

MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 28 SEPTEMBER 2011, AT
7.30 PM

PRESENT:

Councillor S Rutland-Barsby (Chairman)
Councillors M Alexander, D Andrews,
W Ashley, P Ballam, S Basra, E Bedford,
R Beeching, E Buckmaster, A Burlton,
M Carver, Mrs R Cheswright, K Crofton,
A Dearman, P Gray, L Haysey,
Mrs D Hollebon, Mrs D Hone, A Jackson,
G Jones, G Lawrence, J Mayes,
G McAndrew, M McMullen, P Moore,
W Mortimer, M Newman, T Page, P Phillips,
M Pope, R Radford, J Ranger, N Symonds,
J Taylor, A Warman, G Williamson, N Wilson,
J Wing, M Wood, C Woodward and
B Wrangles

OFFICERS IN ATTENDANCE:

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| Simon Drinkwater | - Director of Neighbourhood Services |
| Jeff Hughes | - Head of Democratic and Legal Support Services |
| Martin Ibrahim | - Senior Democratic Services Officer |
| 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

322 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded Members and the public that the meeting was being webcast.

Members recalled that the Authority had recently been awarded the East of England Charter for Elected Member Development. The Chairman was pleased to welcome Caroline Tapster, Chief Executive of Hertfordshire County Council, to present the award.

Caroline Tapster advised that she was representing the East of England Local Government Association and expressed her pleasure to be able to present the award on their behalf. She congratulated the Authority for its achievement and presented the award to the Chairman.

The Chairman advised with sorrow that ex-Councillor Betty Sewell who had represented Great Amwell ward from 1973 - 1983, had passed away recently. Members stood and observed a minute's silence.

The Chairman asked Members to note that individual lapel badges had been placed around the table for their use in the community.

The Chairman advised that she had agreed to accept a late motion onto the agenda as an item of urgent business relating to Treasury Management. Copies of the motion had been placed around the table and would be dealt with as part of the receipt of the Audit Committee Minutes of the meeting held on 21 September 2011.

The Chairman reported that the Council had welcomed 18 Flemish/Belgium farmers and rural business representatives staying for two nights in Hertford Hotels as part of the Trans National Exchange Programme of the European funded Rural

Business Development Leader project. They were here to share experiences and best practice. There would be a joint meeting held with the Local Area Group (LAG) at Hertford Theatre on 29 September, followed by a tour of Hertford and relevant local Rural Development funded projects.

The Chairman highlighted some of the events she had attended since the previous meeting and thanked the Honorary Aldermen who had provided support. Finally, she expressed her admiration for the skill and enthusiasm of the many young people she had met in the course of performing her duties.

323 MINUTES

RESOLVED – that the Minutes of the Council meeting held on 6 July 2011, be approved as a correct record and signed by the Chairman.

324 PETITION - TAXI DRIVERS

A petition, comprising 71 signatures, had been submitted by Mr Simon Black, North Road, Hertford as follows:

We the undersigned, petition the Council to write to the Hertfordshire Mercury to point out that the majority of East Herts Taxi Drivers are decent hard working people and not common criminals as portrayed in the Hertfordshire Mercury on 8 September 2011.

In the absence of the petitioner, the Chairman invited the Executive Member for Community Safety and the Environment to respond.

The Executive Member thanked the petitioner and commented that many residents in East Herts relied on taxis. He provided reassurance that public safety was paramount and that the Council was continually reviewing its policies in seeking improvements to the licensing of taxis. He advised that the Council had received very few complaints from the public about taxis.

325 MEMBERS' QUESTION

Question 1

Councillor A Warman asked the Leader of the Council if he agreed that the Council should send a letter to the Police Authority to thank the Hertfordshire Police for their outstanding support to the Metropolitan Police during those days of riots that had been witnessed in newspapers and on television.

In reply, the Leader agreed that the Council's appreciation should be recorded and that he would advise the Police Authority accordingly. Furthermore, he added that colleagues in other local authorities should also be congratulated for their response to the clear up operation.

326 EXECUTIVE REPORT - 5 JULY 2011

Council noted that the Executive recommendations from the meeting held on 5 July 2011, had been approved by Council on 6 July 2011.

RESOLVED – that the Minutes of the Executive meeting held on 6 July 2011, be received.

