on behalf of Members congratulated the

Internal Audit and Business Improvement Manager for progressing and resolving so many issues.

Members received the report.

RESOLVED – that the report be received.

658 RISK MANAGEMENT MONITORING (OCTOBER -
DECEMBER 2010)

The Leader of the Council submitted a report on action taken to mitigate and control strategic risks during the period 1 October 2010 to 31 January 2011. Members were encouraged to raise any key future risks that they anticipated.

The Chairman commented that the Council did not know what the Government might do in relation to local government finances in the third year and that this risk should be addressed. The Director of Internal Services referred Members to code 10SR9 (Significant variance from financial plan) which he suggested, should address the Chairman's concerns. Nick Taylor of Grant Thornton stated that as long as Members were aware of the risk, then that would be sufficient, adding that it did not have to be explicitly worded.

The Internal Audit and Business Improvement Manager undertook to reflect the development of shared services in relation to 10SR1 (Pathfinder Group)
Members received the report.

RESOLVED – that (A) the report be received; and

(B) a variance of government grant is considered to be a financial risk and this should be reflected in the Strategic Risk Register.

659 WORK PROGRAMME 2011/12 CIVIC YEAR

The Internal Audit and Business Improvement Manager submitted the Audit Committee Work programme for the 2011/12 civic year.

The Director of Internal Services suggested that there might be a need to change the date of the next Audit Committee because of timing issues relating to the Council's Final Accounts. This was noted.

Members approved the report.

RESOLVED – that the work programme for Audit Committee be approved.

The meeting closed at 8.10 pm

Chairman
Date

MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON THURSDAY
24 MARCH 2011, AT 5.30 PM

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

ALSO PRESENT:

Councillors D Andrews, G McAndrew,
J O Ranger and G D Scrivener.

OFFICERS IN ATTENDANCE:

Fiona Brown	- Planning Technician
Glyn Day	- Principal Planning Enforcement Officer
Annie Freestone	- Senior Planning Technician
Peter Mannings	- Democratic Services Assistant
Kevin Steptoe	- Head of Planning and Building Control
Alison Young	- Development Control Manager

660 APOLOGIES

Apologies for absence were submitted on behalf of
Councillors K A Barnes and G E Lawrence. It was noted
that Councillor P A Ruffles was in attendance as

substitute for Councillor G E Lawrence.

661 CHAIRMAN'S ANNOUNCEMENTS

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

The Chairman informed Members that Councillor John Hedley had passed away whilst on holiday with friends in Tunisia. He stated that Councillor Hedley had joined the Authority in 2003 and had served on this Committee for 3 consecutive civic years. The Chairman referred to Councillor Hedley's no nonsense approach and stated that he would be a character that would be surely missed. He advised that he would be sending the condolences of the Committee to Councillor Hedley's family and friends at this very sad time.

The Chairman stated that this was the final meeting of the civic year and paid tribute to the wealth of knowledge and experience of Councillors R N Copping and R Gilbert as they were not standing for re-election. Councillor Copping had served as a District Councillor for 28 years and Councillor Gilbert for 24 years. Both Members had contributed to Development Control for all of those years. The Chairman wished Councillors Copping and Gilbert all the best for the future.

The Chairman also expressed his thanks to the Committee for their support throughout the Civic Year. The Chairman also thanked the Committee Officer and the Planning Officers for their support.

The Chairman advised that he had agreed to accept an urgent item of business onto the agenda in respect of 3/11/0356/PT – Junction of Great Hadham Road and Oriole Way, Bishop's Stortford for Vodafone UK Ltd in the interests of the efficient operation of the service and to avoid delay. This item would be determined as item 5a.

Members supported Councillor Mrs M H Goldspink when

she thanked Councillor W Ashley for his Chairmanship of the Development Control Committee.

662 DECLARATIONS OF INTEREST

Councillor S A Bull declared a personal and prejudicial interest in application 3/11/0039/RP in that he was a member of the Charity Trust that owned the land on which the houses would be built. Councillor Bull left the room whilst this matter was considered.

663 MINUTES

RESOLVED - that the Minutes of the Development Control Committee meeting held on 9 March 2011 be confirmed as a correct record and signed by the Chairman.

664 3/11/0356/PT - REPLACEMENT OF EXISTING 10M LAMPPOST (612) WITH NEW 12.14M LAMPPOST TYPE T2 TELECOMMUNICATION POLE, 1NO. NEW EQUIPMENT CABINET AND 1NO. METRE PILLAR AT JUNCTION OF GREAT HADHAM ROAD AND ORIOLE WAY, BISHOP'S STORTFORD FOR VODAFONE LTD

Mrs Walton addressed the Committee in objection to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0356/PT, prior approval be granted subject to the conditions now detailed.

The Director advised that Officers had received 158 representations on this application and Officers had summarised the comments in the additional representations schedule. Members were advised that Hertfordshire Highways had not objected to the application.

Councillor G McAndrew, as the local ward Member, referred to paragraph 1.3 of the report now submitted in

that the proposed installation was actually 30 metres from the public space containing a children's play area. He commented that a majority of the users of the playground were children aged 2 – 5 years old.

Councillor McAndrew referred Members to paragraph 1.6 in that this application was for a new column, so that Vodafone and O2 would occupy two separate structures in the area. He stressed that the reasons for refusal under application 3/10/0326/PT were all still relevant and all the reasons for rejected permissions in paragraphs 2.2 - 2.5 were also still relevant for this application.

Councillor G McAndrew expressed concerns that this application was before Members for a decision whilst the consultation process was still ongoing. He stated his strong concern that Development Control and other committee meetings were not being held during Purdah.

