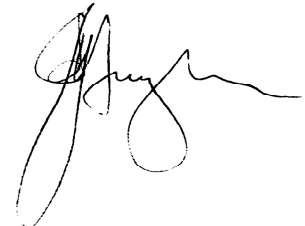


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EAST HERTFORDSHIRE DISTRICT COUNCIL

NOTICE IS HEREBY GIVEN that a meeting of East Hertfordshire District Council will be held in the Council Chamber, Wallfields, Hertford on Wednesday 28th September, 2011 at 7.15 pm, for the purpose of transacting the business set out in the Agenda below, and you are hereby summoned to attend.

Dated this 19th day of September 2011.



Jeff Hughes
Head of Democratic and
Legal Support Services

AGENDA

1. Chairman's Announcements

To receive any announcements.

2. Minutes (Pages 9 - 20).

To approve as a correct record and authorise the Chairman to sign the Minutes of the Council meeting held on 6 July 2011.

3. Declarations of Interest

To receive any Members' declarations of interest.

4. Petitions (Pages 21 - 22).

To receive any petitions.

5. Public Questions

To receive any public questions.

6. Members' questions

To receive any Members' questions.

7. Executive Report - 5 July 2011 (Pages 23 - 30).

Note – The recommendations set out at Minutes 119 - 122 were approved at the Council meeting held on 6 July 2011.

8. Executive Report - 6 September 2011 (Pages 31 - 44).

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

(A) Corporate Strategic Plan 2012/13 - 2015/16

(Minute 257 refers).

(B) Budget Process and Medium Term Financial Strategy/Updated MTFP 2012/13 - 2015/16 and Application of the New Homes Bonus

(Minute 258 refers).

(C) East Herts Local Development Framework: Localism and Neighbourhood Planning

(Minute 259 refers).

(D) LDF Core Strategy: Responses to Issues and Options Public Consultation 2 September 2010 to 25 November 2011

(Minute 260 refers).

(E) East Herts Core Strategy Preferred Options: Project Plan and Methodology Statement

(Minute 261 refers).

(F) New Home Bonus and Community Infrastructure Levy (CIL)

(Minute 262 refers).

(G) LDF: Strategic Land Availability Assessment (SLAA) Project Plan and Establishment of SLAA Partnership

(Minute 263 refers).

(H) LDF: Call for sites update report

(Minute 264 refers).

(I) East Herts Green Infrastructure Plan (March 2011) and Hertfordshire Strategic Green Infrastructure Plan (March 2011)

(Minute 265 refers).

(J) Assessment of East Herts Sports Facilities (May 2011)

(Minute 266 refers).

(K) LDF: Morphology and Place Shaping (MAPS) Technical Study

(Minute 267 refers).

(L) Monthly Corporate Healthcheck - July 2011

(Minute 268 refers).

9. Minutes of Committees

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

Committees:

(A) Audit Committee - 12 July 2011_(Pages 45 - 54).

Chairman: Councillor J Ranger.

(B) Human Resources Committee - 13 July 2011_(Pages 55 - 62).

Chairman: Councillor C Woodward.

(C) Corporate Business Scrutiny Committee - 19 July 2011
(Pages 63 - 68).

Chairman: Councillor D Andrews.

(D) Development Control Committee - 20 July 2011_(Pages 69 - 102).

Chairman: Councillor W Ashley.

(E) Licensing Committee - 21 July 2011_(Pages 103 - 110).

Chairman: Councillor M McMullen.

(F) Standards Committee - 16 August 2011_(Pages 111 - 114).

Chairman: Mr T Vickers.

To consider recommendations on the Localism Bill (Minute 221 refers).

(G) Development Control Committee - 17 August 2011_(Pages 115 - 128).

Chairman: Councillor W Ashley.

(H) Corporate Business Scrutiny Committee - 23 August 2011
(Pages 129 - 132).

Chairman: Councillor D Andrews.

(I) Development Control Committee - 25 August 2011_(Pages 133 - 160).

Chairman: Councillor W Ashley.

(J) Licensing Committee - 1 September 2011_(Pages 161 - 164).

Chairman: Councillor M McMullen.

(K) Environment Scrutiny Committee - 13 September 2011

*Chairman: Councillor Mrs D Hollebon.
(to follow).*

(L) Development Control Committee - 14 September 2011

*Chairman: Councillor W Ashley.
(to follow).*

(M) Community Scrutiny Committee - 20 September 2011

*Chairman: Councillor G McAndrew.
(to follow).*

(N) Audit Committee - 21 September 2011

*Chairman: Councillor J Ranger.
(to follow).*

10. 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 3.

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

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MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 6 JULY 2011, AT 7.00 PM

PRESENT:

Councillor S Rutland-Barsby (Chairman)
Councillors D Abbott, M Alexander,
D Andrews, W Ashley, S Basra, E Bedford,
E Buckmaster, S Bull, M Carver,
Mrs R Cheswright, K Crofton, A Dearman,
J Demonti, P Gray, L Haysey, T Herbert,
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, N Poulton, R Radford, J Ranger,
C Rowley, P Ruffles, N Symonds, J Taylor,
A Warman, G Williamson, J Wing, M Wood,
C Woodward and B Wrangles.

OFFICERS IN ATTENDANCE:

Anne Freimanis	- Chief Executive
Simon Drinkwater	- Director of Neighbourhood Services
Caroline Goss	- Communications Officer
Jeff Hughes	- Head of Democratic and Legal Support Services
Martin Ibrahim	- Senior Democratic Services Officer
George A Robertson	- Director of Customer and Community Services
Brian Simmonds	- Head of Community Safety

131 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting and reminded Members that the meeting was being webcast live.

The Chairman drew attention to the Council's recent success in being awarded the East of England Charter for Elected Member Development. She advised that it was hoped that a formal presentation of the award would be made at the Council meeting on 28 September 2011.

The Chairman also advised that an extraordinary meeting of the Council would likely be held on 28 September 2011, for the purpose of considering a motion to confer the title of Honorary Aldermen to those qualifying former Members in recognition of their public service.

The Chairman reminded those Members that had yet to pick up their laptop to contact the IT Helpdesk as soon as possible. She also reminded all newly-elected Members of the scrutiny training session that had been arranged for 13 July 2011, at 5.00 pm, in the form of a "mock committee" for which papers had already been circulated.

The Chairman reported that she had attended 20 events since the Annual meeting and detailed some of the highlights. She thanked the Vice-Chairman, Councillor J Taylor, as well as Councillors A Warman and N Wilson for attending events on her behalf.

Finally, she advised that the Council for the Protection of Rural England's Village of the Year competition in Hertfordshire had been won by Hunsdon.

132 MINUTES

RESOLVED – that the Minutes of the Annual Council meeting held on 18 May 2011, be approved as a correct record and signed by the Chairman.

133 DECLARATIONS OF INTEREST

Councillor N Symonds declared a personal interest in the matter referred to at Minute 135 – Petition on Chantry Resident Permit Proposal, in that she was a customer at the Bishop’s Stortford Veterinary Hospital.

134 PETITION - CAMPFIELD ROAD, HERTFORD

A petition comprising 55 signatures had been submitted by Mrs M Lyons as follows:

We the undersigned, petition and register our opposition to having our public money spent on a third set of steps at the end of Campfield Road.”

In noting the absence of the petitioner, Council agreed to receive the petition.

135 PETITION - CHANTRY RESIDENT PERMIT PROPOSAL

A petition, comprising 350 signatures, had been submitted by Mr N Richards, Practice Manager, Bishop’s Stortford Veterinary Hospital, as follows:

“We the undersigned would like to object in the strongest possible terms to East Hertfordshire’s proposals not to allow Bishop’s Stortford Veterinary Hospital to have residents visitors vouchers (short stay) and residents visitors vouchers (short stay for pensioners), within the proposed parking Zone B7.

The current proposals do not allow adequate provisions for short stay parking whilst visiting the Hospital, it will restrict access to the Hospital and could seriously compromise our ability to seek emergency care for our pets.”

Mr Richards outlined the history of the veterinary practice and the contribution it made to the local economy and employment in the area, as well as the essential services provided to

residents in Bishop's Stortford. He detailed the reasons for the petition and stated that he was requesting the ability for the practice to purchase residents' short-term visitor vouchers, which could be used by customers bringing their animals into the surgery.

He referred to current parking issues in the area and the problems that would be caused for visitors if they could not park within a short distance of the practice. He acknowledged the benefits of the proposed scheme and requested a small amendment to the proposal that would enable the practice to continue to serve the local community.

In response, the Executive Member for Planning Policy and Economic Development thanked Mr Richards for the petition and undertook to consider it carefully alongside all the other representations that had been received as part of the consultation process. He reminded Members of the purpose of the scheme, which had been requested by residents since 2003, and was intended to protect limited on-street parking for residents, who were inconvenienced by commuter, leisure and airport related parking.

However, as the portfolio holder responsible for economic development, he was also conscious of the needs of local businesses. Therefore, he advised that Officers were working on further options to facilitate the continuance of this successful practice and was confident that a positive solution could be found.

Councillors J Demonti and T Herbert, as the local ward Members, both expressed support for the petition and urged the Executive Member to reach a satisfactory outcome.

136 OLYMPICS UPDATE

Police Inspector Ron Singleton, Beds & Herts Olympic Planning Team, gave a presentation updating Council on the Lee Valley White Water Centre. She detailed the key issues in the location and construction of the venue, transport links, partnership and community work, the torch relay and

maintaining business as usual.

In response to Members' questions, PI Singleton commented on the partnership work undertaken with all communities in respect of planning events. She also advised on the work and consultation undertaken with water and transport authorities.

137 MEMBERS' QUESTIONS

Question 1

Councillor M Wood asked the Leader of the Council if he would join him in welcoming the Coalition Government's announcements of the previous week with regard to Councils being allowed to retain money derived from business rates.

In response the Leader agreed with Councillor M Wood and reminded Council of his budget statement in 2005, in which he had suggested an increasing case for more local responsibility, although at that time with a Labour Government, he had not held his breath.

In reply to a supplementary question, the Leader stated that he was awaiting the detail and that the District Councils Network would be looking at this. He welcomed the opportunity for the Council to have control of 85% of the revenue it generated and the responsibility that went with it.

Question 2

Councillor M Wood asked the Executive Member for Community Safety and Environment for an explanation of the rationale behind this decision to withdraw clothes bank bring sites, which he believed had created a certain amount of anger across the District.

In reply, the Executive Member questioned the level of anger as only one complaint on this matter had been recorded by the Council. He detailed the new textile recycling arrangements and the rationale, which gave residents greater control over the service received and provided increased

income, thus reducing costs for the taxpayer. The new arrangements did not have any known impact on private sites and residents had the choice of taking textiles to charity shops or to one of 14 recycling banks provided by the Council's contractor. He commented that additional income raised would be used to support local voluntary organisations which helped residents.

In response to a supplementary question, the Executive Member reminded Members that the new arrangements were in their infancy and he gave an undertaking to continue to review them.

138 EXECUTIVE REPORT - 24 MAY 2011

In respect of Minute 20 – Public Engagement and Consultation Task and Finish Group, the Executive Member for Health, Housing and Community Support advised that the first aspects of the review, including a calendar of events across the District, would be available on the intranet shortly.

RESOLVED – that the Minutes of the Executive meeting held on 24 May 2011, be received.

139 MONTHLY CORPORATE HEALTHCHECK - MARCH 2011

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

(B) in accordance with Financial Regulation 4.7.3, the carry forward of the capital budgets not spent in 2010/11, as set out in Essential Reference Paper 'D' and summarised at paragraph 2.32 of the report submitted, be approved and added to the 2011/12 capital estimates.

140 EXECUTIVE REPORT - 15 JUNE 2011

RESOLVED – that the Minutes of the Executive meeting held on 15 June 2011, be received.

141 EAST HERTS/STEVENAGE REVENUES AND BENEFITS PARTNERSHIP ARRANGEMENTS

RESOLVED – that (A) the view be supported that a shared Revenues and Benefits service with Stevenage Borough Council is viable and will deliver benefits as described in the business case document titled ‘Revenues & Benefits Shared Service for East Herts & Stevenage’, at Essential Reference Paper ‘A’ of the report submitted and to implement the proposals set out in this document;

(B) a Joint Revenues and Benefits Shared Service Committee with Stevenage Borough Council, as detailed at Essential Reference Paper ‘B’ of the report submitted, be approved;

(C) the creation of a Joint Management Board for a shared Revenues and Benefits service be approved;

(D) as the host authority for the shared service, the proposals to discharge, on behalf of Stevenage Borough Council the administration of Council Tax, National Non-domestic Rates and the administration of the Benefits scheme, including the investigation and prosecution of Benefit Fraud, in accordance with section 101 of the Local Government Act 1972, be approved, with the effective date for this arrangement to be agreed by the Chief Finance Officers at each Council;

(E) a contingency of £25,000 for unforeseen set up costs, be approved, to be met by a supplementary estimate if required;

(F) splitting set up costs and savings 50:50 for the first three years, be approved; and

(G) the Director of Internal Services be authorised to approve a partnership agreement with Stevenage Borough Council, to implement these proposals,

subject to final confirmation of the business case.

142 EXECUTIVE REPORT - 5 JULY 2011

RESOLVED – that the Decision Sheet of the Executive meeting held on 5 July 2011, be received.

143 BISHOP'S STORTFORD 20 20 VISION AND GOODS YARD SITE BRIEF

RESOLVED - that (A) the Draft Bishop's Stortford Goods Yard Site Development Brief as now submitted is adopted as the Council's vision and objectives for the site, subject to the following amendments:

Page 41, Item 6 – insert “not” before “become a competitor to Harlow...”

to read “A development centred on the Goods Yard site would greatly ease the congestion in the town centre but it should not become a competitor to Harlow or Cambridge.”

Page 56, paragraph 9.6.4 – insert after “...to consider a range of building heights” the words “up to” and delete the words “...varying between 3 storeys and”

to read “The Council is satisfied that across such a large site it would be appropriate to consider a range of building heights up to 6 storeys.”

Page 62, paragraph 14.5 – insert a full stop after “...effected to some degree by a number of different contaminants”

to read “Much of the made ground appears to have been effected to some degree by a number of different contaminants. Groundwater and the adjacent river are considered vulnerable to off-site migration.”

(B) minor amendments are delegated to the Director of Customer and Community Services in consultation

with the Leader; and

(C) used for development control purposes in determining planning applications relating to the site; and

(D) used to inform emerging Local Development Framework strategies and policies.

144 MONTHLY CORPORATE HEALTHCHECK - APRIL 2011

RESOLVED - that the carry forward requests of £9,270, £4,750, £7,000, £4,100, £4,195, £9,530 as outlined in paragraph 2.25 to 2.28 of the report submitted, be approved in accordance with Financial Regulation 4.7.3 and met by a call on the general reserve.

145 GENERAL FUND REVENUE AND CAPITAL OUTTURN 2010/11

RESOLVED - that a change of purpose of the Waste Recycling Reserve as set out in paragraph 3.6 of the report submitted, be approved.

146 MONTHLY CORPORATE HEALTHCHECK - MAY 2011

RESOLVED - that a supplementary Capital estimate of £77.5k against the Council's Leisure Development Capital project, be approved.

147 MINUTES OF COMMITTEES

(A) JOINT MEETING OF EXECUTIVE, COMMITTEES, PANELS, ETC - 18 MAY 2011

RESOLVED – that the Minutes of the joint meeting of the Executive, Committees, Panels, etc, held on 15 June 2011, be received.

(B) DEVELOPMENT CONTROL COMMITTEE
- 25 MAY 2011

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

(C) HUMAN RESOURCES COMMITTEE - 31 MAY 2011

RESOLVED – that the Minutes of the Human Resources Committee meeting held on 31 May 2011, be received.

(D) CORPORATE BUSINESS SCRUTINY COMMITTEE
- 31 MAY 2011

RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 31 May 2011, be received.