327 EXECUTIVE REPORT - 6 SEPTEMBER 2011

RESOLVED – that the Minutes of the Executive meeting held on 6 September 2011, be received.

328 CORPORATE STRATEGIC PLAN 2012/13 - 2015/16

RESOLVED – that the draft Corporate Strategic Plan attached at Essential Reference Paper "B" be approved.

329 BUDGET PROCESS AND MEDIUM TERM FINANCIAL STRATEGY/UPDATED MTFP 2012/13 - 2015/16 AND APPLICATION OF THE NEW HOMES BONUS

RESOLVED – that (A) the amended Financial Strategy including the Policy on Reserves be approved;

(B) the revised MTFP assumptions set out in Essential Reference Paper “E” be approved as a basis for future planning with the intention that actions be identified in the 2012/13 budget round to ensure spending proposals remain within forecast funding over the period 2015/16 including, where appropriate, any short term application of reserves, and

(C) the New Homes Bonus be applied as set out in paragraph 2.7 and detailed in Essential Reference Paper “F” and the Director of Internal Services agree with the Portfolio Holder request transfers in respect of the new Homes Bonus in light of the issues raised by Members.

330 EAST HERTS LOCAL DEVELOPMENT FRAMEWORK: LOCALISM AND NEIGHBOURHOOD PLANNING

In response to a comment from Councillor J Ranger on the need to accelerate the Local Development Framework (LDF) process, the Executive Member for Planning Policy and Economic Development advised that a report would be submitted to the next Executive meeting, which would suggest transitional arrangements to take account of the Localism Bill.

RESOLVED – that (A) priority be given to progressing the Local Development Framework (LDF) as quickly as possible in order to provide an effective strategic planning policy framework for the new tier of neighbourhood planning, and

(B) communities wait, before they do any substantive work on neighbourhood plans, until the Localism Bill has received Royal Assent later this year, so that there

is more certainty about the neighbourhood planning process and the Council is in a better position to support and advise.

331 LDF CORE STRATEGY: RESPONSES TO ISSUES AND
OPTIONS PUBLIC CONSULTATION 2 SEPTEMBER 2010
TO 25 NOVEMBER 2011

RESOLVED – that (A) the issues raised from the Core Strategy issues and Options Consultation be noted;

(B) the responses received and issues raised be used to inform the preparation of the next stage of the East Herts Core Strategy called Preferred Options, and

(C) the ongoing and further technical work being undertaken to inform the East Herts housing requirement, be noted.

332 EAST HERTS CORE STRATEGY PREFERRED OPTIONS:
PROJECT PLAN AND METHODOLOGY STATEMENT

RESOLVED – that the East Herts Core Strategy preferred Options project Plan and Methodology statement, together with accompanying Work Programme contained with Essential Referent Papers “B” and “C” of the report be agreed.

333 NEW HOME BONUS AND COMMUNITY
INFRASTRUCTURE LEVY (CIL)

RESOLVED – that (A) a preliminary Draft Community Infrastructure Levy Charging Schedule be published for consultation alongside the Core Strategy preferred Options, and

(B) the importance be acknowledged of the new Homes Bonus and Community Infrastructure Levy, in assisting the delivery of the infrastructure required by the Local Development Framework Core Strategy.

334 LDF: STRATEGIC LAND AVAILABILITY ASSESSMENT (SLAA) PROJECT PLAN AND ESTABLISHMENT OF SLAA PARTNERSHIP

RESOLVED – that (A) the East Herts Strategic Land Availability Assessment (SLAA) Project Plan (July 2011) contained at Essential Reference Paper “B” of the report now submitted, be agreed subject to the drafting of amendments discussed at the LDF Executive Panel meeting, and

(B) a formal SLAA Partnership be established, in order to allow work to commence as soon as possible to inform the next stage of the Core Strategy.

335 LDF: CALL FOR SITES UPDATE REPORT

Councillor J Wing expressed concerns at the call for sites process and the dissatisfaction at some town councils that insufficient consultation had taken place.

The Executive Member for Planning Policy and Economic Development outlined the process that had been undertaken to date and sought to reassure Members that no decisions had been taken yet. One part of the process was to assess each suggested site on the basis of their suitability and sustainability and that engagement at local level was being undertaken as much as possible.