Councillor McAndrew was particularly concerned that a decision could be reached on this application without the usual timescales for consultation and scrutiny. He referred to paragraph 3.2 of the report and stressed that the Committee must give very clear and concise direction to the Chairman and the Director prior to the issue of the decision.

Councillor McAndrew stated that it was often unclear what consultation process had been followed in selecting sites for telecommunication masts. He stressed that it was unclear which sites had been ruled in or ruled out by the applicant.

Councillor McAndrew commented on whether the cumulative impact of two masts complied with the national guidelines on the potential health risks in respect of emissions. He stated that the application should be refused on the grounds of the perceived health risk and for all the reasons detailed in paragraphs 2.2 to 2.5 in relation to previously refused applications.

The Director confirmed that the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines did take into account the cumulative impact of any other masts in close proximity to a proposed site.

Councillor R Gilbert expressed his frustration that the phone companies often took no notice of the public's views when selecting locations for telecommunication masts. He stated his concern that this new mast was to be located in close proximity to an existing mast. He commented that mobile phone operators were not fully examining the opportunities for sharing masts.

Councillor Gilbert stressed that previous applications had been refused on health grounds even though this was not a valid planning reason. He failed to see how Members could refuse the application. In response to a query from Councillor M R Alexander, the Director confirmed that no representation had been received from Bishop's Stortford Town Council.

Councillor Mrs M H Goldspink acknowledged the difficult position the Committee was in. She referred to the precautionary approach taken by Members in refusing the previous application with very sensible reasons for refusal, only to have the decisions overturned on appeal. She agreed with Councillor McAndrew that all the previous reasons for refusal were still valid.

Councillor Goldspink commented on whether the Committee could still refuse the application on the grounds of precautionary health principles. The Chairman stated that Members should be cautious as the applicant had complied with all the ICNIRP guidelines when submitting this application.

Councillor Goldspink commented on whether Members could refuse the application on the grounds of visual amenity concerns given that there would now be two masts and two separate sets of street furniture.

Councillor J Demonti commented that Bishop's Stortford Town Council would be debating the application on Monday evening. Councillor Alexander queried whether there were any other locations in the District where two masts were located in such close proximity to each other.

The Director stressed that the issue of visual impact was a matter of judgement for Members. Members were advised that Officers considered this to be a weak argument in light of the appeal inspectors report on an adjacent site.

Councillor A L Burlton commented on whether the applicant had stated why this mast was necessary in this location. Councillor McAndrew queried whether the Committee could refuse the application on section 237a of the Town and Country Planning Act and policy GBC8 of the Local Plan on the grounds that insufficient evidence had been submitted in relation to coverage in the area and the shared operation of masts.

Councillor McAndrew referred to unsuitable siting and design as another possible reason for refusal, as well as the proposed development being visually intrusive and detrimental to the area.

The Director referred to policy GBC8 of the East Herts Local Plan Second Review April 2007, and informed the Committee that the applicant had submitted evidence detailing the need for the telecommunications mast. Officers had been provided with details of alternative sites that had been justifiably discounted by the applicant.

The Director urged Members to carefully consider the comments of the appeal inspector in relation to the siting and design issues as well as the issue of clutter.

Members were advised to consider whether replacing a lamp post with a higher structure would genuinely create clutter on the roundabout.

The Director stressed that as Members had concerns on this application, very clear substantive reasons must be given should the Committee vote against the application.

The Committee was advised that mobile phone operations were in continuous demand, particularly with the introduction of 3G and 4G services. The Government had always been supportive of such development and this remained the reason why this scheme had been classed as permitted development.

The Committee was reminded that applicants for telecommunication masts did not have to justify the need for the proposals in principle, in much the same way as most applicants did not have to provide such justification.

Councillor Goldspink sought clarification as to whether Members could reasonably refuse the application on the grounds that the scheme would create clutter that was detrimental to the visually amenity of the area.

The Director advised caution in that the Committee could very well be judged to be acting unreasonably in light of the previous appeal decision.

Councillor R N Copping commented on whether the views of Bishop's Stortford Town Council would be taken into consideration following the meeting that was due to take place next week.

The Director stressed that the Authority must determine the application within 8 weeks of submission and if further representations were made, these would be considered by the Director in consultation with the Chairman prior to any decision being issued.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0356/PT be granted prior approval subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0356/PT, planning permission be granted subject to the following conditions:

1. Prior to the commencement of the development hereby approved, details of the colour of the installations shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with those approved details.

Reason: In the interests of the appearance of the development, and in accordance with policy ENV28 of the East Herts Local Plan Second Review April 2007.

2. Within 2 months of the erection of the telecommunications pole hereby permitted, the existing lamppost No. 612 shall be removed from the site and the land restored to its previous undeveloped condition to the satisfaction of the Local Planning Authority.

Reason: To avoid unnecessary clutter in the interests of the appearance and character of the site, having regard to national guidance in PPG8 and in accordance with policy ENV28 of the East Herts Local Plan Second Review April 2007.

Directives:

1. Other legislation (01OL)
2. Highway Works (05FC)

665 3/11/0160/FP - CONSTRUCTION OF ACCESS ROAD AND ERECTION OF 3 NO. 2 STOREY OFFICE BUILDINGS AND 6 NO. DETACHED 4 BEDROOM HOUSES ON LAND AT JEANS LANE, BISHOP'S STORTFORD, HERTS, CM23 2NN FOR ARLBERG PROPERTIES LIMITED

Mr Fairbrass addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0160/FP, planning permission be refused for the reasons now detailed.

The Director advised that Officers had summarised the additional comments in relation to the character of and relationship between the buildings in the additional representations schedule.

Councillor R Gilbert stated that he was not supportive of the Officer's recommendation for refusal. He referred to the less than attractive location of the site and the current collection of poor quality buildings. He commented that the application would not be detrimental to the character and appearance of the area.