(E) ENVIRONMENT SCRUTINY COMMITTEE
- 7 JUNE 2011

RESOLVED – that the Minutes of the Environment Scrutiny Committee meeting held on 7 June 2011, be received.

(F) COMMUNITY SCRUTINY COMMITTEE
- 14 JUNE 2011

RESOLVED – that the Minutes of the Community Scrutiny Committee meeting held on 14 June 2011, be received.

(G) DEVELOPMENT CONTROL COMMITTEE
- 22 JUNE 2011

RESOLVED – that the Minutes of the Development Control Committee meeting held on 22 June 2011, be received.

148 SCRUTINY ANNUAL REPORT 2011

Council considered a joint report of the Scrutiny Committee Chairmen detailing the Scrutiny Annual report 2010/11.

The Chairman of the Corporate Business Scrutiny Committee expressed his gratitude to all Scrutiny Members who had contributed throughout the year and Officers for their support. He paid particular tribute to the Scrutiny Officer for her continued support.

Councillor J Ranger welcomed the report and offered his congratulations to the work of the Scrutiny Committees and the benefits for residents. He drew Members' attention to the section of the report looking forward to the evolving role of scrutiny and the impact of the three Bills working their way through Parliament.

Council agreed to receive the report.

RESOLVED – that the Annual Report on the work of the East Herts Scrutiny Committees and Health Engagement Panel during 2010/11, be received.

The meeting closed at 8.01 pm

Chairman
Date

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EAST HERTS COUNCIL

COUNCIL – 28 SEPTEMBER 2011

4. PETITION:

The following petition, comprising 71 signatures, has been submitted by Mr Simon Robert Black of 55 North Road, Hertford:

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.

Note:

Members are reminded that the lead petitioner is permitted to address Council for up to three minutes. The relevant Executive Member will respond to the petition. There is no provision for any general debate by Members, however, local ward Members may comment if they wish.

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MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 5 JULY 2011, AT 7.00 PM

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

ALSO PRESENT:

Councillors D Andrews, W Ashley, S Bull,
J Demonti, G Jones, Mrs J Mayes,
M McMullen, P Moore, T Page, P Phillips,
N Poulton, P Ruffles, S Rutland-Barsby and
B Wrangles

OFFICERS IN ATTENDANCE:

Anne Freimanis	- Chief Executive
Simon Drinkwater	- Director of Neighbourhood 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

119 **BISHOP'S STORTFORD 20 20 VISION AND GOODS YARD
SITE BRIEF**

The Leader of the Council submitted a report seeking approval for a Development Brief for the area known as

the Goods Yard site in Bishop's Stortford.

The Executive noted the progress made by the Bishop's Stortford 20 20 Group and the consultation that had been undertaken in producing the Brief as now submitted. If adopted, the Brief would become a strong material consideration for development control purposes and would inform the Local Development Framework.

The Leader drew attention to the additional comments that had been received from members of the 20 20 Group as detailed in the supplementary agenda. He proposed that the suggested amendments detailed at items 2 and 13 be supported, which was agreed by the Executive.

In response to comments by Members, the Executive noted that Officers would consider further the issue of taxis in relation to a fully integrated transport interchange. In respect of Building Heights at paragraph 9.6.4, the Executive agreed to support an amendment to the effect that a range of building heights up to 6 storeys would be appropriate to consider.

The Executive supported the proposals as now detailed.

RECOMMENDED – that (A) the Draft Bishop's Stortford Goods Yard Site Development Brief as now submitted is adopted as the Council's vision and objectives for the site, subject to the following amendments:

- (1) Page 41, Item 6 – insert “not” before “become a competitor to Harlow...”
to read “A development centred on the Goods Yard site would greatly ease the congestion in the town centre but it should not become a competitor to Harlow or Cambridge.”
- (2) Page 56, paragraph 9.6.4 – insert after “...to consider a range of building heights” the words “up to” and delete the words “...varying

between 3 storeys and”
to read “The Council is satisfied that across such a large site it would be appropriate to consider a range of building heights up to 6 storeys.”

- (3) Page 62, paragraph 14.5 – insert a full stop after “...effected to some degree by a number of different contaminants”
to read “Much of the made ground appears to have been effected to some degree by a number of different contaminants. Groundwater and the adjacent river are considered vulnerable to off-site migration.”

(B) minor amendments are delegated to the Director of Customer and Community Services in consultation with the Leader; and

(C) used for development control purposes in determining planning applications relating to the site; and

(D) used to inform emerging Local Development Framework strategies and policies.

120 **GENERAL FUND REVENUE AND CAPITAL FUND
 OUTTURN 2010/11 (1)**

The Executive Member for Finance submitted a report advising the Executive of the 2010/11 General Fund Revenue and Capital Fund Outturn.

The Executive Member advised that the final accounts had now been closed and would be submitted to the Audit Committee for approval. He also drew attention to the improved forecasting of the outturn position compared to the previous year.

The Executive supported the proposal as now detailed.

RECOMMENDED – that a change of purpose of the Waste Recycling Reserve, as set out in paragraph 3.6 of the report submitted, be approved.

(see also Minute 128 below)

121 **MONTHLY CORPORATE HEALTHCHECK - APRIL 2011 (1)**

The Leader submitted an exception report on finance and performance monitoring for April 2011.

The Executive supported the carry forward requests as detailed in the report submitted.

RECOMMENDED - that the carry forward requests of £9,270, £4,750, £7,000, £4,100, £4,195, £9,530 as outlined in paragraphs 2.25 to 2.28 of the report submitted, be approved in accordance with Financial Regulation 4.7.3 and met by a call on the general reserve.

(see also Minute 129 below)

122 **MONTHLY CORPORATE HEALTHCHECK - MAY 2011 (1)**

The Leader submitted an exception report on finance and performance monitoring for May 2011.

The Executive supported the supplementary capital estimate as now detailed.

RECOMMENDED - that a supplementary Capital estimate of £77.5k against the Council's Leisure Development Capital project, be approved.

(see also Minute 130 below)

123 **MINUTES**

RESOLVED – that the Minutes of the Executive meeting held on 15 June 2011, be approved as a correct record

and signed by the Leader.

124 DECLARATIONS OF INTEREST

Councillors W Ashley and N Poulton declared personal and prejudicial interests in the matter referred to at Minute 126 – Assessment of East Herts Sports Facilities, in that they were both Directors of Wodson Park. They both left the chamber whilst this matter was considered.

125 ISSUES ARISING FROM SCRUTINY

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

RESOLVED – that the report be received.

126 ASSESSMENT OF EAST HERTS SPORTS FACILITIES

The Executive Member for Health, Housing and Community Support submitted a report presenting the draft Assessment of East Herts Sports Facilities and a range of recommendations and long term aspirations. The Assessment would be used as guidance for local planning decisions up to 2021 and as a technical document to support the evidence base of the Local Development Framework.

The Executive noted that, at its meeting held on 14 June 2011, the Community Scrutiny Committee had recommended its use as planning guidance.

The Executive approved the proposals as now detailed.

RESOLVED – that (A) the views of Community Scrutiny Community be received; and

(B) the recommendations/aspirations for indoor sports facilities be acknowledged and the Assessment be noted and published.

127 PROCUREMENT WAIVER - COUNCIL WIDE AREA NETWORK

The Executive Member for Finance submitted a report requesting a waiver from the Council's Procurement Regulations, to enable the purchase of a Wide Area Network (WAN) at a lower cost in respect of the Council's telephone system.

The Executive approved the proposal as now detailed.

RESOLVED – that in accordance with Procurement Regulations 12.1 and 12.2.d, the requirement to appoint after competitive tender be waived, in order to enable the Council to implement a WAN at lower cost and which will deliver cost savings for the taxpayer following investigation of the market.

128 GENERAL FUND REVENUE AND CAPITAL FUND OUTTURN 2010/11 (2)

The Executive Member for Finance submitted a report advising the Executive of the 2010/11 General Fund Revenue and Capital Fund Outturn.

The Executive approved the proposals as now detailed.

RESOLVED – that (A) the General Fund Revenue Outturn for 2010/11 be approved; and

(B) the level of Fund Balances at 31 March 2011, as set out within the report submitted, be noted.

(see also Minute 120 above)

129 MONTHLY CORPORATE HEALTHCHECK - APRIL 2011 (2)

The Leader submitted an exception report on finance and performance monitoring for April 2011.

The Executive approved the proposals as now detailed.

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

(B) a supplementary estimate of £16,500 to modify car park pay and display machines to accept new 5p and 10p coins that come into circulation in 2011/12, be approved; and

(C) the action taken to mitigate and control strategic risks during the period January to April 2011 be noted.

(see also Minute 121 above)

130 MONTHLY CORPORATE HEALTHCHECK - MAY 2011 (2)

The Leader submitted an exception report on finance and performance monitoring for May 2011.

The Executive approved the proposals as now detailed.

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

(B) £36k of the Grange Paddocks Pay and Display machines capital budget and £3k of the Grange Paddocks tariff board/signage capital budget be re-profiled from 2012/13 into 2011/12; and

(C) £150k of the New Telephone System capital budget be re-profiled from 2012/13 into 2011/12.

(see also Minute 122 above)

The meeting closed at 7.31 pm

Chairman
Date

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

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

ALSO PRESENT:

Councillors D Andrews, W Ashley, S Bull, R
Cheswright, G Jones, J Mayes, M McMullen,
P Moore, T Page, N Poulton, J Ranger,
C Rowley, N Symonds, M Wood,
B Wrangles, J Wing and J Wyllie.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Simon Drinkwater	- Director of Neighbourhood Services
Alan Madin	- Director of Internal Services
George A Robertson	- Director of Customer and Community Services

256 **APOLOGY**

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

257 **CORPORATE STRATEGIC PLAN 2012/13 - 2015/16**

The Leader submitted a report on the Council's draft four

year Corporate Strategic Plan, outlining its priorities for the next four years and the key outcomes it wished to achieve.

Members considered the changing role of Councillors in terms of their role as “facilitators”.

The issue of recycling was considered and it was suggested that the Council should aim to achieve a rate of between 75-80%. The Leader stated that it was necessary to achieve a balance between increased recycling with the costs associated with recycling.

The Leader suggested a number of amendments in terms of what the Council wished to achieve under the heading of “Prosperity”.

The Executive agreed to accept the changes and supported the proposals as now detailed.

RECOMMENDED – that (A) the draft Corporate Strategic Plan attached at Essential Reference Paper “B” be approved, and

(B) the Performance and Improvement Co-ordinator be advised of any changes to be made to the Plan.

258 FINANCIAL STRATEGY 2011; MEDIUM TERM FINANCIAL STRATEGY/UPDATED MTFP 2012/13 - 2015/16 AND APPLICATION OF THE NEW HOMES BONUS (1)

The Executive Member for Resources and Internal Support submitted a report reviewing the Council’s Financial Strategy and Medium Term Financial Plan (MTFP) which included assumptions used to update the Plan since its approval in February 2011. The Executive Member explained that the review needed to take into account the use of the New Homes Bonus and the Government’s announcements regarding localisation of business rates and Council Tax Benefit. Members’

attention was drawn to comments by Corporate Business Scrutiny set out elsewhere on the agenda.

The Executive Member explained what the assumptions contained in the budget were and sought feedback. It was suggested that the General Reserve figure be set out in the strategy. It was noted that the figure for Members' Allowances was minus 2.68% and not as shown. The Executive Member for Resources and Internal Support explained the Council's use of structural deposits.

The Executive Member for Resources and Internal Support explained how the New Homes Bonus would work, the detail of which was set out in Essential Reference Paper "F" attached to the report now submitted. It was hoped that the Council would adopt a "light touch" in terms of an administrative role and of the need to keep local Councillors involved in the allocation of any monies.

The Leader referred to the challenges faced by the Community in using these funds and how they could be used in a fair and equitable way. The need to dovetail the aspirations contained in the Neighbourhood Plans with the Council's Local Development Framework for the District was discussed. Concerns were expressed about developing "Green Belt".

Clarification was sought and provided regarding the calculation of Council Tax behind the national average Band "D" rate. Members supported the amendment of the figure shown for Band "D" following consideration of this matter.

The Executive supported the proposals as now detailed.

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.

(See also Minute 275 below).

**259 EAST HERTS LOCAL DEVELOPMENT FRAMEWORK:
LOCALISM AND NEIGHBOURHOOD PLANNING**

The Executive considered and supported the recommendations of the Local Development Framework Panel, made at its meeting held on 7 July 2011, in respect of the Localism Bill and Neighbourhood Planning and its likely implications for planning policy.

RECOMMENDED – 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.

(see also Minute 276 below).

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

The Executive considered and supported the recommendations of the Local Development Framework Panel, made at its meeting held on 7 July 2011, in respect of LDF Core Strategy, responses to issues and options following the public consultation between 2 September and 25 November 2011.

RECOMMENDED – 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.

(see also Minute 276 below).

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

The Executive considered and supported the recommendations of the Local Development Framework Panel, made at its meeting held on 7 July 2011, in respect of East Herts Core Strategy preferred options (Project Plan and Methodology Statement).

RECOMMENDED – 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.

(see also Minute 276 below).

**262 NEW HOME BONUS AND COMMUNITY
INFRASTRUCTURE LEVY (CIL)**

The Executive considered and supported the recommendations of the Local Development Framework Panel, made at its meeting held on 7 July 2011, in respect of the new Home Bonus and Community Infrastructure Levy (CIL).

RECOMMENDED – 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.

(see also Minute 276 below).

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

The Executive considered and supported the recommendations of the Local Development Framework Panel, made at its meeting held on 7 July 2011, in respect of LDF: Strategic Land Availability Assessment (SLAA) Project Plan and Establishment of SLAA Partnership

RECOMMENDED – 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 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.

(see also Minute 276 below).

264 LDF: CALL FOR SITES UPDATE REPORT

The Executive considered and supported the recommendations of the Local Development Framework Panel, made at its meeting held on 7 July 2011, in respect of LDF: Call for sites update report.

RECOMMENDED – 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.

(see also Minute 276 below).

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

The Executive considered and supported the recommendations of the Local Development Framework Panel, made at its meeting held on 7 July 2011, in respect of East Herts Green Infrastructure Plan (March 2011) and Hertfordshire Strategic Green Infrastructure Plan (March 2011).

RECOMMENDED – 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.

(see also Minute 276 below).

**266 ASSESSMENT OF EAST HERTS SPORTS FACILITIES
(MAY 2011)**

The Executive considered and supported the recommendations of the Local Development Framework Panel, made at its meeting held on 7 July 2011, in respect of an Assessment of East Herts Sports Facilities (May 2011)

RECOMMENDED – 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.

(see also Minute 276 below).

267 **LDF: MORPHOLOGY AND PLACE SHAPING (MAPS)
TECHNICAL STUDY**

The Executive considered and supported the recommendations of the Local Development Framework Panel, made at its meeting held on 7 July 2011, in respect of LDF: Morphology and Place Shaping (MAPS) Technical Study.

RECOMMENDED – 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.

(see also Minute 276 below).

268 **MONTHLY CORPORATE HEALTHCHECK - JULY 2011 (1)**

The Leader submitted an exception report on finance and performance monitoring for July 2011.

The Executive supported the recommendations as now detailed.

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

(1) £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

(2) 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.

(see also Minute 272 below).

269 MINUTES

RESOLVED – that the Minutes of the Executive meeting held on 5 July 2011, be approved as a correct record and signed by the Leader.

270 ISSUES ARISING FROM SCRUTINY

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

RESOLVED – that the report be received.

271 MONTHLY CORPORATE HEALTHCHECK - JUNE 2011

The Leader submitted an exception report on finance and performance monitoring for June 2011.

Clarification was provided in relation to a query regarding management salaries.

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

(B) the Strategic Risks for 2011/12 and the action taken to mitigate during May and June 2011 be noted, and

(C) the reporting of corporate projects in the July corporate healthcheck report, be noted.