The Executive Member commented that there would be further opportunities for town councils and Members to engage and that Officers would be putting together training sessions for Members. He reminded Council that all Members were welcome and encouraged to attend and participate in Local Development Framework Executive Panel meetings.

RESOLVED – that (A) the responses received to the Call for sites consultation between 6 May and 10 June 2011 attached at Essential Reference Paper “B” of the report now submitted, be noted and taken into account

as part of the preparation of the East Herts Strategic Land Availability Assessment (SLAA), and

(B) any future Call for Sites suggestions be included and assessed as part of the preparation of the SLAA in Summer / Autumn 2011 and subsequently as part of the annual monitoring and review of the SLAA.

336 EAST HERTS GREEN INFRASTRUCTURE PLAN (MARCH 2011) AND HERTFORDSHIRE STRATEGIC GREEN INFRASTRUCTURE PLAN (MARCH 2011)

RESOLVED – that East Herts Green Infrastructure Plan (March 2011) and the Hertfordshire Strategic Green Infrastructure Plan (March 2011) be agreed and published as follows:

(A) as a technical study, forming part of the evidence base to inform and support the East Herts Local Development Framework;

(B) as a basis for informing future Development Control decision concerning development and green infrastructure, and

(C) as a basis for green infrastructure planning in the District.

337 ASSESSMENT OF EAST HERTS SPORTS FACILITIES (MAY 2011)

RESOLVED – that the draft Assessment of East Herts Sports Facilities be agreed and published as follows:

(A) as a technical study, forming part of the evidence base to inform and support the East Herts Local Development Framework;

(B) as a basis for informing future Development Control decisions concerning the development of, and developments affecting sports facilities, and

(C) as a basis for sports facility planning in the District.

338 LDF: MORPHOLOGY AND PLACE SHAPING (MAPS) TECHNICAL STUDY

RESOLVED – that settlement-wide design based technical work be undertaken to inform the preparation of the East Herts LDF and the Morphology and Place Shaping (MAPS) Technical Study Project Plan, contained at Essential Reference Paper “B” of the report now submitted be agreed.

339 MONTHLY CORPORATE HEALTHCHECK - JULY 2011

RESOLVED – that with regard to the Council’s financial information system:

(A) £30k of the £50k provision in the capital programme be brought forward from 2012/13 to 2011/12 with the balance of £20k to lapse as a saving, and

(B) in accordance with Financial Regulation 4.7.1, a carry forward from 2010/11 to 2011/12 of £80k be approved for implementation support with this sum to be drawn down only to the extent essential to mitigate implementation risks.

340 MINUTES OF COMMITTEES

(A) AUDIT COMMITTEE - 12 JULY 2011

RESOLVED – that the Minutes of the Audit Committee meeting held on 12 July 2011, be received.

(B) HUMAN RESOURCES COMMITTEE - 13 JULY 2011

RESOLVED – that the Minutes of the Human Resources Committee meeting held on 13 July 2011,

be received.

(C) CORPORATE BUSINESS SCRUTINY COMMITTEE -
19 JULY 2011

RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 19 July 2011, be received.

(D) DEVELOPMENT CONTROL COMMITTEE - 20 JULY
2011

RESOLVED – that the Minutes of the Development Control Committee meeting held on 20 July 2011, be received.

(E) LICENSING COMMITTEE - 21 JULY 2011

RESOLVED – that the Minutes of the Licensing Committee meeting held on 21 July 2011, be received.

(F) STANDARDS COMMITTEE - 16 AUGUST 2011

RESOLVED – that the Minutes of the Standards Committee meeting held on 16 August 2011, be received.

(G) DEVELOPMENT CONTROL COMMITTEE - 17
AUGUST 2011

RESOLVED – that the Minutes of the Development Control Committee meeting held on 17 August 2011, be received.

(H) CORPORATE BUSINESS SCRUTINY COMMITTEE -
23 AUGUST 2011

RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 23 August 2011, be received.

(I) DEVELOPMENT CONTROL COMMITTEE - 25
AUGUST 2011

RESOLVED – that the Minutes of the Development Control Committee meeting held on 25 August 2011, be received.

(J) LICENSING COMMITTEE - 1 SEPTEMBER 2011

RESOLVED – that the Minutes of the Licensing Committee meeting held on 1 September 2011, be received.