Councillor Gilbert stressed that the land around the site rose in all directions and the site was in a hollow and the Landscape Officer had considered the scheme to be acceptable in landscape terms. He commented that the application would provide more employment than was currently provided in this location.

Councillor Mrs M H Goldspink stated she was glad the site was to be tidied up with a development that was mixed use. She expressed concerns in relation to the layout of the site and the amenity space in terms of an extremely small garden for house number 6.

Councillors Gilbert and Goldspink also expressed concerns in respect of the very narrow access road and suggested that this should be widened. Councillor

Goldspink commented on whether Officers could comment on the possibility of a pavement being introduced along Jeans Lane.

The Director advised that widening the access or introducing a pavement might be possible, although there might be difficulties due to land ownership constraints.

Members were reminded that a deferral was a possibility so that the issue of the access could be explored further. The Director stressed that the Highway Authority was supportive of the proposals as they stood.

In response to a query from Councillor A L Burlton, the Director advised that the Highway Authority's approach to transport infrastructure improvements included financial contributions to support infrastructure improvements in this area.

Members were reminded that they might wish to seek security in respect of the provision of office space if the Committee was minded to approve the application. The Director reminded Members that local plan policy sought to retain employment land across the District. Members were advised that Bishop's Stortford was a more constrained location in respect of employment land.

Councillor Gilbert stressed that the provision of the office element of the application, in conjunction with 1 or 2 houses, was important. He stated that the planning conditions could be delegated to the Officers in consultation with the Chairman.

The Director commented that a concurrent 50% split between office provision and housing would be a reasonable approach. Members were also advised that Officers would be happy to work up appropriate conditions. The Director stressed that the possibility of affordable housing provision would be lost if the application was approved by Members.

Councillor R Gilbert proposed and Councillor J Demonti seconded, a motion that application 3/11/0160/FP be granted on the grounds that the application would not be detrimental to the character and appearance of the area and the proposed development was a good quality design with 100% lifetime homes.

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

The Committee rejected the recommendation of the Director of Neighbourhood Services that application 3/11/0160/FP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/11/0160/FP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (1T121)
2. Approved Plans (2E102)
3. Samples of Materials (2E12)
4. The approved offices shall be completed and ready for occupation prior to the substantial completion of no more than 50% of the dwellings hereby approved.

Reason: To ensure that an acceptable employment provision is made at the site, in accordance with Policy EDE2 of the East Herts Local Plan Second review April 2007.

5. Boundary Walls and Fences (2E07)
6. Hard surfacing (3V213)
7. Landscape Design Proposals (4P12)

8. Landscape works implementation (4P13)
9. Levels (2E051)
10. Prior to the commencement of development details of Sustainable Drainage Systems (SUDs) shall be submitted to and approved in writing by the Local Planning Authority. The agreed SUD's shall be implemented and thereafter retained at the site unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce surface water run of and the risk of flooding in accordance with Policy ENV21 of the East Herts Local Plan Second review April 2007.

11. Contaminated land survey and remediation (2E332)
12. Piling Works (2E392)
13. Hours of working - plant and machinery (6N053)
14. Prior to commencement of development above ground level full engineering details of the proposed improvements to Jeans Lane and junction onto Bells Hill shall be submitted to and approved by the Local Planning Authority. The approved details shall be carried out to the satisfaction of the Local Planning Authority prior to the occupation of development.

Reason: To ensure that the access is constructed to an appropriate specification in the interests of highway safety and convenience.

15. Prior to the first occupation of the development hereby permitted, the access road and parking spaces shall be provided within the application site as shown on the plans accompanying the application and such spaces shall be retained at all times for use in connection with the development hereby permitted.

Reason: To ensure adequate off street parking provision and manoeuvring space for the development, in the interests of highway safety, in accordance with policy TR7 and Appendix II of the East Herts Local Plan Second Review April 2007.

16. Vehicular use of garage (5U103)
17. Construction parking and storage (3V221)

Directives:

1. The applicant is advised that that work undertaken on the highway must be constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the public highway. All works to be undertaken on the adjoining highway shall be constructed to the satisfaction of the Highway Authority and in accordance with Hertfordshire County Council publication "Roads in Hertfordshire - A Guide for New Developments". Before proceeding with the proposed development, the applicant should contact the East Herts Highways Area Office (01992 526900) to obtain their permission and requirements.
2. The site is located within the groundwater protection zone of The Causeway pumping station. The construction works and operation of the proposed development should be done

in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the ground water pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken. For further information please refer to CIRIA Publication C532 'Control of water pollution from construction- guidance for consultants and contractors'.

3. Street Naming and Numbering (19SN4)

666 3/11/0039/RP - ERECTION OF 11 RESIDENTIAL DWELLINGS, INCLUDING 6 X 4 BEDROOM UNITS, 2 X 3 BEDROOM UNITS AND 3 X 2 BEDROOM UNITS WITH ASSOCIATED LANDSCAPING, CAR PARKING AND PRIVATE AMENITY SPACE AT ALLOTMENT GARDENS, ERMINE STREET, BUNTINGFORD, SG9 9AZ FOR WESTON HOMES PLC

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0039/RP, planning permission be granted subject to the conditions now detailed.

Councillor R N Copping commented on how vehicular and pedestrian access to the allotment gardens to the west would be maintained once the proposed development had been completed.

The Director confirmed that there was a requirement that this access to be maintained in the long term. The developer had also undertaken to try to ensure access to the adjoining allotments was not comprised during implementation should the application be approved.