272 MONTHLY CORPORATE HEALTHCHECK - JULY 2011 (2)

The Leader submitted an exception report on finance and performance monitoring for July 2011.

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

(B) £18k from the Rye Street Car Park North refurbishment capital budget be vired to the Grange Paddocks Overspill refurbishment capital budget, and

(C) a supplementary capital estimate of £30k for the Vantorts Play Scheme be approved, in accordance with Financial Regulations 4.62(c).

(see also Minute 268 above).

273 DRAFT 2010/11 ANNUAL GOVERNANCE STATEMENT

The Leader submitted a report on the draft 2010/11 Annual Governance Statement. The Leader sought assurances that the Statement provided flexibility in relation to the Executive's Members and requested that the wording in the original statement be adopted which cited Membership of between "2 – 9". This was supported.

RESOLVED – that (A) the Draft Annual Governance Statement, the External Auditor's report to the July 2011 Audit Committee and the subsequent Officer response, be received, and

(B) the Annual Governance Statement be amended by the inclusion of the original wording concerning the Membership of the Executive of between "2 – 9" Members.

274 FLYPOSTING POWERS FOR TOWN COUNCILS

The Executive Member for Community Safety and Environment submitted a report on the issues involved with enabling Town Councils to take up fly-posting removal powers. He commented that Town Councils should be aware

of the full ramifications of the transfer in terms of health and safety and training.

Members raised concerns about what aspects would fall to the Town Councils. Assurances were provided that the fly-posting powers would only be transferred to those Town Councils who would accept total responsibility and of the need to remember that the Council operated holistically, as a District.

The Executive approved the proposals as now detailed.

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

275 FINANCIAL STRATEGY 2011; MEDIUM TERM FINANCIAL STRATEGY/UPDATED MTFP 2012/13 - 2015/16 AND APPLICATION OF THE NEW HOMES BONUS (2)

The Executive Member for Resources and Internal Support submitted a report reviewing the Council's Financial strategy and Medium Term Financial Plan (MTFP) which included assumptions used to update the Plan since its approval by Council in February 2011. The Executive Member explained that the review needed to take into account the use of the New Homes Bonus and the Government's announcements regarding localisation of business rates and Council Tax Benefit. Members' attention was drawn to comments by Corporate Business Scrutiny set out elsewhere on the agenda.

The Executive approved the proposals as now detailed.

RESOLVED – that the Government's proposals in respect of the localisation of business rates and

Council Tax benefit be noted.

(see also Minute 258 above).

276 LOCAL DEVELOPMENT FRAMEWORK (LDF) EXECUTIVE
PANEL - 7 JULY 2011

RESOLVED – that the Minutes of the Local
Development Framework Executive Panel meeting
held on 7 July 2011 be received.

(see also Minutes 259 – 267 above).

The meeting closed at 8.45 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
AUDIT COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON TUESDAY 12 JULY 2011,
AT 7.00 PM

PRESENT: Councillor J Ranger (Chairman)
Councillors W Mortimer, P Phillips, M Pope
and R Radford

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Simon Chancellor	- Head of Financial Support Services
Chris Gibson	- Internal Audit and Business Improvement Manager
Alan Madin	- Director of Internal Services

ALSO IN ATTENDANCE:

Paul Dossett	- Grant Thornton
Margaret Mulkerrin	- Shared Internal Audit Service
Nick Taylor	- Grant Thornton

149 THE ROLE OF AUDIT COMMITTEE - TRAINING ITEM FOR MEMBERS

The Chairman welcomed new Members.

A training presentation was provided by the Internal Audit and Business Improvement Manager on the role of the Audit Committee.

The Internal Audit and Business Improvement Manager drew Members' attention to the terms of reference of Audit

Committee and the Committee's work programme. In the absence of Councillor J Wing, the Chairman asked Officers to contact the Member and draw his attention to the Terms of Reference as set out in the report now submitted.

Members thanked the Internal Audit and Business Improvement Manager for his presentation.

150 APOLOGIES

Apologies for absence were received from Councillors N Wilson and J Wing.

151 MINUTES

RESOLVED – that the Minutes of the Audit Committee meeting held on 23 March 2011 be confirmed as a correct record and signed by the Chairman.

152 EXTERNAL AUDITOR'S REPORT - REVIEW OF ARRANGEMENTS FOR IMPLEMENTATION OF INTERNATIONAL FINANCIAL REPORTING STANDARDS

The External Auditor submitted a report on a review of arrangements for the implementation of the new International Financial Reporting Standards (IFRS). Nick Taylor stated that the Council's overall arrangements for IFRS restatement were adequately planned for and focussed on key risk areas.

A Member sought clarification in relation to accounting policies. This was provided.

Members noted the report.

RESOLVED – that the report be noted.

153 EXTERNAL AUDITOR'S REPORT - ACCOUNTS AUDIT APPROACH MEMORANDUM

The External Auditor submitted a report setting out the Audit Strategy to be taken in relation to:

- Planning
- Control evaluation
- Substantive Procedures
- Completion

Nick Taylor stated that there were no significant issues to report with the exception of IT which Members agreed needed to be kept under review.

A Member sought clarification on the use of valuation experts and follow up time scales in relation to IT recommendations. The Director of Internal Services said that management issues around IT had now been addressed. Officers undertook to keep IT under review.

Members received the report.

RESOLVED – that the report be received.

154 EXTERNAL AUDITOR'S REPORT - ANNUAL GOVERNANCE STATEMENT - ADDING REAL VALUE?

The External Auditor submitted a report regarding the main issues of the Annual Governance Statement: Adding Real Value? The report highlighted weaknesses by some local authorities and what needed to be done for the Statement to add real value.

The Chairman thanked the External Auditor and said that it was a useful summary of what the External Auditors had found.

RESOLVED – that the report be received.

155 EXTERNAL AUDITOR'S REPORT - CERTIFICATION WORK
- PLANNING MEMORANDUM 2010 – 2011

The External Auditors submitted a report on the approach taken regarding the external certification of claims for grant or subsidy and returns of financial information by the External Auditors acting as agent for the Audit Commission. The report explained what the certification arrangements were, the fees charged, the types of claims and other work including protocols for the 2010-11 claims and returns. Nick Taylor explained that there was one other grant claim which had not been included in the report as submitted, the detail of which was provided.

Members received the report.

RESOLVED – that the report be received.

156 EXTERNAL AUDITOR'S REPORT - INDICATIVE AUDIT
FEES 2011/12

The External Auditors submitted a report summarising the audit work proposed for the 2011/12 financial year. It was noted that the fee set for 2011/12 represented a 5% decrease on the 2010/11 fee and that fees were still set by the Audit Commission and based on the assumption that detailed working papers would be provided by an agreed timetable.

Paul Dossett referred to 31 August 2011 when local electors would be able to review the Council's accounts. It was anticipated that there would be no complications arising from this.

Members received the report.

RESOLVED – that the report be received.

157 STATEMENT OF ACCOUNTS 2010-2011

The Executive Member for Resources and Internal Support submitted a report, following changes to the new Accounts and Audit Regulations. The Director of Internal Services referred to the new IFRS standards and delegation to Audit Committee, to approve the Annual Statement of Accounts. He explained the transitional effects of the IFRS on the Council's accounts in terms of building in resilience.

The Director of Internal Services encouraged Members to question and seek clarification whenever they felt necessary so that answers could be provided in a clear and transparent manner. The Head of Financial Support Services guided Members through the content of the Accounts, attached to the report now submitted.

Members discussed a number of issues in relation to the new arrangements and the effects on Council Tax, asset values, the pension fund and the Council's liability. Members queried repaying debt at higher rates of interest when it had a healthy level of reserves. This was explained. Clarification was provided in relation to the Council's approach to depreciation generally and specifically in relation to the use of refuse vehicles.

The Chairman encouraged Members to contact either the Director of Internal Services or the Head of Financial Support Services on any issue which needed clarification and in advance of the final accounts being submitted to Audit Committee on 21 September, 2011. He thanked Officers for their detailed explanation of the Council's accounts.

Members received the report and noted the new requirements.

RESOLVED – that the production and authorisation by the Section 151 Officer of the Council's 2010/11 draft accounts in line with statutory requirements, be noted.

158 INTERNAL AUDIT SERVICE 2010/11

The Internal Audit and Business Improvement Manager

submitted a report outlining the Internal Audit activity relating to the financial year 2010/11, including independent assurance options on various areas of internal control. The overall level of assurance was reported as “good” including that of performance indicators. Members noted that good risk management practices had been delivered throughout 2010/11. The Internal Audit and Business Improvement Manager drew Members’ attention to concerns around IT and that measures would be taken to keep this under review.

The Chairman, on behalf of Members, thanked the Internal Audit and Business Improvement Manager for the detailed report and thanked officers for their excellent work during the last year.

RESOLVED – that the report be received.

159 INTERNAL AUDIT SERVICE POSITION STATEMENT

The Internal Audit and Business Improvement Manager submitted a report detailing the position on internal audit activity since the previous Audit Committee.

It was noted that excellent progress had been made in clearing outstanding audit recommendations since the last Committee, with 32 recommendations shown as being resolved but that there had been limited movement in relation to ICT issues which would be kept under review by Margaret Mulkerrin, the new Audit Manager under the Shared Internal Audit Service (SIAS) arrangement.

Margaret Mulkerrin explained that efficiencies would be generated under the new ways of working including the ability to develop areas of expertise. She reassured Members that Hertfordshire County Council would not be taking over the internal audit function, but that, it was a collaborative way of working.

Members received the report.

RESOLVED – that the report be received.

160 AN INTRODUCTION TO THE SHARED INTERNAL AUDIT SERVICE

The Chairman welcomed Margaret Mulkerrin, Audit Manager of the new Shared Internal Audit Services (SIAS). She apologised that the Head of Assurance, Helen Maneuf was unable to attend but would attend future meetings. Margaret Mulkerrin explained that the shared service had been operational from 1 July 2011 and that a partnership had been formed between the following Councils:

- East Herts District Council
- Hertfordshire County Council
- Hertsmere Borough Council
- North Hertfordshire District Council
- Stevenage Borough Council
- Welwyn Hatfield Borough Council.

Margaret Mulkerrin provided an update in relation to staffing issues. The aim of the SIAS was to maintain the prevailing quality and continuity and to enhance resilience.

The Chairman said that Members were pleased with the format of reports to Committee and emphasised the need to ensure that they were written in plain English.

Members noted the report.

RESOLVED – that the report be noted.

161 RISK MANAGEMENT MONITORING 1 FEBRUARY 2011 - 30 APRIL 2011

The Leader of the Council submitted a report on action taken to mitigate and control strategic risks during the period 1 February to 30 April 2011. The Director of Internal Services provided an update on how risks were evaluated and on those ratings which had not remained the same. He referred to the

continued need to work “smarter”.

The Chairman referred to the need to manage the public’s expectations on issues around devolving matters to the parish councils. The Director of Internal Services emphasised the need for transparency of decision making and the need for clear leadership.

Members received the report and were pleased to see the significant movement made during the year.

RESOLVED – that the action taken to mitigate and control strategic risks during the period 1 February to 30 April 2011 and of the significant movement made during the year be noted.

162 UPDATE ON IMPLEMENTATION OF ANNUAL GOVERNANCE STATEMENT ACTION PLAN

The Internal Audit and Business Improvement Manager submitted a report on the progress made against implementing the action plan contained in the 2009/10 Annual Governance Statement, attached to the report now submitted. The statement included 19 measures to enhance East Hertfordshire Council’s internal control framework during the period 2010/2011. Eight issues had been resolved since the previous Committee meeting with 7 outstanding issues to be carried forward to the 2010/11 Annual Governance Statement.

Members received the report and noted the excellent progress made in managing the action plan.

RESOLVED – that the excellent progress made against implementing the action plan contained in the 2009/10 Annual Governance Statement be noted.

163 DRAFT 2010/11 ANNUAL GOVERNANCE STATEMENT

The Leader of the Council submitted a report setting out the

draft 2010/11 Annual Governance Statement attached as Essential Reference Paper “B” to the report now submitted. The Annual Governance Statement was a prerequisite of the Accounts and Audit Regulations 2003 (as amended) and as such, the Council was required to undertake regular reviews of its governance arrangements to ensure continuing compliance with best practice.

The Internal Audit and Business Improvement Manager outlined the consultation process that was intended to lead to approval of the Annual Governance Statement at the next meeting of the Audit Committee.

The External Auditor reminded Members of the need to ensure that governance issues for inclusion in the Annual Governance Statement to enhance internal control, were key and strategic.

Members noted that the Annual Governance Statement was valuable and commented on the need to monitor the content quarterly.

RESOLVED – that the Draft 2010/11 Annual Governance Statement be received as part of the wider consultation process.

164 AUDIT COMMITTEE WORK PROGRAMME

The Internal Audit and Business Improvement Manager submitted the Audit Committee Work Programme for the 2011/12 civic year, as set out in Essential Reference Paper “B” attached to the report now submitted. The Internal Audit and Business Improvement Manager stated that further training was being investigated to assist Members in relation to Risk Management, Treasury Management and Corporate Governance matters.

Members supported a request that Treasury Management training be given initial priority.

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

The meeting closed at 9.10 pm

Chairman
Date

MINUTES OF A MEETING OF THE
HUMAN RESOURCES COMMITTEE HELD
IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 13 JULY 2011, AT 3.00 PM

PRESENT: Councillor C Woodward (Chairman)
Councillors P Ballam, Mrs D Hone, J Ranger,
P Ruffles and N Wilson

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Emma Freeman	- Head of People and Organisational Services
Claire Kirby	- Human Resources Officer
Alan Madin	- Director of Internal Services
Jaleh Nahvi	- Human Resources Officer

ALSO IN ATTENDANCE:

Mrs J Sharp	- Senior Revenue Assistant
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165 APOLOGIES

An apology for absence was submitted from Councillor A Warman.

166 MINUTES

RESOLVED – that the Minutes of the Human Resources Committee held on 31 May 2011 be confirmed as a correct record and signed by the Chairman.

167 CHAIRMAN'S ANNOUNCEMENTS

The Chairman requested that, with Members' consent, the item on Staff Car Parking be brought forward for discussion. It was noted that the report had been considered by the Local Joint Panel in advance of the meeting of Human Resources Committee.

168 STAFF CAR PARKING

The Programme Head for Change submitted a report setting out the options proposed for staff car parking when staff were consolidated onto the Hertford site.

The Director of Internal Services provided Members with a summary of issues discussed at the Local Joint Panel which had been held in advance of the Human Resources Committee. At that meeting, the Panel had agreed that there should be no change to staff for the current financial year, but that arrangements should be reviewed when the results of the Parking and Travel Strategy were known and what additional staff would be moving to Hertford from Stevenage, under the shared arrangements.

The Director of Internal Services stated that Members of the Panel had not ruled out the possibility of imposing a levy on staff and that monitoring of the car park would commence from 22 August, 2011. It was noted that Members had also referred to the issue of enhancing the layout of the Wallfields car park, of car parking for Bishop's Stortford staff and concerns about the 20 spaces for visitors.

Members noted and supported the recommendation of the Local Joint Panel to defer taking any action until the end of the financial year.

RESOLVED – that (A) for the balance of this financial year, there should be no change to current staff parking arrangements, but that situation would be reviewed in the light of results of the Parking and Travel Strategy; and

(B) the possibility that a modest charge may need to be made for staff parking in the future, be noted.

169 ANNUAL GOVERNANCE STATEMENT

The Leader of the Council submitted a report concerning the draft 2010/11 Annual Governance Statement submitted to Members as part of a wider consultation process. The Director of Internal Services drew attention to the six core principles of the Governance Framework set out in Essential Reference Paper "B" attached to the report now submitted, including what enhancements were proposed to improve internal control arrangements.

