

MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 29 SEPTEMBER 2010, 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, S A Bull, A L Burlton,
M G Carver, Mrs R F Cheswright,
R N Copping, A F Dearman, J Demonti,
R Gilbert, Mrs M H Goldspink, A M Graham,
P Grethe, L O Haysey, J Hedley,
Mrs D Hone, A P Jackson, G E Lawrence,
J Mayes, G McAndrew, M P A McMullen,
T Milner, R L Parker, D A A Peek, M Pope,
N C Poulton, R A K Radford, J O Ranger,
S Rutland-Barsby, G D Scrivener, V Shaw,
R I Taylor, J J Taylor, M J Tindale,
J P Warren, N Wilson, M Wood and
B M Wrangles

OFFICERS IN ATTENDANCE:

Anne Freimanis	- Chief Executive
Simon Drinkwater	- Director of Neighbourhood Services
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

285 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded Members that the meeting was being webcast and that Members should remain seated when speaking.

The Chairman referred to the sad death of former Councillor Martin Coleman, who had represented Ware Trinity ward from 1987 – 1991 and 1995 – 2003. He invited Councillor M Wood to say a few words.

Councillor M Wood referred to Martin Coleman's wit, sense of humour and negotiating skills. He detailed his service on behalf of residents not just on the District Council, but also on Hertfordshire County Council. He spoke of his deep support for colleagues, especially within his own Group, at times of great difficulty.

The Leader of the Council also paid tribute to Martin Coleman and spoke of the respect he had for him. He referred to his amazing wit and intellect and his genuine motives in working for the greater good.

Members stood and observed a minute's silence in memory of former Councillor Martin Coleman.

The Chairman highlighted a number of his engagements since the previous meeting and drew attention to his raffle in aid of Isabel Hospice and Vale House. He reminded Members that his Civic service would be held on 24 October 2010 and that he would welcome their support.

Finally, the Chairman advised that the agenda item relating to the Development Control Committee – Minutes of the meeting held on 22 September 2010, had been withdrawn as it had not

proved possible to finalise the document in time. The Minutes would be submitted to the next Council meeting.

286 MINUTES

RESOLVED – that the Minutes of the Council meeting held on 29 June 2010, be approved as a correct record and signed by the Chairman, subject to the amendment of Minute 99 – Members’ Questions, penultimate paragraph, 6th line:

Delete “£400k” and insert “£300k”.

287 PETITION - RESIDENTS' SECURED PARKING AT GRANGE PADDOCKS, BISHOP'S STORTFORD

Mr M Boyton submitted a petition on behalf of 24 residents, as follows:

“We, the undersigned, strongly object to plans to remove the residents’ secured parking from Grange Paddocks.”

Mr Boyton addressed Council by calling for the reinstatement of the secured parking area at Grange Paddocks that 24 residents of Rye Street, Bishop’s Stortford, had lost when the rising bollard had been deactivated in July 2010 and residents had been required to return electronic fob keys. Mr Boyton referred to the lack of consultation on this and the resulting problems residents now faced. He detailed Officers’ inaccuracies in responding to residents’ concerns, particularly in respect of the heaviest day of public use, the cost of maintaining the bollard and whether the secured parking arrangement was temporary.

Mr Boyton concluded by outlining the parking problems that residents had suffered since the bollard was lowered. He urged the Council to reactivate the bollard and to ensure that residents did not have to suffer the ongoing problems until such time as any future parking schemes were introduced.

In response, the Executive Member for Planning Policy and Transport thanked the petitioner. He confirmed that he had been aware of correspondence between residents and Hertfordshire County Council (HCC) and East Herts Council Officers. He referred to the expiry of HCC's five year lease on the land, the ownership of which had now reverted back to East Herts Council. He detailed the Council's longer term plans for the wider area, which included the introduction of pay and display parking at Grange Paddocks and the implementation of a residents parking scheme on which consultation had begun with residents in the Chantry area. He believed the longer term plans would benefit the entire Chantry area and would treat all users fairly. He stated that pay and display parking would not be introduced until all local residents had had the opportunity to participate in a resident parking scheme.

Councillor R Gilbert, as a local ward Member, cast doubt on whether sufficient spaces on Rye Street would be available for local residents and agreed with the petitioner that an exception should have been made for the interim period before any scheme was introduced.