The Committee supported the recommendation of the

Director of Neighbourhood Services that application 3/11/0039/RP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0039/RP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (1T12)
2. Boundary walls and fences (2E07)
3. Approved plans (2E10)
WH131/11/P/05.01, WH131/11/P/10.01,
WH131/11/P/25.01, WH131/11/P/25/02,
WH131/11/P/25/03, WH131/11/P/25.04,
WH131/11/P/25.05, WH131/11/P/25/06,
WH131/11/P/35/01, 30110R
4. Samples of Materials (2E13)
5. Refuse disposal facilities (2E24)
6. Completion of Roads (3V13)
7. Hard Surfacing (3V21)
8. Tree Retention and Protection (4P05)
9. Hedge Retention and Protection (4P06)
10. Tree/Natural feature protection: fencing (4P07)
11. Tree protection: excavations (4P09)
12. Landscape design proposals (4P12)
a), b), d), e), f), i), j), k), l)
13. Landscape Works Implementation (4P13)

14. Retention of landscaping (4P21)
15. Construction hours of working – plant and machinery (6N07)

Directives:

1. Other Legislation (01OL)
2. Highway Works (05FC)
3. Outline permission relationship (07OP)
Insert 20 May 2010' '3/09/0101/OP'
4. Street Naming and Numbering (19SN)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies TR2, TR3, ENV1, ENV2, ENV3, ENV11, ENV16 and PPS1, PPS3 and PPS9. The balance of the considerations having regard to those policies and LPA Ref 3/09/0101/OP is that permission should be granted.

667 3/10/1147/FN - RENEWAL OF PLANNING PERMISSION GRANTED UNDER REF 3/07/0935/FP FOR THE DEMOLITION OF EXISTING LIGHT INDUSTRIAL BUILDINGS AND CONSTRUCTION OF 182 NEW RESIDENTIAL UNITS WITH CAR PARKING AND LANDSCAPING AT LAND OFF MARSHGATE DRIVE, HERTFORD FOR ZOG 2 LTD

Mr Holland addressed the Committee in objection to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/10/1147/FP, subject to the applicant entering into a legal agreement pursuant to section 106 of the Town and Country Planning Act 1990, planning permission be granted subject to the conditions now detailed.

Councillor P A Ruffles expressed sympathy with the views of Hertford Town Council. He stressed that there was one single route into this area of Hertford via Hertford East Station. He expressed concerns in relation to the commercial and industrial aspects of the application.

Councillor R N Copping expressed strong concerns in respect of an 8% provision of affordable housing against a policy of 40%.

Councillor S Rutland-Barsby concurred with the comments of the public speaker in relation to car clubs. She stated that the Committee was trapped in making a decision in the sense that a previous application on this site had been approved on appeal.

Councillor Rutland-Barsby expressed concerns in relation to the parking and highways situation on this site. She emphasised that although she was against this application, there were no sound reasons in planning law for refusing it.

The Director reminded Members that developers were increasingly challenging the Authority on percentages of affordable housing in relation to the viability of developments. He stressed that in the current financial climate, this was to be expected. Members were advised that planning inspectors were now accepting these viability assessments.

The Director cautioned Members that although the Committee had previously refused this application, the Authority had lost the subsequent appeal. The Committee would have to articulate very clearly why

Members remained unsupportive of this application given the appeal decision.

The Director stated that the Authority could be judged to be acting unreasonably should this application be refused for reasons that could not be substantiated.

The Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/10/1147/FP be granted subject to the conditions now detailed and the section 106 legal agreement.

Councillor S Rutland-Barsby requested that her abstention from voting be recorded.

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

1. The provision of a minimum 8% affordable housing to be provided in accordance with the following mix:- Socially rented as 2 x 1 bed 2 person flat, 4 x 2 bed 4 person flat, 2 x 3 bed 4 person flat and 1 x 3 bed 5 person flat, and shared ownership as 2 x 1 bed 2 person flat and 3 x 2bed 3 person flat. This level of affordable housing is, however, subject to a review mechanism requiring the appraisal to be carried out again prior to the implementation of the permission (no earlier than 6 months and no later than 4 months prior to the implementation date (to be defined)).
2. £126,722 for Primary Education
3. £51,092 for Secondary Education
4. £25,364 for Nursery Education

5. £7,671 for Childcare
6. £1,415 for Youth
7. £16,797 for Libraries
8. £45,000 for transport provision
9. £20,000 for controlled parking zone
10. £120,990 for outdoor sports facilities
11. £8,935 for children and young people
12. £300 standard monitoring fee per clause
13. Provision of Fire Hydrants
14. The provision of a car club

in respect of application 3/10/1147/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Before site clearance is commenced, areas shall be provided on site for the delivery and storage of construction materials and the parking of construction vehicles, together with the means of access thereto, in accordance with a plan to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate off-street parking facilities in the interests of highway safety and traffic flows.

3. Programme of archaeological work (2E02)

4. Before the development hereby permitted begins, a soil survey of the site shall be undertaken to assess the degree of contamination of the site and of existing groundwater contamination, and to determine its water pollution potential risk located on site and off-site, the methods and extent of the investigation having first been agreed with the Planning Authority, and as scheme of measures to prevent pollution of ground water and surface water, including provision for monitoring, shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented and completed before any dwelling (or any dwelling in a specified phase, if a phasing programme has been approved) hereby permitted is first occupied and a report certifying this has been submitted to the Local Planning Authority.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with PPS23 – Planning and Pollution Control.

5. Development shall not begin until surface water drainage works have been carried out in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed taking into account assessment of storm periods and intensity and methods to delay and control the surface water discharged from the site. If, in light of such assessment, it is concluded that a Sustainable Urban Drainage System (SUDS) should be implemented, consideration should be given to groundwater quality and the scheme shall specify:

- i) A management and maintenance plan,

which shall include the arrangements for adoption by any public authority or statutory undertaker or any other arrangements to secure the operation of the scheme throughout its lifetime; and

- ii) The responsibilities of each party for implementation of the SUDS scheme, together with a timescale for that implementation.