Members noted that the External Auditor did not have anything to add to the arrangements, other than to emphasise that inclusions in the framework, needed to be key and strategic.

A Member raised the issue of the Localism Bill and Member Training. It was suggested that a questionnaire could be developed to establish Members' skills and training needs.

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

(B) Audit Committee be advised that consideration be given to the development of a questionnaire to facilitate development of Members and Officers required under the Member Development Charter.

170 CORPORATE TRAINING REVIEW

The Head of People and Organisational Services submitted a report which reviewed learning and development within the Council in 2010/11 and proposals for 2011/12. A summary was provided in relation to priorities following the return of PDRs which currently stood at 76%. It was noted that there had been a significant under-spend on the training budget last year.

Members considered the training amount allocated per FTE and of the possibilities of using web enabled “E” learning. The benefits of shared training initiatives with Town Councils and other Councils was discussed and supported. Training for Councillors within a wider context was considered a part of the initiative within the Member Development Group.

Given the fact that the Council was restructuring and sharing services, it was suggested that staff might be provided with training in relation to interview techniques. This was supported. Officers agreed that this could be incorporated within the Corporate training Plan. It was noted that a separate training plan to support the restructure and transfer of SBC staff had been developed for revenues and benefits staff.

Members noted the Training Programme for 2010/11 and supported the programme for 2011/12 and the initiatives mentioned.

RESOLVED – that (A) the Training Plan for 2010/11 be noted; and

(B) the training programme for 2011/11 be supported together with the comments now detailed.

171 EQUAL PAY AUDIT

The Head of People and Organisational Services submitted a report on the proposed methodology for the 2011 Equal Pay Audit, which was a requirement of the Equality and Human rights Commission and the Green Book. It was noted that the Council’s own staff would be used in the collation and processing of data.

Members supported the proposed methodology.

RESOLVED – that the proposed methodology for the 2011 Equal Pay Audit be approved.

172 JOB EVALUATION

The Head of People and Organisational Services submitted a report regarding the revised Job Evaluation Policy. Members' attention was drawn to the key changes to the new policy, set out in Essential Reference Paper "B", attached to the report now submitted.

Members approved the revised Job Evaluation Policy.

RESOLVED – that the revised Job Evaluation Policy be approved.

173 TURNOVER REPORT

The Head of People and Organisational Services submitted a report on a number of key statistics.

It was noted that turnover for 2010/11 was 8.24% against a target of 12%. Voluntary turnover was 5.77% against a target of 8%. The vacancy rate was 4.13% set against a target of 3%. In terms of voluntary leavers, most were now leaving between 2-5 years length of service with health and housing experiencing the most dramatic increase in turnover during 2010/11. The reason for leaving was, in the main, relating to promotion / pay increase.

In 2009/10 the Council had spent £8,146 on recruitment relating to 14 vacancies averaging £581.84 per hire. The estimated total cost of recruitment in the UK was £2,930 per hire (CIPD Resourcing and Talent Survey 2010). Officers were confident that the Manpower contract was providing the Council with value for money.

Members noted the current demographics of the Council, with 40% of staff being 50 and over. Officers suggested that there was a need to explore and develop succession planning and talent management. It was suggested that the Regional Portal run by the East of England Government Association would be a good source of initial information.

Members noted the statistics as set out in the report now submitted and the need to reduce its turnover target to 10% overall and 7% Voluntary turnover and supported a suggestion that succession planning and talent management be investigated.

RESOLVED – that (A) the report be noted;

(B) the turnover target for 2011/12 be reduced to 10% overall and 7% voluntary turnover; and

(C) Officers investigate strategies to support succession planning and talent management.

174 DISTURBANCE POLICY

The Head of People and Organisational Services submitted a report concerning the revisions to the Disturbance Allowance Policy, the detail of which was set out in Essential Reference Paper “B” attached to the report now submitted. Key changes to the policy were explained. The Director of Internal Services stated that the Council would be working towards harmonising the policies in the light of shared services arrangements.

Members approved the revised Disturbance Allowance Policy.

RESOLVED – that the revised Disturbance Allowance Policy be approved.

175 LOCAL JOINT PANEL - MINUTES OF THE MEETING:
14 JUNE 2011

Members noted the Minutes of the Local Joint Panel meeting held on 14 June 2011.

RESOLVED – that the Minutes of the Local Joint Panel held on 14 June 2011 be noted.

176 DATE OF NEXT MEETING

The Committee noted that the next meeting would be held on

12 October 2011 at Wallfields, Pegs Lane, Hertford.

The meeting closed at 4.30 pm

Chairman

Date

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MINUTES OF A MEETING OF THE
CORPORATE BUSINESS SCRUTINY
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 19 JULY 2011, AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors E Bedford, G Jones, W Mortimer,
T Page, M Pope, J Ranger, G Williamson
and J Wing

ALSO PRESENT:

Councillors S Bull and P Ruffles

OFFICERS IN ATTENDANCE:

Marian Langley	- Scrutiny Officer
Lorraine Blackburn	- Committee Secretary
Alan Madin	- Director of Internal Services
Neil Sloper	- Head of Customer Services and New Media

177 APOLOGIES

An apology for absence was submitted from Councillor P Phillips.

178 CHAIRMAN'S ANNOUNCEMENTS

The Chairman stated that the recent training session had been very useful and encouraged Members to attend future events.

179 MINUTES

RESOLVED – that the Minutes of the meeting held on

31 May 2011 be confirmed as a correct record and signed by the Chairman.

180 DRAFT 2010/11 ANNUAL GOVERNANCE STATEMENT

The Leader of the Council submitted a report on the draft 2010/11 Annual Governance Statement. The Director of Internal Services explained that this report was being submitted, as part of a wider consultation process which would be submitted for final approval by Audit Committee on 21 September 2011. The Director of Internal Services drew attention to the six core principles governing the Council's Corporate Governance arrangements and referred to the enhancements to internal control arrangements which had been identified by Internal Audit. He asked that a minor adjustment be made to the recommendation in that it should read "2010/11" and not as shown.

The Director of Internal Services sought Members' comments concerning any further suggested areas for consideration and inclusion by Audit Committee. It was noted that the External Auditors had emphasised the fact that issues for inclusion should be key and strategic.

The Chairman suggested that the statement should make it clear that the Executive arrangement shown referred to the "Leader and four other Councillors". This was supported. Members also requested that the wording in relation to "operational risk" clarify the point that it was a "list of new operational risks" which had been developed rather than the wording shown in the report, attached as Essential Reference Paper "B".

Officers explained that the content of the statement needed to be comprehensive given that it was a document to be shared and made available to the public.

Clarification was sought in relation to various codes and protocols which governed both Member and Officer activities. Officers agreed to provide this information electronically.

Clarification was sought in relation to an issue about a complaint on “staff conduct” (elsewhere on the agenda) and the possibility that it might be considered in the context of required enhancements to internal control arrangements. The Head of Customer Services said that a complaint on “staff conduct” was wide and varied and might simply have been a failure to return a telephone call.

Members considered the issue of planning and complaints (elsewhere on the agenda) and supported a request that Audit Committee be informed that there should be clarity of information in terms of the use of the web and the publication of planning information, specifically that Officers should use plain English in what was published, notwithstanding the fact that this might need to be supplemented by legal terminology.

The Committee decided to forward Members’ comments as detailed above, to Audit Committee.

RESOLVED – that Audit Committee be advised of the Committee’s comments now detailed.

181 REVIEW OF COMMENTS, COMPLIMENTS AND COMPLAINTS - APRIL 2010 TO MARCH 2011

The Head of Customer Services submitted a report detailing the comments, compliments and complaints received between April 2010 and March 2011 in terms of performance, volumes, sources and action taken. Key improvement actions were summarised by Directorate including what corrective action had been taken in response to complaints. It was noted that 10 complaints had been referred to the Local Government Ombudsman but that no cases of maladministration had been found.

The Head of Customer Services referred to Performance Indicator EHP15.1 (complaints resolved in 14 days or less) and the difficulties Officers faced in dealing with external agencies.

The Chairman referred to tensions which might exist when planning applicants sought pre-planning advice and then found that planning permission had been refused. Members requested further information on a breakdown of complaints. Officers agreed to email a breakdown of complaints by service.

Members discussed the complaints which were resolved in 14 days (73%) or less and the 27% which were not and the implications of this. The difficulties and delays in dealing with external agencies such as the Department of Works and Pensions and Planning Agencies were considered and how this impacted on targets. It was suggested that performance targets could be reviewed in the autumn and the wording of the indicator might be amended to allow for the 'waiting time' when having to refer to external agencies for information/confirmation of details.

Members again considered the use of the web and how it could be used in a customer friendly manner. In particular, how planning information was published and the way planning applications were handled, notwithstanding the fact that the Council was obliged to follow proscribed formats. It was suggested that this matter might be considered by the Task and Finish Group.

Members received the report and asked Officers to review performance targets for consideration by Members in the autumn.

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

(B) Officers report back to Members on performance targets in the autumn.

182 C3W UPDATE

The Programme Head for Change submitted a report updating Members a number of key issues on the Changing the Way We Work (C3W) Programme. It was noted that staff would be

moving from The Causeway on 20 August and the building would be handed over at the end of November 2011. He explained which staff would be based at the new Charrington's House, Bishop's Stortford office.

Clarification was sought in response to a query about the project being within budget. This was provided. Reference was made to the open plan nature of the office and the negative impact this might have on staff productivity. The Chairman referred to the physical nature of the space available and assurances were provided that health and safety audits would be undertaken including assessments on display screens and for home workers.

Clarification was provided in relation to the security of documents and home working.

Members suggested that they be offered a choice of tours of both the Wallfields and Charringtons House buildings when the project had been completed and once staff had settled in.

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

(B) Officers be requested to arrange a tour of both Wallfields and Charringtons House buildings on completion of the project and when staff had settled in.

183 SCRUTINY WORK PROGRAMME 2011/12

The Chairman submitted a report inviting the Committee to review its work programme.

The Scrutiny Officer referred to the C3W programme and suggested that there be a Closure Report submitted to Members at its meeting on 29 November 2011, rather than the Evaluation Report on the scrutiny of C3W and that this latter report be submitted to Members on 20 March 2012. This was supported.

Members also agreed to the inclusion of a report on Shared

Service to its meeting on 4 October, 2011.

The Director of Internal Services drew Members' attention to the Medium Term Financial Plan (MTFP) and asked Members to identify any issues, which fell within the remit of Corporate Business Scrutiny Committee that they might wish to review in terms of the 2012/13 financial year. Concerns were expressed that less funding might impinge on key priorities. The Director explained that in all areas, managers were having to do more with less funding.

A Member requested that the issue of Human Resources savings in terms of reduced HR support of £60,000 and Revenues and Benefits in terms of Invest to Save option of £64,000 be detailed. This was supported.

Members received the report.

RESOLVED – that (A) the report as amended be approved; and

(B) a report on the issue of Human Resources savings and Revenue and Benefits (Invest to Save) for 2012/13 be provided.

The meeting closed at 8.45 pm

Chairman
Date

MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 20 JULY 2011, AT 7.00 PM

PRESENT: Councillor W Ashley (Chairman).
Councillors M Alexander, S Bull,
Mrs R Cheswright, J Demonti, G Jones,
G Lawrence, M Newman, T Page, S Rutland-
Barsby, J Taylor and B Wrangles.

ALSO PRESENT:

Councillors D Andrews, P Moore, N Poulton
and P Ruffles.

OFFICERS IN ATTENDANCE:

Malcolm Amey	- Arboricultural Officer
Glyn Day	- Principal Planning Enforcement Officer
Simon Drinkwater	- Director of Neighbourhood Services
Peter Mannings	- Democratic Services Assistant
Kevin Steptoe	- Head of Planning and Building Control
Alison Young	- Development Control Manager

184 APOLOGY

An apology for absence was submitted on behalf of
Councillor A Burlton. It was noted that Councillor T Page
was in attendance as substitute for Councillor Burlton.

185 CHAIRMAN'S ANNOUNCEMENTS

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

The Chairman reminded the Committee of the Planning Tour of the District due to take place on Friday 2 September 2011. He requested that Members e-mail him or the Head of Planning and Building Control as soon as possible as spaces were limited.

The Chairman advised that he had agreed to accept three urgent items of business onto the agenda in the interests of the efficient operation of the service and to avoid delay. The first related to 3/11/0544/FP - Re-surfacing of existing car park at Grange Paddocks for East Herts Council, which would be determined prior to the enforcement matters.

The second item concerned a Tree Preservation Order (No. 5) 2011 P/TPO 561 at Priory Farm, Hunsdon Road, Widford, Herts, which would be determined after the enforcement matters.

The third item concerned the Proposed Relocated Schools and Associated Development, Bishop's Stortford: Planning Appeals, which would be determined after the report on public speaking for the special Development Control Committee meeting.

186 DECLARATIONS OF INTEREST

Councillor M Alexander declared a personal interest in application 3/11/0993/FP in that he was an acquaintance of the applicant.

Councillor S Rutland-Barsby declared a personal interest in E/11/0077/B in that she was an acquaintance of the occupant of the house adjacent to the site that was the subject of the proposed action.

Councillors M Alexander, W Ashley and J Taylor declared personal interests in Tree Preservation Order (No. 5) 2011 P/TPO 561 at Priory Farm, Hunsdon Road, Widford, Herts in that they were acquainted with the objector to the TPO.

187 MINUTES

RESOLVED - that the Minutes of the Development Control Committee meeting held on 22 June 2011 be confirmed as a correct record and signed by the Chairman.

188 3/11/0872/RP - ERECTION OF 111 DWELLINGS AND ASSOCIATED DETAILS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE AT LAND SOUTH OF STATION ROAD, WATTON AT STONE FOR BARRATT HOMES

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0872/RP, planning permission be granted subject to the conditions now detailed.

The Director referred to an updated list of plan numbers as part of condition 3. Members were advised that Landscape Officers had identified no adverse consequences for significant trees. Officers had been concerned however, in relation to the layout and landscaping options for some parts of the site.

The Director advised that Officers had negotiated with the applicant in relation to the affordable housing units and were now satisfied to recommend that planning permission be granted, subject to the conditions now detailed. Officers felt that delegated authority for the Director to negotiate with the applicant was no longer required.

Councillor N Poulton, as the local ward Member, thanked Officers for meeting with him in relation a very significant

application. He also thanked the applicant for answering his questions prior to this application being reported to Members.

Councillor Poulton stressed that any application of this size would always be of concern to the local Member and to residents. He stated that considerable amount of consultation had taken place prior to the submission of the application. He urged Members to accept the Officers' recommendation for approval.

The Director advised that part (B) of the recommendation was no longer required as the matters referred to under part (A) had been resolved and Officers were simply recommending that the application be approved subject to the amended condition 3 and the rest of the conditions detailed in the report now submitted.

In response to a query from Councillor Mrs R Cheswright, the Director confirmed that the application was for 111 units. He corrected the figures detailed in paragraph 1.4 on page 69 of the report now submitted.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/11/0872/RP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0872/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T121)
2. Boundary walls and fences (2E07)
3. Approved plans (2E10) '011104/BAR.NL/01 D, 02A, 03A, 04B, 05, A/E1, A/P1 A, B/E1, B/P1, B1/E1, B1/P1, B2/E1, B2/P1, C/E1, C/P1, C1/E1, C1/P1, D/E1, D/P1, D1/E1, D1/P1, D2/E1, D2/P1, E/E1, E/P1, F/E1, F/P1,

G/E1, G/P1, G1/E1A, G1/P1, H/E1, H/P1, J/E1, J/P1, J1/E1, J1/P1, K/E1A, K/P1A, L/E1, L/P1, M/E1, M/P1, N/E1, N/P1, 2BH/E1, 2BH/P1, 2BH-A/E1, 2BH-A/P1, 3BH/E1, 3BH/P1, 1BFA/E1, 1BFA/E2, 1BFA/E3, 1BFA/P1, 1BFA/P2, 1BFA/P3, 1BFB/E1, 1BFB/E2, 1BFB/P1, 1BFC/E1A, 1BFC/P1A, 1BFD1/E1, 1BFD1/P1, 1BFD2/E1, 1BFD2/P1, GAR-1/EP1, GAR-3/EP1, GAR-4/EP1, GAR-5/EP1, CP-1/EP1. STORY1, STOREY2, SS01A, SS02, SS04, SS05A, VIEW3'.