288 PRESENTATION - OLYMPICS 2012

John Fuller, Hertfordshire 2012 Ambassador, gave a presentation on the progress of the Olympics. He gave an overview of the development of all the Olympic venues, one of which, the Lee Valley White Water Centre at Waltham Cross, was in Hertfordshire. He referred to the overall organising structure and detailed the role of the Hertfordshire Is Ready for Winners Board, the partnership responsible for delivering the ambitions and legacy for the county. He also detailed the achievements to date and emphasised the Olympics as a once in a lifetime opportunity.

In response to Members' questions, Mr Fuller invited Members to view the progress made on the new facilities and offered to provide further information in respect of contractors within Hertfordshire.

289 MEMBERS' QUESTIONS

Councillor Mrs M H Goldspink asked the Leader of the Council what the Council's policy was on the sending of first or second class mail if the letters were not of an urgent nature and how the policy was monitored.

In reply, the Leader stated that, as a matter of course, second class mail was used, except for urgent items where first class postage would be used. Advice had been issued reminding Officers that communications with Members, the County and Town Councils should be sent via the courier service. He invited Members to notify Officers if they became aware of any misuse.

In response to a supplementary question on whether a written procedure existed, the Leader stated that the cost of monitoring needed to be balanced against the scale of any problems. There had been very few occasions requiring any monitoring as there had not been any problems.

Councillor J O Ranger asked the Leader of the Council if he agreed that with Council's need to cut or restrict some services or increase costs during the next four years, Council should be very open about this and give maximum publicity to the necessary changes and clear reasons why. He further asked if the Leader also agreed that all Councillors, irrespective of party or of no party, should be fully supportive of the actions the Council had to take, even if they were likely to be unpopular with the public.

In response, the Leader agreed that the difficult times ahead were unprecedented and Council was faced with making challenging decisions. These would include some tough choices that Council might not prefer to make, but would be for the greater good. It would be necessary to help residents understand the rationale for some decisions that might involve increased charges, but would be necessary for ensuring that Council's finances remained sustainable over the medium term.

The Leader accepted that some Members might wish to articulate a philosophical difference on some matters. However, he was confident that all Members, from time to time, would support challenging decisions proposed by his Administration.

Councillor A M Graham asked the Executive Member for Community Development, Leisure and Culture if she could confirm that the vacancy of the Arts Development Officer had been advertised and if not, when it would be.

In reply, the Executive Member confirmed that the post had not been advertised. Officers were reviewing the options available within the wider context of arts development and the Hertford Theatre project, which would include developing partnership working with external players and collaboration, for instance, with schools.

In response to a supplementary question on whether external groups would be consulted to ensure stability and continuity so that the investment in the arts to date was not lost, the Executive Member stated that Officers were still working through a number of ideas and that consultation with key players would take place.

Councillor A M Graham asked the Executive Member for Community Development, Leisure and Culture if she could confirm or explain if the arts development budget had been cut and whether cuts or savings were being considered by Officers in this area.

In reply, the Executive Member stated that a £5k reduction had been approved by Council for 2009/10 with a further £5k reduction being brought forward in 2010/11. This additional reduction would have no impact on the overall arts programme as the Green Heart project with the Arts Council had come to an end. Officers were looking at options for providing more from within current budgets.

In response to a supplementary question on whether the reductions could be reviewed, the Executive Member referred

to her answer to the next question.

Councillor A M Graham asked the Executive Member for Community Development, Leisure and Culture if she could update the Council on whether the Hertford Theatre capital project was on target and that the timeline was on schedule and if not, what were the implications financially to Council.

In reply, the Executive Member stated that the Hertford Theatre project was on schedule. Some savings had been made and some additional expenditure had been incurred. However, the final balance had yet to be quantified.

The Executive Member advised that pantomime sales were going well and that the new website was now up and running. She also referred to the pantomime that Members would be invited to on 12 December 2010.

Finally, the Executive Member commented that Members were aware of her involvement in the arts and that, in these challenging times, Members would have to make difficult decisions. It would be important to look at arts provision in a different way.

Councillor M Wood asked the Executive Member for Resources and Internal Support if he could advise on how much was spent on consultant fees in the financial year 2009/10 and for comparative reasons 2008/9.

In response, the Executive Member for Resources and Internal Support detailed expenditure on consultant fees under six broad headings, which for 2009/10 totalled £452k, compared to £407k in 2008/09.