Reason: To protect the quality of groundwater and surface water and in accordance with PPS25.

- 6. No development hereby permitted shall commence until details of proposed finished floor levels, and the means of protecting units numbered D.01 and D.02 from the ingress of flood water, have been submitted to and approved in writing by the Local Planning Authority. In particular:
 - i) With the exception of the lower floors of units numbered D.01 and D.02, no unit shall have a floor level lower than 39.3metres AOD; and
 - ii) The lower floor units D.01 and D.02 shall be no lower than 35.5 metres AOD and they shall have no structural openings in their external walls lower than 38.03 metres AOD. Below this latter level, these two units shall be fully 'tanked' to avoid the ingress of water through the floors, drains, walls, ventilation ducts, cavities and all other openings.

The development shall be constructed in accordance with all of these details, as approved.

Reason: To reduce the risk of flooding to the proposed development and in accordance with PPS25.

7. No development shall commence until details of the basement car parking access ramp have been approved by the Local Planning Authority. The scheme shall be constructed in compliance with the approved plans, with the top of the access ramp set at a height of 38.78 metres AOD.

Reason: To reduce the risk of flooding to the proposed development and in accordance with PPS25.

8. The development permitted shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:
 - i) Provision of compensatory flood storage on the site to a 1 in 100 year plus climate change standard; and
 - ii) Identification and provision of safe routes into and out of the site to an appropriate safe haven.

Reason: To reduce the risk of flooding to the proposed development and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided, and in accordance with PPS25.

9. No development shall take place until full details of both hard and soft landscaping works (the 'landscaping' of the site as defined in Article 1 of the Town and Country Planning

(General Development Procedure) Order 1995 notwithstanding the reference therein to outline planning permission) have been submitted to and approved in writing n by the Local Planning Authority. These shall include, in addition:

- i) details of all materials to be used for hard surfaced areas within the site including roads, driveways, pedestrian routes and car parking areas, including those beneath the proposed flats;
- ii) the location and design of any barriers required to be erected at access points from the site onto the River Lee towpath for public safety reasons; and
- iii) a buffer zone 8 metres wide for wildlife alongside the River Lee for the full extent of the site, in accordance with application drawing 3005-27-AP.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and in the interests of wildlife habitats, in accordance with policy ENV2, ENV17 and ENV18 of the East Herts Local Plan Second Review April 2007.

10. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas including the buffer zone (other than small, privately owned, domestic gardens) shall be submitted to and approved in writing by the Local Planning Authority before the development commences.

Reason: To ensure the provision of amenity

afforded by appropriate landscape design and in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

11. Landscape works implementation (4P13)
12. That part of the landscaping scheme referring to the 8 metre wide wildlife buffer zone shall not incorporate any built development including hard standings, fences or formal/ornamental gardens except for the public towpath running north to south.

Reason: In the interests of wildlife habitats, in accordance with policy ENV17 and ENV18 of the East Herts Local Plan Second Review April 2007.

13. Before any of the flats in Block A and B are occupied a continuous screen boundary wall shall be erected from the back of block D along the whole of the southern boundary of the site, including the return behind 2-12 Spencer Street, in accordance with details of height, design and materials to be first submitted to and approved by the Local Planning Authority. The wall shall thereafter be retained in its entirety unless the Local Planning Authority agrees otherwise.

Reason: To safeguard the privacy of occupiers of adjoining properties, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

14. Prior to the first occupation of any of the flats hereby permitted, the children's play area shown on drawing 2936/L/01F shall be laid out, equipped and made available for use in accordance with details to be first submitted to and approved in writing by the Local Planning

Authority.

Reason: In the interests of the appearance of the development, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

15. Details of any external lighting proposed in connection with the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and no external lighting shall be provided without such written approval.

Reason: In the interests of the appearance of the development, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

16. The basement car park shall not be brought into use until a scheme of lighting and CCTV surveillance has been introduced in accordance with plans which shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of safety and in accordance with Policy ENV3 of the East Herts Local Plan Second Review April 2007.

17. Notwithstanding the details shown on drawing 3005-21-AP, before development is commenced a revised basement plan shall be submitted to and approved in writing by the Local Planning Authority showing the proposed vehicle and cycle parking layout for the site. Prior to the first occupation of the development hereby permitted, the spaces so shown and approved shall be provided and thereafter kept available at all times for

vehicles and cycle parking in connection with the development hereby permitted.

Reason: To encourage the use of cycles as means of transport, in accordance with policies TR13 and TR14 and in the interests of highway safety, and in accordance with policies TR2 and TR7 of the East Herts Local Plan Second Review April 2007.

18. No dwelling shall be occupied until visibility splays have been provided at the junction of the car park access road with the public highway as shown in drawing 3005-22-P. The minimum dimensions to provide the required splays lines shall be 2.4 metres measured along the centre line of the proposed access road from their junction with the channel of Marshgate Drive and 43 metres from the centre line of the proposed access road along the line of the channel of the public highway. The vision splays required shall be provided and defined on the site by or on behalf of the developers and be kept free of any obstruction above 600mm in height.

Reason: To provide visibility for drivers of vehicles entering and leaving the site.

19. Development above ground level shall not begin until details of the proposed 2 metre wide footway along the Marshgate Drive frontage of the site and footpath links through the site linking Marshgate Drive with the tow path alongside the River Lee Navigation have been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide adequate routes for pedestrians movement through the site.