4. Samples of materials (2E123)
5. Prior to the commencement of the development hereby permitted, details of facilities to be provided for the storage and removal of refuse from the site, in respect of Plots 4, 16-23, 36, 53, 59, 110 and 111, shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.

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

6. Prior to the commencement of the development hereby permitted, details of the arrangements to be implemented to ensure the management and maintenance of any non-adopted common areas of the site, including the estate roads, shall be submitted to and agreed in writing by the Local Planning Authority. Once agreed, those arrangements, which may constitute the formation of a Management Company, shall be implemented prior to the first occupation of any of the dwellings hereby permitted and thereafter remain implemented in perpetuity unless

alternative arrangements are submitted to and agreed in writing by the Local Planning Authority.

Reason: To secure the long term maintenance of the common areas and estate roads and in the interest of safe access, residential and visual amenity.

7. Communal TV facilities (2E28) add 'for plots 16-23' after 'communal television reception facilities'.
8. Tree retention and protection (4P053)
9. Hedge retention and protection (4P063)
10. Landscape design proposals (4P12)
11. Landscape design implementation (4P13) Add "for 10 years".
12. Withdrawal of P.D. (Part 2 Class A) (2E21)
13. Vehicular use of garage (5U10) Amended to include "and car ports".
14. The internal space dimensions of new garages and car ports shall comply with the standards as set out at Appendix C within the Council's SPD Vehicle Parking Provision at New Development 2008.

Reason: To enable the convenient use of garages for vehicle parking in accordance with Policy TR7 of the adopted East Herts Local Plan Second Review 2007.

15. Prior to the first occupation of the development, detailed plans for the gating of private parking courts shall be submitted and

approved in writing by the local planning authority. The gates shall be implemented and thereafter retained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of “Secured By Design” considerations and in accordance with Policy ENV3 of the adopted East Herts Local Plan Second Review 2007.

16. Prior to the commencement of development, a scheme for the implementation of energy efficiency measures within the development to secure at least 10% of the energy supply of the development from decentralized and renewable or low-carbon sources, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved scheme.

Reason: To ensure the development assists in reducing climate change emissions in accordance with policy ENG1 of the East of England Plan May 2008 and policy SD1 of the East Herts Local Plan Second Review April 2007.

Directives:

1. Other legislation
2. Outline permission relationship (07OP1) (insert: 22 December 2010 and 3/08/2054/OP).
3. Street Name and Numbering (19SN4)
4. The applicant is advised that in order to comply with Conditions of this permission it

will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements including street lighting and Traffic Regulation Orders. The applicant is advised to contact the Eastern Herts Highways Area Office, Hertford House, Meadway Corporate Centre, Rutherford Close, Stevenage SG1 3HL (Telephone 01438 757880).

5. The applicant is advised that no works to the adoptable estate road shall commence until details of the specification, layout and alignment, width and levels of the said highways together with all the necessary highway and drainage arrangements, including run off calculations have been approved by the highway authority in writing and an Agreement made under Section 38 of the Highways Act 1980 is in place.

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 SD1, SD2, OSV1, OSV4, HSG3, HSG4, HSG6, GBC14, TR2, TR7, TR8, ENV1, ENV2, ENV3, ENV11, ENV16, ENV18, ENV19, ENV20, ENV21, BH1, BH2, BH3 and BH6. The balance of the considerations having regard to those policies and the outline planning permission (reference 3/08/2054/OP) granted in 2010 is that permission should be granted.

189 3/11/0688/SV - REMOVAL OF ALL COMMUTED SUMS EXCEPT £125,000 TOWARDS COMMERCIAL HIGHWAYS CONTRIBUTION AT 95-97 LONDON ROAD, BISHOP'S STORTFORD, CM23 3DU FOR CALA HOMES LIMITED

Mr Gilbert addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0688/SV, the Section 106 legal agreement be varied to remove the financial contributions now detailed.

The Director referred Members to the additional representation schedule for the amended variation that the Committee was being asked to consider.

In response to a query from Councillor G Jones, the Director advised that the original contributions amounted to about £419,500. Members were advised that the amended application now meant the contributions would amount to £313,338.50, a reduction of £106,111.50. The Director stressed that £88,611 of the contributions were Hertfordshire County Council's with the remaining £17,500 being East Herts Council contributions.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that in respect of application 3/11/0688/SV, the S106 legal agreement be varied to remove the financial contributions now detailed.

RESOLVED – that in respect of application 3/11/0688/FP, the S106 legal agreement be varied to remove the following financial contributions:

1. Highways contribution of £80,000 towards the future Goods Yard/London Road Bishop's Stortford signalisation scheme and/or other highway improvements in the vicinity of the application site.

2. Youth and Child Care contribution of £8,611.50
3. Community contribution of £10,000
4. CCTV contribution of £7,500.

190 3/11/0599/FP - ERECTION OF A 2.4METRE HIGH TRANSVERSE CLIMBING WALL AND MULTI USE GAMES AREA (MUGA) FOLLOWING THE REMOVAL OF THE SURFACE MOUNTED SWIMMING POOL AT HIGH WYCH JMI PRIMARY SCHOOL, HIGH WYCH ROAD, SAWBRIDGEWORTH, CM21 0JB FOR HIGH WYCH SCHOOL

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0599/FP, planning permission be granted subject to the conditions now detailed.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/11/0599/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0599/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Approved Plans (2E10) – PP-01445449; FM1; FM2; 1001

Directives:

1. Other legislation (01OL)
2. Ground Water Protection Zone (28GP1)

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 GBC1, ENV1, BH6 and PPS5: Planning for the Historic Environment. The balance of the considerations having regard to those policies is that permission should be granted.

191 3/11/0686/FP - CHICKEN ENCLOSURE (RETROSPECTIVE) AT FOXES, 125 HIGH WYCH ROAD, SAWBRIDGEWORTH, CM21 0HH FOR PROFESSOR NEVILLE DAVIDSON

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0686/FP, planning permission be granted subject to the conditions now detailed.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/11/0686/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0686/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Approved plans (2E10) (Plan No. 525901)

Directive:

1. Groundwater protection zone (28GP)

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, ENV6 and ENV19. The balance of the considerations having regard to those policies is that permission should be granted.

192 3/11/0730/FP - EXTENSION TO GARDEN ROOM TO PROVIDE ANNEX AND DEMOLITION OF GARAGE AT WIDFORD RISE, HUNSDON ROAD, WIDFORD, WARE, SG12 8RZ FOR MR AND MRS SCOTT DICKINSON

Mr Dickinson addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0730/FP, planning permission be refused for the reasons now detailed.

In response to a query from Councillor M Newman, the Director stressed that Officers felt that should Members be supportive of the proposals, the Authority could reasonably control the future use of the residential annex without the need for a section 106 agreement or condition restricting its occupancy.

The Director advised that the Council's local plan policies sought to address the issue of annexes not being integral to the main residential dwelling.

Councillor Newman commented that there had been no third party objections to the proposed development, which was a relatively modest increase to the size of the dwelling. He stressed that the application would not be detrimental to neighbouring residents or to the surrounding street scene.

Councillor M Newman proposed and Councillor T Page seconded, a motion that application 3/11/0730/FP be approved on the grounds that the application would not be detrimental to neighbouring residents or to the surrounding street scene.

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 3/11/0730/FP be refused for the reasons now detailed.

RESOLVED – that in respect of application 3/11/0730/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T121)
2. Matching materials (2E133)
3. Approved Plans (2E102) 598/LP1, 598/SK01A, 598/SK02A, 598/SK03A, 598/SK04 and 59801.

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 and ENV8. The balance of the considerations having regard to those policies and the modest increase in size of the building is that permission should be granted.

- 193 3/11/0993/FP - TWO STOREY FRONT AND SIDE EXTENSION, SINGLE STOREY REAR EXTENSION AND INSERTION OF DORMER WINDOW AT BOURNESIDE, BOURNE LANE, MUCH HADHAM, SG10 6ER FOR MR M TINDALE
-

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0933/FP, planning permission be granted subject to the conditions now detailed.

The Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/11/0933/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0933/FP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (1T121)
2. Approved plans (2E102)
“567/1-00PA; 567/2-04PD; 567/2-05PD;
567/1-05PA; 567/2-01PC; 567/1-01PA; 567/2-02PC; 567/2-03PC; 567/1-02PA; 567/1-03PA;
567/1-04PA.

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 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.

194 3/11/0831/FP - TWO STOREY SIDE EXTENSION AT 2 TUDOR MANOR FARM COTTAGES, WHITE STUBBS LANE, BAYFORD, SG13 8QA FOR MR AND MRS N HOPSON

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0831/FP, planning permission be granted subject to the conditions now detailed.

The Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/11/0831/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0831/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T12)
2. Approved plans (2E10 – 300/SL1, 300/P1, 300/P2, 300/P3, 300/P4).
3. Materials as on plan (2E42)

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 SD2, GBC1, ENV1, ENV2, ENV5, ENV6, ENV11 and PPS1 and PPG2. The balance of the considerations having regard to those policies, and permission 3/96/1032/FP granted at No. 1 Tudor Manor Farm Cottages, is that permission should be granted.

- 195 3/11/0782/FP - SINGLE AND TWO STOREY SIDE EXTENSIONS, SINGLE STOREY REAR EXTENSION AND 2NO DORMER WINDOWS TO FRONT ELEVATION AT 35 BISHOPS ROAD, TEWIN, HERTS, AL6 0NP FOR MR AND MRS BARRY ROCHE
-

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0782/FP, planning permission be granted subject to the conditions now detailed.

Councillor T Page referred to the cramped appearance of the dwelling. He also referred to the concerns raised by Tewin Parish Council in respect of the loss of openness and overdevelopment of the green belt. He commented that the proposed development would be detrimental to the existing street scene.

In response to a query from Councillor Page, the Director detailed the site history prior to the submission of this application.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/11/0782/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0782/FP, planning permission be granted subject to the following conditions:

1. Three year time limit (1T121)
2. Approved plans (2E102; MC1, MC2 and 2504-E01 received on the 6th May 2011 and 2504-P01 Revision F received on the 7th June 2011).
3. Matching materials (2E133)

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 the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies ENV1, ENV5, ENV6 and GBC1 and Planning Policy Statement 1 – Delivering Sustainable Development and Planning Policy Guidance 2 – Green Belts. The balance of the considerations having regard to those policies is that permission should be granted.

196 3/11/0802/FP - TWO STOREY SIDE EXTENSION, SINGLE STOREY SIDE EXTENSION, DORMER WINDOWS TO FRONT, SIDE AND REAR ELEVATIONS - THE RED HOUSE, FRIARS ROAD, HERTS, SG11 2NR FOR MR KEVIN WHITING

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0802/FP, planning permission be granted subject to the conditions now detailed.

In response to a query from Councillor Mrs R Cheswright,

the Director confirmed the increase in the floor area was 102%. Members were reminded that, notwithstanding this increase, the Committee must consider which aspects of any given application could be considered as harmful. The Director stressed that Officers did not consider that the application would have a significant impact on the surrounding area.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/11/0802/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0802/FP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (1T121)
2. Approved Plans (2E102) (SE1; E1; E2; E3; E4; E5; P1; P2; P3; P4; P5; P6; P7; and P8).

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, ENV5, ENV6 and TR7. The balance of the considerations having regard to those policies is that permission should be granted.

197 3/11/0543/FP - CHANGE OF USE FROM B2 INDUSTRIAL UNIT TO D2 SPORTS HALL (CONTINUATION OF APPROVAL GRANTED UNDER LPA REF: 3/05/1199/FP) AT 3 TWYFORD INDUSTRIAL ESTATE, TWYFORD ROAD, BISHOP'S STORTFORD, CM23 3LJ FOR MISS HOLLY THOMPSON

Holly Thompson addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0543/FP, planning permission be granted subject to the conditions now detailed.

In response to a query from Councillor M Alexander, the Director confirmed that condition 4 was personal to the current applicant. Members were advised that any new occupant would need to apply to vary this condition, thereby enabling Members to be satisfied that any subsequent use was appropriate in this location.

In response to a query from Councillor S Rutland-Barsby, the Director stated that Officers felt a temporary permission was appropriate to protect the longer term availability of commercial floor space should the economic situation improve in the future.

The Director indicated however, that Members could approve a permanent permission if they felt this was appropriate in this location.

Councillor J Demonti proposed and Councillor G Jones seconded, a motion that application 3/11/0543/FP be granted a permanent planning permission, subject to the conditions now detailed.

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

The Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/11/0543/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0543/FP, planning permission be granted subject to the following conditions:

1. Approved plans: 1(2E10)
2. Retention of Parking Space (3V20)
3. Personal Permission (Holly Thompson) (5U01)
4. Restriction of use (buildings) (5U02) (gymnastics club) (Class D2).

Directive:

1. The applicant is advised that car parking should be carefully managed and monitored to ensure that parking conflicts do not arise with other commercial premises in the locality.

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 EDE2, TR7 and BIS9. The balance of the considerations having regard to those policies is that permission should be granted.

198 3/11/0775/FP - SINGLE-STOREY EXTENSION AT 33 HOLLYBUSH LANE, DATCHWORTH, SG3 6RE FOR MR AND MRS LAY

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0775/FP, planning permission be granted subject to the conditions now detailed.

The Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/11/0775/FP be granted subject to the conditions now detailed.

RESOLVED – that in respect of application 3/11/0775/FP, planning permission be granted subject to the following conditions:

1. Time limit (1T121)
2. Approved plans (2E102)

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 the 'saved' policies of the East Herts Local Plan Second Review April 2007), and in particular policies ENV1, ENV5, ENV6 and GBC1 and Planning Policy Guidance 2 – Green Belts. The balance of the considerations having regard to those policies is that permission should be granted.

- 199 3/11/0544/FP - RE-SURFACING OF EXISTING CAR PARK AT GRANGE PADDOCKS; TEMPORARY CAR PARK; NEW FOOTBRIDGE BESIDE VEHICLE BRIDGE; PEDESTRIAN AND CYCLE PATH ALONG RIVER STORT WITH LINK TO GRANGE PADDOCKS; LINKS TO EXISTING BRIDGES AND INSTALLATION OF LAMPPOSTS ALONG THE ROUTE FROM RYE STREET TO CASTLE GARDENS AT LAND ADJACENT TO THE RIVER STORT (EAST SIDE FROM GRANGE PADDOCKS TO CASTLE GARDENS), BISHOP'S STORTFORD FOR EAST HERTS COUNCIL
-

The Director of Neighbourhood Services recommended that, subject to no new substantive issues being raised during the consultation period, in respect of application 3/11/0544/FP, planning permission be granted subject to the conditions now detailed.

The Director advised that the application had been reported back to Members, as the applicant, the property section of the Authority, was keen to complete the proposed works during the summer holiday period.

Councillor G Jones commented that he was pleased to see that the applicant had responded positively to the comments raised by Members when the application had been deferred.

Councillor Jones stressed that although he was not supportive of land being taken out of the Green Belt for car parking, he felt that the current application was an acceptable compromise.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that, subject to no new substantive issues being raised during the consultation period, application 3/11/0544/FP be granted subject to the conditions now detailed.