Councillor Wood congratulated Council for reducing expenditure from £1.4m four years ago when he had first asked the question.

Councillor Mrs M H Goldspink asked the Executive Member for Planning Policy and Transport if, in reference to Bishop's Stortford Market, he could give his assurance that no market

trader, who currently had a stall in South Street, would be compelled to move to North Street in the future, if that was against his/her wishes.

In reply, the Executive Member offered no guarantees to any market traders in any market. He commented that sometimes it was necessary for traders to move, for instance, for safety reasons or if road works were being carried out. He was aware of a request that had been made by a South Street trader. However, no decision had yet been taken to move traders to North Street. He reminded Members that East Herts Council held the market rights and was entitled to seek to move traders if this benefitted the town centre.

Councillor Mrs M H Goldspink asked the Executive Member for Planning Policy and Transport if he could detail how many shopkeepers and retailers in South Street, Bishop's Stortford were consulted about the proposals to move the market to North Street and if there was a written record of their comments.

In response, the Executive Member stated that Officers had consulted widely with the promotion of the Traffic Regulation Order (TRO) and had received support from the Chamber of Commerce, the Town Council and Town Partnership. All businesses had received a mailshot from Mouchel and there had been no objections and so no written record. There had not been any consultation on moving the market as no decision had been taken.

In reply to a supplementary question on whether the consultation was only about the TRO or had included questions on moving market traders, the Executive Member undertook to provide a written response.

Councillor Mrs M H Goldspink asked the Executive Member for Planning Policy and Transport if the market traders in Bishop's Stortford had been asked for their ideas on improving the market and, if so, was there any written record of meetings and ideas.

In reply, the Executive Member referred to two questionnaires in 2007 that had formed the basis of the current plans. These had addressed various issues, such as car parking, advertising, market layout, etc, and there had been a consensus for pedestrianisation of the market areas on market days and consolidation of the market around Potter Street/Market Square/North Street. The Market Manager had spoken to traders on a weekly basis and had kept them informed of progress. Traders were aware of the plans seeking more focus on Market Square/North Street, which would be the priority location for future requests for stalls.

Councillor V Shaw asked the Executive Member for Planning Policy and Transport if he could explain, for the sake of transparency and acceptable practice, why the Markets Task and Finish Group did not have sight of the grant application for the move of the market in Bishop's Stortford and why the £47,000 for that move came from the Town Enhancement Budget.

In reply, the Executive Member commented that the Task and Finish Group had been aware of the project as recorded in the notes of meetings held on 26 January and 23 February 2010. The grant application had included bids involving wider regeneration projects, such as the pedestrianisation of North Street and improved riverside access. These elements of the bid had been successful and had required match funding of £25k from the Town Centres Enhancement budget for a project costing nearly £250k. He believed that the process had been open and transparent.

In response to a supplementary question, the Executive Member commented that the Task and Finish Group had not seen the application as this was an Officer responsibility. He would not have expected to have seen the application himself.

Councillor T Milner asked the Leader of the Council if he shared his disappointment at the recent resignation of two independent members of this Council. Mr and Mrs Clark had publicly stated they were on a "break", which might suggest

that they intended to stand again in May next year. He asked the Leader, if they were to stand again, how much this couple's "holiday" would cost the taxpayers of East Herts.

In reply, the Leader confirmed that he did share in Councillor Milner's disappointment. He commented that if the use of the word "break" did mean that they would stand again in May 2011, then they would be morally bankrupt. He was aware of one by-election and potentially two. If the by-elections were held on the same day, this would cost £16k.

290 MEMBERSHIP OF THE EXECUTIVE

The Leader of the Council confirmed the arrangements of the Executive portfolios following the resignation of Councillor T Milner from the Executive. He advised that the Environment and Conservation portfolio would be covered as follows:

- Councillor Alexander (refuse, recycling, grounds maintenance tender and contract award and general portfolio)
- Councillor Carver (conservation and heritage)

Council agreed to receive the report.

RESOLVED – that the report be received.

291 EXECUTIVE REPORT

The Leader reported on the work of the Executive and presented the Minutes of the Executive meetings held on 13 July and 7 September 2010.