20. Before the new vehicular accesses shown on drawing 3005-22-AP are first brought into use, any existing access to Marshgate Drive from the site, which is not incorporated into those new accesses shall be permanently closed in a manner to be first agreed with the Local Planning Authority in writing.

Reason: In the interests of highway safety and amenity.

21. Detailed plans, showing the existing and proposed ground levels of the site relative to adjoining land, together with the slab levels and ridge heights of the proposed buildings, shall be submitted to, and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To ensure that the development is properly related to the levels of adjoining development in the interests of amenity.

22. Prior to any building works being commenced, samples of the external materials of construction for the buildings hereby permitted shall be approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the development, and in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

23. The balcony to flat A.3.2 shall not at any time be extended over block D unless with the prior permission, in writing, of the Local Planning Authority.

Reason: To safeguard the privacy of occupiers of adjoining properties, in

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

24. Before the development hereby permitted is commenced, details of the proposed enclosure of the recycling compound at the southern extremity of block C shall be submitted to and approved in writing by the Local Planning Authority and the compound shall be constructed in accordance with those details before any flat in Block C is first occupied.
25. Notwithstanding the details shown in 3005-42-AE, a revised elevation 6 shall be submitted to and approved in writing by the Local Planning Authority to omit the balcony shown for flat B.2.6 and to show substitute fenestration.

Reason: In the interests of amenity, in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

26. The proposed development shall be carried out and completed in all respects in accordance with the access, siting and layout illustrated on the approved plan and defined by this permission and, notwithstanding the provisions of Article 3 of the Town and Country Planning General Permitted Development order 1995, (or any Order revoking or re-enacting that Order) there shall be no variation without the prior approval in writing of the Local Planning Authority.

Reason: To comply with the requirements of the Town and Country Planning (General Permitted Development) Order 1995.

27. Approved plans (2E10): - 3005-01-LOC, 3005-03-SUR, 3005-08-COMP, 3005-06-

COMP, 3005-04-FG, 3005-07-COMP, 3005-05-COMP, 3005-10-BP, 3005-30-KEY, 3005-09-3D, 3005-02-PH, 3005-20-SP, 3005-21-AP, 3005-22-AP, 3005-23-AP, 3005-24-AP, 3005-25-AP, 3005-26-AP, 3005-27-AP, 2936\L\01F, 3005-40-AE, 3005-41-AE, 3005-42-AE, 3005-43-AE, 3005-44-AE

Directives:

1. Other Legislation (01OL)
2. Footpath crossing (05FC)
3. Street Naming and Numbering (19SN)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the 'saved' policies of the East Herts Local Plan Second Review April 2007), and in particular policies SD1, SD2, HSG6, TR1, TR2, TR7, TR14, ENV1, ENV2, ENV3, ENV17, ENV18, ENV20, BH1, BH2, BH3, LRC3 and LRC1, and PPS1, PPS3, PPG13, and PPS23 and PPS25. The balance of the considerations having regard to those policies and the permission granted under ref LPA 3/07/0935/FP, is that permission should be granted.

668 3/11/0145/FP - CHANGE OF USE TO EQUINE USE - RETROSPECTIVE, AT LAND ADJACENT TO COTTERED ROAD, THOCKING FOR MRS AMANDA BELL

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0145/FP, planning permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0145/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0145/FP, planning permission be granted subject to the following conditions:

1. 3 year time limit (1T12)
2. Approved plans (2E10):- 1

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular Policies GBC2, GBC3 and GBC14. The balance of the considerations having regard to those policies is that permission should be granted.

669 3/10/2214/FP - DEMOLITION OF EXISTING FOOTBRIDGE AND CONSTRUCTION OF NEW VEHICLE AND FOOTBRIDGE AT EHDC CAR PARK, ST ANDREWS STREET, HERTFORD, SG14 1JA FOR EAST HERTS COUNCIL

The Director of Neighbourhood Services recommended that, in respect of application 3/10/2214/FP, planning permission be granted subject to the conditions now detailed.

Councillor P A Ruffles, as the local ward Member, stated that he would almost certainly abstain from voting as he could not find any planning reasons for going against the Officer's recommendation for approval. He stated that

there was no conservation area improvement resulting from this application.

Councillor Ruffles commented that access via the existing footbridge had been in place without complaint for many years. He stated that this was not the only disabled access to the adjacent land.

Councillor Ruffles pointed out that there were alternative routes for vehicles or for grass cutting.

Councillor Ruffles stressed the importance of the condition in respect of flood compensation measures, due to the increased footprint of the proposed development. Councillor R N Copping agreed with the views of Councillor Ruffles. He also supported the views of the Conservation Officer.

In response to concerns from Councillor Copping in relation to night time security, the Director stressed that although this was not a material planning issue, Officers had stated in the report that details of any gates or other security measures be provided and agreed via a planning condition.

Councillor R Gilbert expressed concerns that access to the bridge was often compromised due to parked cars. He commented on whether parking would have to be restricted in part of St Andrews Street Car Park to ensure disabled access to the bridge.

The Director stressed that there was a keep clear zone marked out on the car park and drew attention to this on the plans displayed in the meeting. Members were advised that this application would not result in the loss of any parking spaces.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/2214/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/2214/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Approved Plans (2E10) 3515 – 01, HFB/001/A; TH1
3. Programme of archaeological works (2E02)
4. Tree retention and protection (4P05)
5. Prior to the first use of the bridge hereby permitted, details of any gates or similar measures to secure the bridge and prevent general vehicle access into Castle Grounds shall be submitted and as approved by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In order to ensure that any measures required to secure the Castle Grounds at night are appropriately designed in the interests of the appearance and character of this part of the Conservation Area and in accordance with Policies ENV3 and BH6 of the adopted East Herts Local Plan 2007.