RESOLVED – that, subject to no new substantive issues being raised during the consultation period,

in respect of application 3/11/0544/FP, planning permission be granted subject to the following conditions:

1. Three Year Time Limit (1T12)
2. Programme of archaeological work (2E024)
3. Approved plans (2E10) 4156/01D, 4156/02D, 4156/03A, 4156/04D, 4156/05A,
4. Notwithstanding the details shown on the submitted plans, any external lighting at the site shall be provided in accordance with a detailed scheme, including hours of operation, that shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. No external lighting shall be provided without such consent.

Reason: In the interests of ecology and the visual amenities of the area in accordance with policies GBC1, ENV1, ENV16 and ENV23 of the East Herts Local Plan April 2007.

5. Tree retention and protection (4P05)
6. The use of the temporary car park as shown on plan no. 4156/05 shall cease upon the completion of the approved works to the car parks and the temporary surfacing shall be removed and the land reinstated within 1 month of that date.

Reason: This part of the proposed development is contrary to the provisions of the East Herts Local Plan Second Review April 2007 and is a temporary expedient only.

7. Prior to the commencement of development details of crime prevention measures for the car parks shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall thereafter be implemented, retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of crime prevention in accordance with Policy ENV1 and ENV3 of the East Herts Local Plan Second review 2007.

8. No removal of trees, scrub or hedgerow shall take place within the bird breeding season (1 March – 31 August), unless otherwise agreed in writing by the Local Planning Authority. If breeding birds are found during site clearance, work must stop immediately and a statutory authority or suitably qualified ecologist informed.

Reason: To protect the habitats of breeding birds 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.

9. The soffit level of the new pedestrian and cycle bridge shall be set no lower than that of the existing vehicle bridge.

Reason: To prevent an increased risk of blockages occurring during flood events in accordance with policy ENV19 of the East Herts Local Plan April 2007.

Directive:

1. Groundwater protection zone (28GP)

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, ENV1, ENV2, ENV3, ENV16, ENV19, ENV23, LRC1, LRC5, BH1, BH2, BH3 and BH6. The balance of the considerations having regard to those policies and other material considerations is that permission should be granted.

200 E/11/0077/B - THE UNAUTHORISED USE OF FORMER AGRICULTURAL BUILDINGS FOR VARIOUS COMMERCIAL USES AT POUND FARM, HOLLYBUSH LANE, DATCHWORTH, HERTS, SG3 6RE

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/11/0077/B, enforcement action be authorised on the basis now detailed.

The Director referred to the details in the late representation schedule, in particular the comments of Datchworth Parish Council and Woolmer Green Parish Council, as well as comments from the appellant's solicitor.

The Director advised that Officers were of the view that there were breaches of planning control at the site and that it was expedient to take enforcement action against these. Any Enforcement Notices would be carefully drafted in consultation with the legal section of the Authority.

After being put to the meeting and a vote taken, the Committee accepted the Director's recommendation for

enforcement action to be authorised in respect of the site relating to E/11/0077/B on the basis now detailed.

RESOLVED – that in respect of E/11/0077/B, 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 any such further steps as may be required to secure the cessation of unauthorised uses within various units/buildings as shown on the attached plan and detailed as follows:

Unit 3	Office and storage	The Fire Protection Company
Unit 4B	Storage of motor cycles	Predator Motorcycles
Unit 4C	Workshop for photography	Occupier unknown
Unit 9	Storage of furniture	Occupier unknown
Unit 9A	Storage of machinery	Gnat UK
Unit 10A	Storage of water	Aquastations
Unit 10B	Storage of carpets.	Home Call Carpets

Period for compliance: 2 Months

Reasons why it is expedient to issue an enforcement notice:

1. The re-use of the buildings for commercial purposes has resulted in an unacceptable increase in traffic generation to and from the site, including heavy goods and commercial vehicles, accessing the site by very narrow country lanes with poor alignment and visibility. The development is therefore detrimental to highway safety in the area, contrary to policy TR20 of the East Herts Local Plan Second Review April 2007.
2. The unauthorised uses, by reason of the

additional comings and goings at the site, and the additional heavy goods and commercial traffic on the surrounding local road network, are detrimental to the amenities of nearby residential properties and to the rural character of the surrounding area.

Furthermore, there is no evidence to suggest that the unauthorised uses are necessary to support the continuation of a farming enterprise in the area and no other material considerations are apparent which would outweigh this identified harm. As such, the development is contrary to policies ENV1, GBC8, GBC9, GBC10 and GBC1 of the East Herts Local Plan Second Review April 2007 and to the sustainability principles contained in PPS1.

201 E/10/0347/B - THE UNAUTHORISED ERECTION OF A FRONT BOUNDARY WALL, GATES AND PILLARS WITH LIGHTS AND A SINGLE STOREY FRONT EXTENSION AT 53 ORCHARD ROAD, TEWIN HERTS, AL6 0HL

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/10/0347/B, enforcement action be authorised on the basis now detailed.

After being put to the meeting and a vote taken, the Committee accepted the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/10/0347/B on the basis now detailed.

RESOLVED – that in respect of E/10/0347/B, 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 any such further steps as may be required to secure the removal of the unauthorised works.

Period for compliance: 3 months.

Reason why it is expedient to issue an enforcement notice:

1. The front canopy extension, by reason of its size, siting and design, is unduly dominant and out of keeping with the character and appearance of the existing dwelling, and together with the extensions previously added to the property, disproportionately alters the size of the original dwelling to the detriment of the rural character of the area and is thereby contrary to policies GBC1, ENV1 and ENV5 of the East Herts Local Plan Second Review April 2007.
2. The front boundary walls, piers and gates, by reason of their siting and height are unduly prominent and out of keeping with the character and appearance of this semi rural road contrary to policies GBC1 and ENV1 of the East Herts Local Plan Second Review April 2007.
3. The lanterns by reason of their siting, size and height result in light pollution to the detriment of the character and appearance of the Green Belt contrary to policy ENV23 of the East Herts Local Plan Second Review April 2007.
4. The gates by reason of their siting in relation to the highway result in vehicles obstructing Orchard Road whilst waiting to enter the site, which is prejudicial to the free flow of traffic on the highway and causes an obstruction and danger to other road users contrary to policy TR2 of the East Herts Local Plan Second Review April 2007.

202 CONFIRMATION OF EAST HERTFORDSHIRE DISTRICT
COUNCIL TREE PRESERVATION ORDER (NO. 5) 2011
P/TPO 561 TITLE 'PRIORY FARM, HUNSDON ROAD,
WIDFORD, HERTS'

The Director of Customer and Community Services submitted a report recommending that a Tree Preservation Order (TPO) be confirmed as an opposed order to protect trees at Priory Farm, Hunsdon, Widford.

Councillor M Newman referred to the report as being comprehensive and factual. He urged Members to consider his concern that the business needs of the appellant had not been taken into account. He commented that although Widford Parish Council supported the TPO, the Parish Council also supported the genuine needs of the landowner.

Councillor Newman referred to the conflict between the business needs of the land owner and the business of the Authority in protecting the East Herts environment.

Councillor Newman referred to 3 trees on the plan included in the agenda, which he referred to as 901, 902 and 903. He stated that 901 was the tree that was the subject of the proposed TPO.

Councillor Newman commented that the TPO should perhaps be imposed on tree 902 instead of 901, with Officers given authority to impose conditions and minor alterations as appropriate.

Councillor M Alexander referred to farmers as being custodians of the East Herts environment. He stated that, although losing a tree was regrettable, losing a food crop had greater implications. He stressed the need for a pragmatic approach and stated his support for the comments of the local Member.

The Arboricultural Officer advised that it was acceptable for the Committee to approve a TPO on some trees whilst

excluding other trees. Councillor Newman stated that he felt it was appropriate to approve the TPO on tree 902 instead of 901, to enable the land owner to negotiate the entrance to his land for the purposes of harvesting.

The Director however, advised that it would not, in the Arboricultural Officer's view, be appropriate to include tree 902 in the order due to its condition. Members could however, choose to delete tree 901 from the Order if they felt this appropriate.

Councillor M Newman proposed and Councillor J Demonti seconded, a motion that East Hertfordshire District Council Tree Preservation (No. 5) 2011 P/TPO 561 be approved as an amended order in respect of tree 901 at Priory Farm, Hunsdon Road, Widford.

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

The Committee supported the Director's recommendation that Tree Preservation Order (No 5), Ref P/TPO 561 2011 be confirmed as an amended Order.

RESOLVED – that (A) Tree Preservation Order (No 5), Ref P/TPO 561 2011 be confirmed as an amended Order; and

(B) the Director of Neighbourhood Services be authorised to bring the order into operation.

203 SPECIAL DEVELOPMENT CONTROL MEETING TO DEAL WITH DEVELOPMENT PROPOSALS AT OLD RIVER LANE, BISHOP'S STORTFORD: PUBLIC SPEAKING

The Head of Planning and Building Control submitted a report to enable the Committee to establish public speaking arrangements for the special Development Control Committee meeting due to be held on 25 August 2011.

The Committee was advised that the meeting was to be held

in Bishop's Stortford due to the significance of the application and to allow local residents to attend. Members were further advised that, given the scale of the development, the usual rules for public speaking would be unreasonably restrictive.

The Director stated that Officers considered the most appropriate way forward was to allow multiple speakers of 3 minutes each and the applicant would be offered the same combined total time in support.

The Committee was advised that the Bishop's Stortford Civic Federation had been supportive of multiple speakers but had stated that 3 minutes was too short per speaker. The Civic Federation had further stated that 10 minutes per speaker was a more reasonable time.

The Civic Federation had undertaken to exert some influence to co-ordinate the speakers from their resident's association contacts to limit the number of speakers and to avoid repetition.

Councillor G Jones commented that the key issue was equality of time for the objectors and the applicant. He stated that a 10 minute slot could be offered to a major objector to the scheme then 6 x 3 minute slots for other objectors, giving a combined time of 28 minutes. The equivalent amount of time could then be offered to the applicant (subject to the amount taken up by objectors).

Councillor M Alexander stressed the crucial issue then would be who would determine who was to be the major objecting speaker. Councillor J Demonti stated that the main objector would most likely be the Bishop's Stortford Civic Federation.

The Director stressed that, to avoid any issues of unfairness, the Committee must ensure that irrespective of the number of speakers for and against, the total time must be equal for objectors and for the applicant.

Members were advised that Officers would offer the same total time to the applicant as was available to the objectors.

Reasonable efforts would also be made to avoid any duplication in the public representations to the Committee.

Councillor M Alexander proposed and Councillor G Jones seconded a motion that a major objector be offered 10 minutes then there would be 6 x 3 minute slots available to other objectors. The applicant would then be offered the same combined total time of 28 minutes (or the equivalent of that taken up by the objectors).

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

RESOLVED – that (A) a major objector be offered 10 minutes and there would be 6 x 3 minute slots available to other objectors; and

(B) the applicant be offered the same combined total time of 28 minutes (or the equivalent of that taken up by the objectors).

204 PROPOSED RELOCATED SCHOOLS AND ASSOCIATED DEVELOPMENT, BISHOP'S STORTFORD: PLANNING APPEALS

The Head of Planning and Building Control submitted a report seeking a minor change to the delegation granted to Officers to assist with the efficient preparation of the Council's case in relation to the appeals for the relocation and associated redevelopment applications in Bishop's Stortford.

Members were requested to delegate authority to the Head of Planning and Building Control to make any further changes to the case submitted by the Council, subject to the agreement of the Chairman of the Committee and two other Committee Members representing Bishop's Stortford wards.

After being put to the meeting and a vote taken, the Committee supported the Director's recommendation as now detailed.

RESOLVED – that in an amendment of the previously approved delegation, authority be delegated to the Head of Planning and Building Control to make any further changes to the case submitted by the Council as necessary and appropriate, subject to the agreement of the Chairman of the Committee and two other Committee Members representing Bishop’s Stortford wards.

205 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;
- (C) Planning Appeals: Inquiry and Informal Hearing dates; and
- (D) Planning Statistics.

The meeting closed at 8.17 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 21 JULY 2011,
AT 4.30 PM

PRESENT: Councillor M McMullen (Chairman)
Councillors W Ashley, E Bedford,
R Beeching, Mrs R Cheswright, J Demonti,
M Newman, N Poulton, P Ruffles, J Taylor,
A Warman, N Wilson and B Wrangles

OFFICERS IN ATTENDANCE:

Linda Bevan	- Committee Secretary
Paul Newman	- Interim Licensing Manager
Brian Simmonds	- Head of Community Safety

206 APOLOGIES

Apologies were submitted on behalf of Councillors P Ballam, E Buckmaster, A Burlton and K Crofton. It was noted that Councillors M Newman and P Ruffles were in attendance as substitutes for Councillors E Buckmaster and P Ballam respectively.

207 APPOINTMENT OF VICE-CHAIRMAN

Councillor J Taylor proposed and Councillor A Warman seconded that Councillor A Burlton be appointed Vice-Chairman of the Licensing Committee for the Civic Year.

RESOLVED – that Councillor A Burlton be appointed Vice-Chairman of the Licensing Committee for the Civic Year.

208 MINUTES

RESOLVED – that the Minutes of the meeting held on 10 March 2011 be confirmed as a correct record and signed by the Chairman subject to the following amendments:

Minute 614 page 879 – Paragraph 6 – Delete £5000 and insert £1800;

Minute 615 page 882 – Paragraph 4 – Delete last sentence and insert “Museums and art galleries could obtain exemptions when showing films”.

209 LICENSING SUB-COMMITTEE

RESOLVED – that the Minutes of the meetings held on 21 March, 12 April and 24 June 2011 be received.

210 TAXI DRIVER NVQS

The Director of Neighbourhood Services submitted a report about training of taxi drivers for a level 2 National Vocational Qualification (NVQ) in Road Passenger Driving.

Members commented on the usefulness of the scheme. They thought it could help taxi drivers to set up their own businesses and would encourage them to stay in this line of work. They thought the small cost to the Council was worthwhile and thanked Officers for their work on the scheme.

The Committee decided to receive the report as detailed below.

RESOLVED - that the report be received and Officers be thanked for their work on this very worthwhile scheme.

211 LICENSING ACTIVITIES QUARTER 1 AND 2, 2011

The Director of Neighbourhood Services submitted a report updating Members on activity in the Licensing Section including processing licences, enforcement activity and other implementation of the Service Plan.

Members suggested that the penalty points system for taxi drivers could be given more publicity and the Interim Licensing Manager undertook to include this in the next newsletter for taxi drivers.

The Head of Community Safety undertook to write to taxi drivers about parking in Bircherley Green outside the taxi rank. The Interim Licensing Manager said the process of moving the rank to Fore Street would soon begin.

Members felt taxi marshalling should continue and the Head of Community Services gave some details of the difficulties of obtaining funding.

The Committee decided to receive the report.

RESOLVED – that the report be received.

212 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 during the last civic year and since 18 May 2011.

The Committee decided to receive the report.

RESOLVED – that the report be received.

213 STATEMENT OF LICENSING POLICY

The Director of Neighbourhood Services submitted a report advising Members of consultation on an interim review of the Statement of Licensing Policy under the Licensing Act 2003.

A draft revised Statement of Licensing Policy was presented for consideration by Members. Members were asked to approve the draft revised policy for recommendation for adoption by Council, subject to any amendments proposed by the Committee, public consultation and consideration of consultation responses at the next Licensing Committee. This issue had arisen from a recent case and would formalise arrangements for informing residents if applicants decided to appeal to the Magistrates Court after the period allowed for residents to appeal. Members suggested some drafting amendments.

The Committee decided to recommend the Statement of Licensing Policy for the purposes of public consultation as now detailed.

RESOLVED - that the draft revised Statement of Licensing Policy, be recommended for adoption by Council, subject to the inclusion of the drafting amendments discussed, public consultation, and further consideration of consultation responses.

214 AMENDMENTS TO TAXI LICENSING POLICY

The Director of Neighbourhood Services submitted a report on proposed amendments to the Taxi Licensing Policy. The amendments included delegation of non-statutory taxi licensing decisions to a Licensing Panel instead of the Licensing Sub-Committee, changes to the Licence Holder Code of Conduct and Penalty Points Scheme and changes to taxi licensing conditions to incorporate these changes. These changes would be subject to consultation with the taxi trade and further consideration by the Committee.