In respect of Minute 229 – Financial Strategy 2011: MTFP Update: Emergency Budget Proposals, the Leader referred to concerns raised at the Local Joint Panel meeting held on 16 September 2010, in respect of the staffing impact of some of the savings. He had discussed the matter with the Chairman of the Local Joint Panel and proposed an additional recommendation (seconded by Councillor M R Alexander) as follows:

- “(F) (1) the concerns of the Local Joint Panel meeting of 16 September 2010, be noted; and
- (2) in respect of savings which may have staffing implications, the Chief Executive ensure that the Council’s Redundancy Policy be followed, including the exploration of options (such as reduced hours, early and flexible retirements, offer of lower graded jobs and redeployment) and that informal and formal consultation with the staff affected and with Unison be undertaken in accordance with that policy.”

The Leader believed that the Council should consider savings in terms of the service implications for the public and that any consequential staffing implications were the responsibility of the Chief Executive.

Councillor M Wood welcomed the additional recommendation and believed this would reassure the Staff Side.

In response to a question by Councillor Mrs M H Goldspink, the Leader referred to the Environment Scrutiny Committee’s comments and that consultation with residents was provided for by recommendation (C).

Councillor A M Graham moved (seconded by Councillor M Wood) that further consideration be given to the arts in the same way that the Museums service had been identified for further review in recommendation (C). He referred to the need to look at using existing budgets to attract external funding and thus achieve better value for the council taxpayer.

The Executive Member for Community Development, Leisure and Culture referred to her comments earlier in the meeting regarding the overall review of arts provision. The Executive Member for Resources and Internal Support stated that it was difficult to accept this amendment as there was nothing specific to the savings identified.

The Leader gave an assurance that, as part of the forthcoming budget cycle, he would welcome Councillor A M Graham's invitation to work together. He did not believe that the proposed recommendations would compromise this. Councillor A M Graham agreed to withdraw his amendment on this basis.

RESOLVED – that (A) in respect of Minute 229 – Financial Strategy 2011: MTFP Update: Emergency Budget Proposals, an additional recommendation (F) be approved as follows:

- (1) the concerns of the Local Joint Panel meeting of 16 September 2010, be noted; and
 - (2) in respect of savings which may have staffing implications, the Chief Executive ensure that the Council's Redundancy Policy be followed, including the exploration of options (such as reduced hours, early and flexible retirements, offer of lower graded jobs and redeployment) and that informal and formal consultation with the staff affected and with Unison be undertaken in accordance with that policy.
- (B) the Minutes of the Executive meetings held on 13 July and 7 September 2010, be received, and the recommendations contained therein, be adopted.

292 MINUTES OF COMMITTEES

(A) AUDIT COMMITTEE – 28 JUNE 2010

RESOLVED – that the Minutes of the Audit Committee meeting held on 28 June 2010, be received.

(B) DEVELOPMENT CONTROL COMMITTEE – 30 JUNE 2010

RESOLVED – that the Minutes of the Development

Control Committee meeting held on 30 June 2010, be received.

(C) STANDARDS COMMITTEE – 6 JULY 2010

RESOLVED - that the Minutes of the Standards Committee meeting held on 6 July 2010, be received.

(D) CORPORATE BUSINESS SCRUTINY COMMITTEE – 20 JULY 2010

RESOLVED - that the Minutes of the Corporate Business Scrutiny Committee meeting held on 20 July 2010, be received.

(E) LICENSING COMMITTEE – 22 JULY 2010

RESOLVED - that the Minutes of the Licensing Committee meeting held on 22 July 2010, be received, and the recommendation contained therein be adopted.

(F) COMMUNITY SCRUTINY COMMITTEE – 27 JULY 2010

RESOLVED - that the Minutes of the Community Scrutiny Committee meeting held on 27 July 2010, be received.

(G) DEVELOPMENT CONTROL COMMITTEE – 28 JULY 2010

In respect of Minute 173 – Application no 3/10/0308/FP, Councillor G Scrivener expressed his disagreement with the resolution as recorded. The Committee Chairman stated that the Minute had been approved as a correct record by the Committee at its next meeting.

RESOLVED – that the Minutes of the Development Control Committee meeting held on 28 July 2010, be received.

(H) HUMAN RESOURCES COMMITTEE – 29 JULY 2010

In respect of Minute 191 – Draft 2009/10 Annual Governance Statement, the Committee Chairman asked Council to note that he would be seeking an amendment at the next Human Resources Committee meeting, seeking to clarify that the actions in recommendations (A) and (B) would be undertaken by the Audit Committee.

RESOLVED - that the Minutes of the Human Resources Committee meeting held on 29 July 2010, be received.