6. Prior to the commencement of works, detailed drawings of the new ramp to the car park indicating levels, gradient and surface materials shall be provided at scale not less than 1:20. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of clarity and to ensure the crossing is satisfactorily designed

and usable by wheelchair users and in accordance with policies ENV1 and ENV4 of the adopted East Herts Local Plan 2007.

7. Prior to the commencement of above ground building, details of the timber side panels for the bridge shall be provided and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of the appearance and design of the development within the Conservation Area and in accordance with policies ENV1 and BH6 of the adopted East Herts Local Plan 2007.

8. Details of provisions to reuse the existing stone steps either within the development or in the vicinity of the site shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of the appearance and design of the development within the Conservation Area and in accordance with policies ENV1 and BH6 of the adopted East Herts Local Plan 2007.

9. Prior to the commencement of works a scheme to provide Flood Compensation measures within the vicinity of the site to a standard of 1 in a 100 year plus climate change shall be submitted and approved in writing by the local planning authority. The bridge soffit level shall be set no lower than 39.25m above ordnance datum (AOD). The development shall thereafter be implemented in accordance with the approved details.

Reason: In the interests of providing mitigation for flooding within the area as part of the development and in accordance with policy ENV19 of the adopted East Herts Local Plan 2007.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies ENV1, ENV4, BH6 and national guidance in PPS1, PPS5 and PPG13. The balance of the considerations having regard to those policies and the other material considerations relevant in this case is that permission should be granted.

670 3/11/0086/SV - MODIFY THE S106 AGREEMENT ATTACHED TO PLANNING PERMISSION 3/06/0314/FP TO REMOVE THE ELDERLY PERSONS AGE RESTRICTION (DEFINED AS BEING OVER 50 YEARS OF AGE) AT LAND AT STOCKING HILL LANE, COTTERED FOR DARLING HOMES LLP

Mr Hargreaves addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0086/SV, planning permission be granted subject to the conditions now detailed.

Councillor J O Ranger, as the local ward Member, gave a brief historical introduction to the application. He stressed that there was a significant strength of local feeling that the age restriction must be retained. He stated that he had been asked by a number of local residents to request

that the Committee refuse this application.

Councillor Ranger summarised the planning history of the site. He stressed that Darling Homes were aware of the age restriction and should have constructed homes that were compatible with that restriction. He also pointed out that the people who brought such houses were often not on the Authority's housing register.

Councillor Ranger referred to a local concern in respect of a loss of peace and quiet for residents, should this application be approved. He stated that this application would not set a precedent as all the properties in the area had a similar age restriction.

Councillor Ranger commented that local residents felt that this application contravened a number of local plan policies. He requested that Members refuse the application in light of the local need for housing for the elderly and also in acknowledgement of the local feeling that this age restriction must be retained.

The Director advised that there was no local plan policy on which Officers could have recommended this application for refusal. There was no policy that could be applied to retain the elderly person's age restriction. Members were reminded to consider relevant planning issues only.

The Committee was advised that Members must clearly articulate the requirements and planning need for an elderly person's enclave in this location. The Director advised that justifying the retention of this restriction would be a very difficult case to sustain.

Councillor J J Taylor queried why the Authority did not have a local plan policy to cover this situation. She stressed the importance of retaining quiet peaceful areas for the elderly to reside.

The Director commented that the Authority now had far

less involvement in housing matters than would have been the case 20 or more years ago when it was a direct provider.

He stressed that the approach of the District Council was now very much a case of working with Hertfordshire County Council and the social landlords in seeking to influence housing policy to meet the needs of residents.

The Director stated this approach was now common place in ensuring provision for various groups within the community. He commented that an age restriction of 50 plus was a particularly blunt instrument as many people of that age were financially capable of meeting their own accommodation requirements.

The Director advised that the Committee's decision must be made on planning grounds. The Director reiterated that there was no planning policy backing for seeking to retain an enclave of this nature. The East Herts Local Plan Second Review April 2007 sought to achieve cohesive, inclusive and mixed communities where all ages could live together.

Councillor Ranger stated that it was the quiet enjoyment of property that was a key issue in this situation. The Director stressed that while it was the role of the planning system to ensure that every resident could enjoy residential amenity at a reasonable level, it could not maintain it unchanged.

The Director stated that if a refusal decision were challenged, an appeal inspector could reasonably refer to any typical residential development where no age restriction had been applied but amenity was acceptable.

Councillor J J Taylor pointed out that such a view could be prejudicial against the elderly. She stressed that to live in peace and quiet was a basic human right. The Director advised that the only policy basis that could be applied was ENV1 in that removing the restriction could

lead to a harmful impact on the residential amenity of existing and adjacent properties.

Councillor J J Taylor proposed and Councillor M R Alexander seconded, a motion that application 3/11/0086/SV be refused on the grounds that removing the restriction could lead to a harmful impact on the residential amenity of existing and adjacent properties contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007.

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

The Committee rejected the recommendation of the Director of Neighbourhood Services that application 3/11/0086/SV be granted subject to the conditions now detailed.

Councillors W Ashley and S Rutland-Barsby requested that their votes against the motion be recorded.

RESOLVED – that in respect of application 3/11/0086/SV, planning permission be refused for the following reason:

1. The Council is of the view that removing the restriction could lead to a harmful impact on the residential amenity of existing and adjacent properties contrary to policy ENV1 of the East Herts Local Plan Second Review April 2007.