Members commented that they wished to give further consideration to the issues which should be delegated to the Licensing Panel (consisting of the Director of Neighbourhood Services, Chairman or Vice-Chairman of the Licensing Committee and the Executive Member for Community Safety and Environment) rather than the Licensing Sub-Committee.

The Committee decide to approve the changes as detailed below.

RESOLVED – that, subject to consultation with the taxi trade, and further approval by Licensing Committee, the following changes as detailed in the report now submitted be approved:

- (A) the creation of a Licensing Panel to deal with such taxi issues as the Licensing Committee decide are appropriate following a report to a further meeting;
- (B) amendments to the Taxi Licensing Policy; and
- (C) amendments to the Code of Conduct and Penalty Points Scheme.

215 CHANGES TO CRIMINAL RECORD BUREAU (CRB) CHECKS

The Director of Neighbourhood Services submitted a report on changes to Criminal Records Bureau (CRB) checks. The Interim Licensing Manager explained that Officers would only be allowed to ask for a standard check unless taxi drivers were working with children or the vulnerable. Licensing Officers were lobbying for this to be changed as the enhanced check gave valuable information about applicants on some occasions which helped to keep the public safe. He was also seeking information about those who were working with children or vulnerable adults from the County Council.

The Committee decided to note the report as now detailed.

RESOLVED - that subject to consultation with the taxi trade, and further approval by Licensing Committee, clarification issued by the Criminal Records Bureau on entitlement to criminal record checks on taxi drivers and applicants, be noted.

216 DELEGATED AUTHORITY TO SUSPEND LICENCES

The Director of Neighbourhood Services submitted a report seeking delegation to him of the power to suspend a taxi driver's licence or taxi vehicle proprietor's licence, and to require the return of the licences, badges, roof light and taxi licence plate, in appropriate circumstances, pending resolution of concerns over information received, whether or not the information leads to reference to Licensing Sub-Committee of a report on such licences, that includes a recommendation from Officers for revocation of the licence. The report gave details of a recent example where non-conviction information had been received about a taxi driver. The Interim Licensing Manager explained that the powers were sought to help keep the public safe.

The Committee decided to approve the delegation of the powers as detailed below.

RESOLVED - that the additional powers to suspend a taxi driver's licence or taxi vehicle proprietor's licence as detailed in the report now submitted be delegated to the Director of Neighbourhood Services in consultation with the Chairman or Vice-Chairman of the Licensing Committee and the Executive Member for Community Safety and Environment.

217 INTRODUCTION OF EARLY MORNING RESTRICTION ORDERS AND LATE NIGHT LEVY

The Director of Neighbourhood Services submitted a report informing Members about forthcoming changes to the Licensing Act 2003 to approve Early Morning Restriction Orders, and a Late Night Levy. The two powers would be mutually exclusive. The Interim Licensing Manager said that the Late Night Levy would generate additional income for the Council and the Police, however, the Police had indicated that they preferred the Early Morning Restriction Order. This would ensure all premises selling alcohol must close between 3 a.m. and 6 a.m.

The Committee decided to receive the report.

RESOLVED - that the report be received.

The meeting closed at 6.05 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
STANDARDS COMMITTEE HELD IN THE
ROOM 27, WALLFIELDS, HERTFORD ON
TUESDAY 16 AUGUST 2011, AT 7.00 PM

PRESENT:

District Council Members:

Councillors A Burlton, M Carver, N Poulton
and M Wood

Town Councils' Representatives:

Mrs E Woods

Parish Councils' Representatives:

Mr J Jones
Mr C Marks

Independent Members:

Mr S Bouette
Mr D Farrell
Mr J Morphew
Mr T Vickers

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Director of Neighbourhood Services
Jeff Hughes	- Head of Democratic and Legal Support Services

218 ELECTION OF CHAIRMAN

Mr J Morphey and Mr T Vickers were duly nominated for the position of Committee Chairman for the remainder of the Civic Year 2011/12. Upon being put to the vote, each candidate received the same number of votes. Mr Morphey subsequently withdrew his candidature and the Committee duly elected Mr Vickers as Chairman.

RESOLVED – that Mr T Vickers be elected Chairman of the Standards Committee for the remainder of the Civic Year 2011/12.

219 CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked Mr Morphey for his work during his term of office as Committee Chairman.

The Chairman also welcomed the newly appointed District Councillors to their first meeting of the Committee.

220 MINUTES

RESOLVED – that the Minutes of the meeting held on 8 September 2010 be approved as a correct record and signed by the Chairman.

221 LOCALISM BILL

The Monitoring Officer submitted a report outlining changes to the councillors' standard regime detailed in the Localism Bill.

The Monitoring Officer invited the Committee to formulate its views on the proposed changes, particularly with regard to a non statutory code; the investigation of complaints and the future of Independent Members.

The Committee agreed to make recommendations detailed below on this matter.

RECOMMENDED – 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.**

222 **DRAFT 2010/11 ANNUAL GOVERNANCE STATEMENT**

The Leader of the Council submitted a report on the Authority's draft Annual Governance Statement for 2010/11.

The Committee considered the content of the report, particularly the element detailing its activities during the year. In response to Members' suggestions, the Monitoring Officer undertook to amend this section of the Statement to provide more detail on the activity of both the Assessment and Review

Sub-Committees and complaints relating to Members of the District and its constituent town and parish councils.

The Committee had no (further) comments on the Statement.

RESOLVED – that Audit Committee be advised that this Committee has no comments (apart from that detailed in the narrative to this Minute) on the draft Annual Governance Statement for 2010/11.

223 WORK PROGRAMME 2011/12

The Monitoring Officer submitted a report inviting the Committee to consider its work programme for the period ending 31 March 2012.

The Committee agreed to add the following items to those currently listed in the programme:

- (1) review of questioning procedures for the Monitoring Officer’s investigation, and
- (2) review of the Council’s Member IT protocol (initially through a virtual meeting mechanism involving a sub-group of Members).

The Committee noted that it would also be invited to consider a reference from a recent meeting of the Assessment Committee at a future meeting.

RESOLVED – that the proposed work programme for the Committee, as now submitted and updated, be agreed.

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
WEDNESDAY 17 AUGUST 2011, AT 7.00
PM

PRESENT: Councillor W Ashley (Chairman)
Councillors M Alexander, D Andrews,
E Bedford, E Buckmaster, S Bull, J Demonti,
G Jones, J Taylor and B Wrangles.

ALSO PRESENT:

Councillors T Herbert, P Moore, P Ruffles
and G Williamson.

OFFICERS IN ATTENDANCE:

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

224 APOLOGIES

Apologies for absence were submitted on behalf of Councillors A Burlton, Mrs R Cheswright, G Lawrence, M Newman and S Rutland-Barsby. It was noted that Councillors D Andrews, E Bedford and E Buckmaster were substituting for Councillors Mrs R Cheswright, G Lawrence and M Newman respectively.

225 CHAIRMAN'S ANNOUNCEMENTS

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

The Chairman reminded the Committee of the Planning Tour of the District due to take place on Friday 2 September 2011.

The Chairman also reminded Members of the special meeting of the Committee due to be held on Thursday 25 August 2011 to determine the applications in respect of the Old River Lane site (The Causeway), Bishop's Stortford by Hendersons Global Investors. This would be held in the Charis Centre, Bishop's Stortford at 7.00 pm.

226 DECLARATIONS OF INTEREST

Councillor J Taylor declared a personal interest in application 3/11/0793/FO in that she was an acquaintance of Nigel Copping as a former Member of the Authority.

227 MINUTES

RESOLVED - that the Minutes of the Development Control Committee meeting held on 20 July 2011 be confirmed as a correct record and signed by the Chairman.

228 3/11/0793/FO - REMOVAL OF CONDITION 3 OF 3/04/1892/FP (PROVISION OF PLAY EQUIPMENT IN LIEU OF FINANCIAL CONTRIBUTION) AT SANVILLE GARDENS, HODDESDON ROAD, STANSTEAD ABBOTTS FOR PERSIMMON HOMES

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0793/FO, subject to a variation of the Section 106 legal agreement dated 1 June 2005 in respect of application 3/04/1892/FP, planning

permission be granted subject to the conditions detailed in the report now submitted.

Councillor J Taylor referred to the incorrect plan in respect of the site access and also the boundary of the play area. Councillor Taylor commented that it was a condition of approval on application 3/04/1892/FP that a play area be provided with play equipment.

Councillor Taylor stated that the applicant should be requested to ensure an adequate play area was provided complete with equipment, particularly in light of comments made by the Authority relating to the provision of recreation facilities for housing development. She sought clarification as to why this play area had not been provided before the houses were occupied.

Councillor Taylor stressed that where a commuted sum of a legal agreement was not spent, this was returned to the developer. She commented that the application should be deferred to ensure this play space was provided.

The Director confirmed that the plan displayed on the screen was the correct version as regards the boundary of the site. Members were advised that the version on the decision notice would be corrected before this was sent to the applicant.

The Director advised that the area designated for the play area no longer met the best practice guidelines for play facilities. The Director stated that the Open Spaces Manager had stressed that, as this area was located too close to some of the dwellings, the Authority was unable to adopt this play space.

In response to a query from Councillor E Buckmaster regarding the issue of a varied legal agreement stipulating that the financial contribution of £29,561.44 be spent on play facilities within the vicinity of the site within a timescale of 10 years, the Director advised that this wording would ensure that if the contribution was not

used within 10 years, the funding could be used to upgrade high street play space as a fall back position.

Councillor G Williamson, as the local ward Member, addressed the Committee in support of the application.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that, subject to a variation of the Section 106 legal agreement dated 1 June 2005 in respect of application 3/04/1892/FP, application 3/11/0793/FO be granted planning permission, subject to the conditions detailed in the report now submitted.

- 229 (A) 3/11/0824/FP AND (B) 3/11/0825/LB - CHANGE OF USE OF 2. NO. CLASS B1 OFFICE BUILDINGS TO CREATE 12. NO 1 AND 2 BED UNITS AT 7 AND 8 BLUECOATS AVENUE, HERTFORD FOR BLUECOATS JOINT VENTURE (BJV)
-

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0824/FP, subject to the applicant entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0825/LB, listed building consent be granted subject to the conditions detailed in the report now submitted.

After being put to the meeting and a vote taken, the Committee accepted the recommendations of the Director of Neighbourhood Services as now detailed.

RESOLVED – that (A), subject to the applicant entering into a legal obligation pursuant to Section

106 of the Town and Country Planning Act 1990, application 3/11/0824/FP be granted planning permission, subject to the conditions detailed in the report now submitted; and

(B) application 3/11/0825/LB be granted listed building consent, subject to the conditions detailed in the report now submitted.

- 230 (A) 3/11/0987/FP - DEMOLITION OF EXISTING MAIN CAR DEALERSHIP AND CONSTRUCTION OF NEW MAIN CAR DEALERSHIP AND ADJACENT CAR PARK WITH RAISED STORAGE AREA; (B) 3/11/0988/FP - DEMOLITION OF BODY SHOP AND OUTBUILDING AND CONSTRUCTION OF 6 NO OFFICES AND 5 NO LIGHT INDUSTRIAL UNITS WITH TRADE COUNTERS AT 295-297, STANSTED ROAD, BISHOP'S STORTFORD, HERTS, CM23 2BT FOR GATES GROUP LTD
-

Mrs Sauvary addressed the Committee in opposition to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0987/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director of Neighbourhood Services recommended that, subject to the applicant entering into a legal obligation pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/11/0988/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor T Herbert, as the local ward Member, addressed the Committee in opposition to applications 3/11/0987/FP and 3/11/0988/FP. The Director referred to the lack of flexibility and quality in respect of employment space in Bishop's Stortford. He referred to an identified need in the town for employment space.

The Director advised that Members should balance the identified need in Bishop's Stortford against the concerns of neighbouring residents. He stated that a very clear steer from the Committee in respect of Members' views would be important for Officers should the application be refused or deferred.

In response to queries from Members in relation to car parking, the Director stressed that the parking standards used by the Authority sought to minimise parking provision to influence the travel choices made by the public.

Councillor J Demonti proposed and Councillor E Buckmaster seconded a motion that applications 3/11/0987/FP and 3/11/0988/FP be deferred to enable Officers to undertake negotiations with the applicant to seek variations in the proposals with regard to the location of the vehicular access and the height, location and potential for landscaping of the proposed two storey parking structure.

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

The Committee deferred the applications as now detailed.

RESOLVED – that in respect of applications 3/11/0987/FP and 3/11/0988/FP, planning permission be deferred to enable Officers to undertake negotiations with the applicant to seek variations in the proposals with regard to the location of the vehicular access and the height, location and potential for landscaping of the proposed two storey parking structure.

231 3/11/0725/FP - PROPOSED DEMOLITION OF EXISTING DWELLING AND ERECTION OF THREE DETACHED DWELLINGS WITH ASSOCIATED GARAGING AT 16, MAPLE AVENUE, BISHOP'S STORTFORD, CM23 2RR FOR GRAYSON BUILDING LTD

Mr Crossfield addressed the Committee in opposition to the application. Mr Allen spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0725/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor G Jones referred to the likely impact on amenity of the application, as well as the proximity of the proposed dwellings to neighbouring houses. He stated that, in his view, the degree of impact on neighbouring dwellings was sufficient to warrant refusing this application.

The Director stressed that Officers had carefully considered the Inspector's decision letter. Members were advised that Officers felt that the reduced height of the proposed dwellings meant that the impact of the application was now acceptable in this location.

Councillor G Jones proposed and Councillor S Bull seconded a motion that application 3/11/0725/FP be refused on the grounds that the siting of the proposed dwellings would result in a harmful impact on the amenity of the occupiers of 14 and 18 Maple Avenue by virtue of their proximity and potential for overlooking, and would be harmful to the existing largely open character of the surroundings and would thereby be contrary to the aims and objectives of policies ENV1 and HSG7 of the East Herts Local Plan Second Review April 2007.

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

The Committee refused this application as now detailed.

Councillors W Ashley requested that his vote against this decision be recorded.

RESOLVED – that in respect of application 3/11/0350/FP, planning permission be refused for the following reason:

1. The siting of the proposed dwellings would result in a harmful impact on the amenity of the occupiers of 14 and 18 Maple Avenue by virtue of their proximity and potential for overlooking, and would be harmful to the existing largely open character of the surroundings. It would thereby be contrary to the aims and objectives of policies ENV1 and HSG7 of the East Herts Local Plan Second Review April 2007.

232 3/11/0929/FP - DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF TWO DETACHED DWELLINGS WITH GARAGES AT RAWALPINDI, 34, FOXLEY DRIVE, BISHOP'S STORTFORD, HERTS, CM23 2EB FOR MR ALLAN BROWN

Mr Mant addressed the Committee in opposition to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0929/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor T Herbert, as the local ward Member, addressed the Committee in respect of the likely impact of the proposed development on neighbouring properties. He commented that the proposed development was out of keeping with the surrounding area and urged the Committee to refuse the application.

In response to a number of concerns from Members, the Director stressed that Officers considered that the likely levels of overlooking were insufficient to warrant refusing the application. Officers considered that the overall application was an acceptable proposal.

Councillor J Demonti proposed and Councillor G Jones seconded a motion that application 3/11/0929/FP be deferred to enable Officers to seek amendment to the orientation of the proposed dwelling at Plot 1 to improve the relationship with the neighbouring property at 32 Foxley Drive (Polars).

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

The Committee deferred these applications as now detailed.

RESOLVED – that in respect of applications 3/11/0987/FP and 3/11/0988/FP, planning permission be deferred to enable Officers to seek amendment to the orientation of the proposed dwelling at Plot 1 to improve the relationship with the neighbouring property at 32 Foxley Drive (Polars).