(K) ENVIRONMENT SCRUTINY COMMITTEE - 13
SEPTEMBER 2011

The Committee Chairman drew Members' attention to the display in the chamber on the Parks' and Open Spaces management plans.

RESOLVED – that the Minutes of the Environment Scrutiny Committee meeting held on 13 September 2011, be received.

(L) DEVELOPMENT CONTROL COMMITTEE - 14
SEPTEMBER 2011

RESOLVED – that the Minutes of the Development Control Committee meeting held on 14 September 2011, be received.

(M) COMMUNITY SCRUTINY COMMITTEE - 20
SEPTEMBER 2011

In respect of Minute 303 – Health Engagement Panel Membership, the Committee Chairman advised that Councillor K Crofton had been appointed to the vacant seat on the Panel.

RESOLVED – that the Minutes of the Community Scrutiny Committee meeting held on 20 September

2011, be received.

(N) AUDIT COMMITTEE - 21 SEPTEMBER 2011

RESOLVED – that the Minutes of the Audit Committee meeting held on 21 September 2011, be received.

341 LOCALISM BILL

RESOLVED – that subject to review should there be any significant changes to the Localism Bill upon enactment:

(A) Council opt for a voluntary code of conduct for Members;

(B) the Standards Committee be asked:

(1) to draft such a code (as referred to in (A) above) based on a revision of the current statutory code and to advise on any necessary consequential changes to other codes and protocols, and

(2) to propose a scheme for handling complaints concerning Members' conduct, having regard for the need to respond to such complaints equitably and expeditiously and without any unnecessary expense or calls on other resources, and

(C) the Monitoring Officer be instructed to write to the clerk of each of the District's parish and town councils to ensure that each one is aware of its probable new responsibilities and inviting co-operation in the preparation and adoption of a common code and machinery for its implementation.

342 TREASURY MANAGEMENT

The Leader referred to the national economic situation and of the need to ensure that the Council protected its investments.

He suggested that the Council needed to be as flexible as possible in order that investment decisions could be made at short notice. Therefore, he sought approval for delegating authority to the Executive Member for Finance to vary the Council's investment strategy if necessary to protect the Council's financial position during periods of heightened market volatility.

The Leader proposed and the Deputy Leader seconded the following motion:

“That the Executive Member for Finance be authorised to vary the Council's investment strategy if he determines this necessary as a matter of urgency prior to the Council meeting in December to protect the Council's funds at any time of heightened uncertainty in the financial markets or to take advantage of opportunities afforded by market volatility. The Executive Member to consult with the Chairman of Audit, the Committee charged with oversight of the Council's Treasury Management, the Leader or Deputy Leader and with the Council's treasury advisers before varying the strategy and to report back to Council in December on any action taken or to recommend any proposed change to the strategy.”

Various Members commented on the proposal and it was suggested that the motion be amended by replacing the word “consult” with something stronger and less vague. The Leader indicated his willingness to consider suggestions and after some discussion, the motion was amended as follows:

“That the Executive Member for Finance be authorised to vary the Council's investment strategy if he determines this necessary as a matter of urgency prior to the Council meeting in December to protect the Council's funds at any time of heightened uncertainty in the financial markets or to take advantage of opportunities afforded by market volatility. The Executive Member, with the agreement of the Chairman of Audit, the Committee charged with

oversight of the Council’s Treasury Management, and the Leader or Deputy Leader, and having consulted with the Council’s treasury advisers before varying the strategy, to report back to Council in December on any action taken or to recommend any proposed change to the strategy.”

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

RESOLVED – that the Executive Member for Finance be authorised to vary the Council’s investment strategy if he determines this necessary as a matter of urgency prior to the Council meeting in December to protect the Council’s funds at any time of heightened uncertainty in the financial markets or to take advantage of opportunities afforded by market volatility. The Executive Member, with the agreement of the Chairman of Audit, the Committee charged with oversight of the Council’s Treasury Management, and the Leader or Deputy Leader, and having consulted with the Council’s treasury advisers before varying the strategy, to report back to Council in December on any action taken or to recommend any proposed change to the strategy.

The meeting closed at 8.19 pm

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| Chairman | |
| Date | |