671 3/10/2213/FP - ERECTION OF 1 NO SOLAR THERMAL COLLECTOR ON STABLE ROOF AND ERECTION OF 10 KWP GROUND MOUNT SOLAR PV SYSTEM AT DASSELS BURY, DASSELS, BRAUGHING, SG11 2RW FOR MR MARTIN SLACK

The Director of Neighbourhood Services recommended that, in respect of application 3/10/2213/FP, planning

permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/2213/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/2213/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Approved plans (2E102) (FM1, FM2, FM3)
3. Hedge Retention and Protection (4P06)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular Policies SD3, GBC3, ENV1, PPS5 'Planning for the Historic Environment', and PPS22 'Renewable Energy'. The balance of the considerations having regard to those policies is that permission should be granted.

672 3/10/2054/FP - REPLACEMENT BUNTINGFORD SCOUT GROUP HEADQUARTERS AT BUNTINGFORD SCOUT GROUP, BOWLING GREEN LANE, BUNTINGFORD, SG9 9BT FOR MRS JOANNE MCNAMARA

The Director of Neighbourhood Services recommended that, in respect of application 3/10/2054/FP, planning permission be granted subject to the conditions now detailed.

Councillor S A Bull briefly summarised the planning history of the site.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/10/2054/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/10/2054/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Sample of materials (2E12)
3. Lighting details (2E27)
4. Hard surfacing (3V21)
5. Landscape design proposals (4P12) (Criteria (b) (c) (d) (f) (i) (j) (k) (l))
6. Landscape works implementation (4P13)
7. Approved plans (2E102) (09.14077.2, 09.14077.3, 09.14077.4, 09.14077.6, BSHQ3A, BSHQ4, Location Plan, Block Plan, Existing Site Plan)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies GBC3, LRC1, ENV1, ENV2, ENV23 and TR7. The balance of the considerations having

regard to those policies is that permission should be granted.

673 3/11/0239/FP - TWO STOREY SIDE EXTENSIONS AND BASEMENT WITH LIGHTWELLS AND GUARDRAILS AT 35 BURNHAM GREEN ROAD, TEWIN, AL6 0NL FOR MR PAUL SMITH

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0239/FP, planning permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0239/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0239/FP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (1T12)
2. Approved plans (2E10 – 11_139/PL01, 11_139/PL02, 11_139/PL03, 11_139/PL04, 11_139/PL05, 11_139/PL06, 11_139/PL07, 11_139/PL08)
3. Materials of construction (2E11)
4. Tree Survey (4P01)
5. Tree retention and protection (4P05)
6. Tree protection: restrictions on burning (4P08)
7. Tree Protection: Earthworks (4P10)
8. Tree surgery (4P11)

9. Landscape design proposals (4P12 e,i,j,k)
10. Landscape works implementation (4P13)
11. Tree Planting (4P15)
12. Trees: protection from foundations (4P20 – amend for foundations of front porch only)
13. Retention of landscaping (4P21)
14. Following implementation of this permission and notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order, 1995, the enlargement, improvement or other alteration of the dwelling house as described in Schedule 2, Part 1, Class A of the Order shall not be undertaken without the prior written permission of the Local Planning Authority.

Reason: To ensure the Local Planning Authority retains control over any future development as specified in the condition in the interests of amenity and in accordance with policy ENV9 of the East Herts Local Plan Second Review April 2007.

Directive:

1. Other Legislation (01OL)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the 'saved' policies of the East Herts Local Plan Second Review April 2007), and in particular policies GBC1, ENV1, ENV2, ENV5,

ENV6, ENV9, ENV11 and PPS1 and PPG2. The balance of the considerations having regard to those policies, and permission 3/09/0841/FP, is that permission should be granted.

674 3/11/0027/FP - ERECTION OF DOUBLE GARAGE AT DANESWOOD COTTAGE, STANSTED HILL, PERRY GREEN, MUCH HADHAM, SG10 6DT FOR MR MALCOLM WHARMBY

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0027/FP, planning permission be granted subject to the conditions now detailed.

The Committee supported the recommendation of the Director of Neighbourhood Services that application 3/11/0027/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0027/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Sample of materials (2E12) – amend to include garage door
3. Approved plans (2E102) DG1, DG1A, DG2, DG3, DG4, DG5, DG6
4. Vehicular use of garage (5U103)

Summary of Reasons for Decision

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

Plan Second Review April 2007), and in particular policies GBC3, ENV1, ENV2, ENV5, ENV6 and TR7. The balance of the considerations having regard to those policies is that permission should be granted.

675 E/08/0300/A - THE UNAUTHORISED CONSTRUCTION OF A REAR DORMER WINDOW AFFECTING A GRADE II LISTED BUILDING WITHOUT LISTED BUILDING CONSENT AT WHITE HORSE COTTAGE, WARESIDE, WARE, SG12 7QX

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/08/0300/A, enforcement action be authorised on the basis now detailed.

The Committee supported the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/08/0300/A on the basis now detailed.

RESOLVED – that in respect of E/08/0300/A, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to take enforcement action under Section 172 of the Town and Country Planning Act 1990 and/or Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and any such further steps as may be required to secure:

1. the removal of the unauthorised rear dormer and either:
 - the reinstatement of the roof (in accordance with a detailed schedule of works to be set out in the enforcement notice in consultation with the Conservation officer); or
 - the construction of the rear dormer in accordance with the planning permission

and listed building consent granted under references 3/06/2356/FP and 3/06/2357/LB.

Period for compliance: 6 months

Reason why it is expedient to issue an enforcement notice:

- 1. The unauthorised rear dormer window, by reason of its scale, form, design and detailing, is detrimental to the historic and architectural character and appearance of this Grade II listed building contrary to policies HE7 and HE9 of Planning Policy Statement 5: Planning for the Historic Environment.

676 ITEM FOR REPORTING AND NOTING

RESOLVED – that the following report be noted:

- (A) Planning Statistics.

The meeting closed at 7.28 pm

Chairman
Date