(I) STANDARDS COMMITTEE – 2 AUGUST 2010

RESOLVED - that the Minutes of the Standards Committee meeting held on 2 August 2010, be received.

(J) CORPORATE BUSINESS SCRUTINY COMMITTEE – 24 AUGUST 2010

RESOLVED - that the Minutes of the Corporate Business Scrutiny Committee meeting held on 24 August 2010, be received.

(K) DEVELOPMENT CONTROL COMMITTEE – 25 AUGUST 2010

RESOLVED – that the Minutes of the Development Control Committee meeting held on 25 August 2010, be received.

(L) STANDARDS COMMITTEE – 8 SEPTEMBER 2010

In respect of Minute 246 – Complaint in respect of a Councillor EHDC/01/2010, some Members expressed concern about the accuracy of the wording of recommendation (B).

RESOLVED - that the Minutes of the Standards

Committee meeting held on 8 September 2010, be received.

(M) ENVIRONMENT SCRUTINY COMMITTEE -14
SEPTEMBER 2010

RESOLVED - that the Minutes of the Environment Scrutiny Committee meeting held on 14 September 2010, be received.

(N) AUDIT COMMITTEE – 15 SEPTEMBER 2010

RESOLVED – that the Minutes of the Audit Committee meeting held on 15 September 2010, be received.

293 INDEPENDENT REMUNERATION PANEL

The Director of Internal Services submitted a report updating Council on progress made in seeking potential recruits to the Independent Remuneration Panel (IRP). Following the decisions taken at the Annual Council meeting on 12 May 2010, Officers had sought expressions of interest and these were detailed in the report now submitted. The Head of Democratic and Legal Support Services updated Council on the latest information that had been received since the report had been issued.

The Leader believed that Council could not constitute the IRP on the basis of the information currently available and suggested that Officers should seek further details from those expressions of interest, as well as holding open the deadline for new expressions of interest until 1 October 2010. He suggested that Council could be invited to convene the IRP at its meeting in December 2010, with the first meeting of the Panel being held in January 2011.

Councillor K A Barnes expressed concern over which other local authority IRPs had been approached and whether any from outside of Hertfordshire had been sought. He referred to the expressions of interest and the apparent disproportionate number from Hertford and Sawbridgeworth at the expense of

Bishop's Stortford and Ware. He also commented that there did not appear to be any Independents or Liberal Democrats in the list now submitted and asked how the Council could ensure the independence of the Panel as well as the public perception of this independence.

The Director of Internal Services responded by reiterating the Council's decision on the constituencies of the Panel as detailed at paragraph 1.2 of the report submitted. He confirmed that all Hertfordshire Authorities had been approached.

In response to a question from Councillor D A A Peek, the Director of Neighbourhood Services confirmed that any potential IRP member could not serve as a District Councillor as well.

Council agreed to defer the constitution of the IRP until the next meeting pending receipt of the further information now detailed.

RESOLVED – that the constitution of the Independent Remuneration Panel be deferred to the next meeting, pending further information being obtained on each expression of interest.

294 STREET NAMING AND NUMBERING POLICY

The Leader of the Council submitted a report seeking to amend the Council's Street Naming and Numbering Policy in respect of the use of house names in new small scale developments.

Council approved the amended policy as now detailed.

RESOLVED – that the Council's Street Naming and Numbering Policy be qualified by allowing the use of house names in (new) small scale developments of up to six properties, provided no objection is raised by Royal Mail.

295 MEMBER ROLE DESCRIPTIONS

The Executive Member for Community Development, Leisure and Culture submitted a report on Member role descriptions. This would, among other things, be used as a public information tool on the varying roles and responsibilities of Members, which would be of interest to potential candidates at the District Council elections in May 2011.

Council considered and approved a number of amendments as follows:

- Page 247 (no 4) – substitute “peace” for “conflict”
- Page 248 (no 1) – include housing associations as a key contact
- Page 249 (no 5) – delete “Internal”

In response to questions from Councillor T Milner, the Head of Democratic and Legal Support Services confirmed that the role descriptions would be made available to the Independent Remuneration Panel (IRP) for their consideration and that they should be used as guidance to Members and were not part of any performance management framework.

Council approved the role descriptions as now amended.

RESOLVED – that the Member Role Descriptions, as now amended, be adopted.

The meeting closed at 9.07 pm

Chairman
Date