233 3/11/1042/FN - DEMOLITION OF REDUNDANT PIG REARING BUILDINGS AND CONSTRUCTION OF FOUR SHORT TERM LETTING UNITS AT THE GROVE, MILL LANE, ANSTEY FOR MR MARCHANT

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1042/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 as now detailed.

RESOLVED – that in respect of application

3/11/1042/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

234 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

The Director of Neighbourhood Services recommended that, subject to the completion of a legal agreement in respect of application 3/10/1583/OP, outline planning permission be granted subject to the conditions detailed in the report now submitted.

The Director summarised the planning history of this application. He stated that Officers now felt that the application could be supported given that the issue of enabling development had been resolved.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that, subject to the completion of a legal agreement in respect of application 3/10/1583/OP, outline planning permission be granted, subject to the conditions detailed in the report now submitted.

235 3/10/1890/FP - REPLACEMENT TWO-STOREY DWELLING AT 232 HERTINGFORDBURY ROAD, HERTINGFORDBURY, SG14 2LB FOR MJL DEVELOPMENTS LIMITED

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1890/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1890/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

- 236 (A) 3/11/0996/RP - CONSTRUCTION OF THREE DETACHED HOUSES WITH ASSOCIATED VEHICLE ACCESS, LANDSCAPING AND PARKING FOLLOWING APPROVALS 3/08/0940/OP AND 3/11/0377/FN, AND; (B) 3/11/0997/RP - CONSTRUCTION OF TWO DETACHED HOUSES WITH ASSOCIATED VEHICLE ACCESS, LANDSCAPING AND PARKING FOLLOWING APPROVALS OF 3/08/0940/OP AND 3/11/0377/FN AT 65-67 NORTH ROAD, HERTFORD, SG14 1NF FOR THINKLOGIC LTD
-

Mr Teo and Mr McDonnell addressed the Committee in support of the applications.

The Director of Neighbourhood Services recommended that, in respect of applications 3/11/0996/RP and 3/11/997/RP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director stated that in light of comments from the Highway Authority, condition 3 on both applications was no longer required and should be deleted from the list of conditions detailed in the report now submitted.

After being put to the meeting and a vote taken, the Committee supported the recommendations of the Director of Neighbourhood Services as submitted, subject to the conditions now detailed.

RESOLVED – that (A) in respect of application 3/11/0996/RP, planning permission be granted, subject to the conditions detailed in the report now submitted, except for the deletion of condition 3; and

(B) in respect of application 3/11/0997/RP,

planning permission be granted, subject to the conditions detailed in the report now submitted, except for the deletion of condition 3.

237 3/11/1126/AD - FLAG POLE AND FLAG AT THE RIDGEWAY LOCAL PARK, THE RIDGEWAY, HERTFORD, SG14 2LW FOR EAST HERTS COUNCIL

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1126/AD, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director drew Members' attention to an amended plan detailing the updated location of the proposed development.

The Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1126/AD, planning permission be granted, subject to the conditions detailed in the report now submitted.

238 3/11/1127/AD - FLAG POLE AND FLAG AT SOUTHERN COUNTY PARK, THORLEY LANE EAST, BISHOP'S STORTFORD FOR EAST HERTS COUNCIL

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1127/AD, planning permission be granted subject to the conditions detailed in the report now submitted.

The Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/1127/AD, planning permission be granted subject to the conditions detailed in the report now submitted.

239 3/11/0767/FP - CHANGE OF USE FROM AGRICULTURAL BUILDINGS TO USE CLASSES B1 (BUSINESS), B2 (GENERAL INDUSTRIAL) AND B8 (WHOLESALE WAREHOUSE) AT UNIT 4, HADHAM INDUSTRIAL ESTATE, CHURCH END, LITTLE HADHAM, SG11 2DY FOR HADHAM INDUSTRIAL ESTATES LTD

Mr Scott addressed the Committee in opposition to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0767/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director stressed that it was important for Members to note that this was not an application for the existing use within the building. The application was for B1, B2 and B8 use, although Officers were of the opinion that an approval of this application would not regularise the existing use of the site.

The Director stated that the existing use would remain unauthorised should this application be approved and could be the subject of a report to Members for enforcement action at a future meeting of the Committee.

After being put to the meeting and a vote taken, the Committee supported the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/11/0767/FP, planning permission be granted, subject to the conditions detailed in the report now submitted.

240 UPDATE ON ENFORCEMENT STATISTICS AND AUTHORISED ACTION

The Director of Neighbourhood Services submitted a

report updating Members on enforcement statistics and recently authorised enforcement action.

The Committee noted the report as now detailed.

RESOLVED – that the report be noted.

241 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;
- (C) Planning Appeals: Inquiry and Informal Hearing dates; and
- (D) Planning Statistics.

The meeting closed at 8.27 pm

Chairman
Date

MINUTES OF A MEETING OF THE
CORPORATE BUSINESS SCRUTINY
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 23 AUGUST 2011, AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors E Bedford, G Jones, J Mayes,
W Mortimer, T Page, P Phillips, J Ranger
and G Williamson.

ALSO PRESENT:

Councillors S Bull, P Ruffles and M Tindale.

OFFICERS IN ATTENDANCE:

Linda Bevan	- Committee Secretary
Lorna Georgiou	- Performance and Improvement Co-ordinator
Marian Langley	- Scrutiny Officer
Alan Madin	- Director of Internal Services

242 APOLOGIES

Apologies were submitted on behalf of Councillors M Pope and J Wing. It was noted that Councillor J Mayes was in attendance as a substitute for Councillor M Pope.

243 MINUTES

RESOLVED - that the Minutes of the meeting held on 19 July 2011 be confirmed as a correct record and signed by the Chairman.

244 CORPORATE ANNUAL REPORT

The Leader of the Council submitted a report which provided an initial draft of the Council's Annual Report 2010/11.

The Committee suggested a number of drafting amendments which Officers undertook to incorporate in the next version of the Annual Report.

RESOLVED - that the Executive be informed that Corporate Business Scrutiny Committee approves the initial draft of the Council's Annual Report 2010/11 subject to the drafting amendments discussed at the meeting.

245 CORPORATE STRATEGIC PLAN 2012/13 - 2015/16

The Leader of the Council submitted a report on the Council's four year Corporate Strategic Plan which outlined the Authority's priorities for the next four years and the key outcomes it wished to achieve.

The Committee suggested a number of drafting amendments, particularly relating to the wording of the Council's revised priorities, which Officers undertook to incorporate in the next version of the Corporate Strategic Plan.

RESOLVED – that the Executive be informed that the Corporate Business Scrutiny Committee commends the Corporate Strategic Plan 2012/13 – 2015/16 subject to drafting amendments discussed at the meeting.

246 FINANCIAL STRATEGY 2011: MEDIUM TERM FINANCIAL PLAN TO 2015/16 AND APPLICATION OF NEW HOMES BONUS

The Executive Member for Finance submitted a report reviewing the Council's Financial Strategy and the Medium Term Financial Plan (MTFP) including the assumptions used to update the plan since its approval. The review took into account recommendations on the New Homes Bonus and the Government's announcements in respect of localisation of business rates and Council Tax benefits.

Members commented that a £1 million ceiling on capital

schemes could be too restrictive.

On criteria for the New Homes Bonus, the Committee did not agree with being too prescriptive, e.g. giving a score of 1 to 5 for each criteria suggested. Members also discussed the need for the New Homes Bonus to be handled differently in town and rural areas.

The Committee agreed with the proposed uses and apportionment of the Bonus and thought a key Council priority should receive funding from this but did not specify which one.

RESOLVED – that the Executive be informed that the Corporate Business Scrutiny Committee (A) supports the recommendations to Council as set out in the report now submitted; and

- (B) advises that:
- (1) the three proposed uses of the New Homes Bonus are appropriate and a fair balance is struck in the proposed apportionment;
 - (2) a key Council priority should receive funding from this source with spending proposals to be developed in this budget round;
 - (3) the suggestion for point scoring of criteria for grants is too prescriptive and should be deleted;
 - (4) a light touch should be adopted to the administration and audit of the spend on grants and the lower cost of this is welcomed; and
 - (5) Decisions on spending would normally be expected to be made through Town Councils in towns and at Ward level in rural areas.

247 CORPORATE HEALTHCHECK - JUNE 2011

The Leader of the Council submitted an exception report on finance and performance monitoring for April to June/Quarter1

2011.

Members noted the loss of income from hackney carriage/private hire licence fees because of the economic downturn and the higher levels of penalty charge notices being issued and challenged. A particular concern was the predicted overspend on salaries which the Committee decided to bring to the attention of the Executive.

RESOLVED – that the Executive be informed of the comments of Corporate Business Scrutiny Committee concerning the need to achieve planned savings on salaries.

248 SCRUTINY WORK PROGRAMME

The Chairman submitted a report supporting the Committee in reviewing and planning its work programme for 2011/12.

The Scrutiny Officer explained that the report on the Data Sharing Protocol had been delayed until the October meeting of the Committee.

RESOLVED – that the work programme now submitted be approved.

The meeting closed at 9.25 pm

Chairman
Date

MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL COMMITTEE
HELD IN THE MAIN HALL, CHARIS
CENTRE, WATER LANE, BISHOP'S
STORTFORD ON THURSDAY 25 AUGUST
2011, AT 7.00 PM

PRESENT: Councillor W Ashley (Chairman)
Councillors M Alexander, E Bedford,
E Buckmaster, S Bull, J Demonti, G Jones,
T Page, S Rutland-Barsby, J Taylor and
B Wrangles.

ALSO PRESENT:

Councillors P Gray, P Ruffles, N Symonds,
M Tindale, M Wood and C Woodward.

OFFICERS IN ATTENDANCE:

- | | |
|------------------|------------------------------------------|
| Liz Aston | - Development Control Team Leader |
| Fiona Brown | - Planning Technician |
| John Careford | - Senior Planning Officer |
| Glyn Day | - Principal Planning Enforcement Officer |
| Simon Drinkwater | - Director of Neighbourhood Services |
| Annie Freestone | - Senior Planning Technician |
| Peter Mannings | - Democratic Services Assistant |
| Martin Plummer | - Assistant Planning Officer |
| Kevin Steptoe | - Head of Planning and Building Control |

249 APOLOGIES

Apologies for absence were submitted on behalf of Councillors A Burlton, Mrs R Cheswright, G Lawrence and M Newman. It was noted that Councillors E Bedford, T Page and E Buckmaster were substituting for Councillors Mrs R Cheswright, A Burlton and M Newman respectively.

250 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting. He stated that the meeting was being videoed and the subsequent recording would be posted on the Council's website.

In respect of Minute 252, the Chairman advised that, as a higher than anticipated number of people had registered to speak, he had agreed that all registered speakers should be allowed to address the Committee. He sought and received the consent of the Committee in respect of all registered speakers addressing the Committee.

251 DECLARATIONS OF INTEREST

Councillor T Page declared a personal interest in applications 3/10/1964/FP and 3/10/1965/LC in that he was a Member of the Bishop's Stortford Town Council Planning Committee.

- 252 (A) 3/10/1964/OP - OUTLINE PLANNING APPLICATION FOR A MIXED USE DEVELOPMENT COMPRISING RETAIL, LEISURE HOTEL, FOOD AND DRINK, RESIDENTIAL, COMMUNITY USES, CAR PARKING, SERVICING AND ACCESS ARRANGEMENTS TOGETHER WITH ALTERATIONS TO THE PUBLIC HIGHWAY AND/OR PUBLIC REALM WORKS AND FLOOD MITIGATION MEASURES ON LAND NORTH OF LINK ROAD; AND (B) 3/10/1965/LC - DEMOLITION OF 1 THE CAUSEWAY; 1, 2 AND 3 OLD RIVER LANE; CHURCH HALL WATER LANE; BOUNDARY WALL NORTH OF CHURCH HALL AND SUBSTATION AT OLD RIVER LANE, BISHOP'S STORTFORD FOR HENDERSONS GLOBAL INVESTORS COMPANY
-

The Director of Neighbourhood Services recommended that, in respect of applications 3/10/1964/OP and 3/10/1965/LC, planning permission and conservation area consent be granted subject to the conditions now detailed.

The Director referred to the additional representations schedule, as well as the Section 106 legal obligation agreement and the conditions. The Committee was advised that these documents had been distributed to Members separately as they had not been finalised prior to the distribution of the Agenda.

Members were referred to the additional representations summary for the latest position in respect of the comments of the Environment Agency. The Director stressed that the Environment Agency had considered that a weir to the north of the site was no longer required for flood risk mitigation.

The Committee was advised that Officers felt they had insufficient information to advise on whether the weir should be removed.

Members could defer the applications for this issue to be

investigated. Members were reminded that the applications would have to be referred to the Secretary of State if the Committee resolved to grant outline planning permission and conservation area consent.

The Director referred to the comments of the Council's retail advisors in respect of the position of Waitrose's objections to the application, given that Waitrose had control of some of the land that was the subject of these applications.

The Director advised that the Council's Solicitor felt that there remained some tension with regard to a number of issues, particularly flooding and the impact on heritage assets close to the site.

The following people addressed the Committee in objection to the applications:

- Mr Hurford, Chairman of the Bishop's Stortford Civic Federation;
- Mr Edwards on behalf of the Chantry Residents' Association;
- Mr Cooper on behalf of Coopers Bishop's Stortford;
- Karen Burton;
- Jackie Colman;
- Mr Elmer;
- Mr Hare; on behalf of the Water Lane Table Tennis Club;
- Mr George on behalf of Yew Tree Place residents;
- Mr Harrison on behalf of Waitrose, Bishop's Stortford;
- Mr Moys, Solicitor for Mr and Mrs Hagon and a number of other residents.

The following people addressed the Committee in support of the applications:

- Mr Fraser and Mr Perry on behalf of Hendersons

- Global Investors Company;
- Mr Disney;
- Mr Lawson; and
- Sarah Stevens.

Councillor N Symonds addressed the Committee by reading out a statement on behalf of Councillor A Burlton. Councillor Burlton's concerns related to overdevelopment of the site in terms of the massing and height of the proposed development.

Councillor Burlton was also concerned that the merits of the application did not justify 3 to 4 storey buildings on this site. He had commented that buildings should be restricted to 2 to 3 stories and the residential elements of the scheme should be withdrawn.

Councillor Symonds referred to Councillor Burlton's concerns that the application would result in traffic problems, particularly in respect of the proposed 'T' junction. He was also concerned in relation to the loss of natural vegetation to make way for the flood compensation area (FCA). He had stated that the application should be refused until all outstanding issues had been resolved.

Councillor Symonds and Councillor M Wood addressed the Committee as local ward Members in respect of their concerns on both applications. Councillor Wood was concerned in respect of the loss of valuable site lines in Bishop's Stortford. He expressed concerns in relation to highways congestion and the inadequacy of the proposed temporary parking provision.

Councillor Wood queried the need for a hotel in this location given the proliferation of hotels at Stansted Airport. He also strongly questioned whether the town needed more flats and a second cinema. He was particularly concerned that the application would result in the decline of town centre businesses.

Councillor M Tindale addressed the Committee in support of the applications in his capacity as Executive Member for Finance. He referred to the decisions taken by Full Council in relation to the Causeway Offices in that the principle of development on this site had been established.

Councillor Tindale stated that the views expressed on the applications were not fully representative of the population of East Herts. He referred to the difficulty of the decision facing the Members of the Committee.

Councillor G Jones expressed concerns that high rise development was proposed with such a narrow access route being provided to the site and between the blocks of development.

He referred to the challenging balance of judgement faced by the Committee. He stated that he was minded to vote against both applications as the scale of the proposed buildings was insensitive to the conservation area of Bishop's Stortford.

Councillor Jones stated that the application would result in traffic chaos as the town's road network was already operating at full capacity and there was insufficient car parking to support such development. He expressed concerns over the loss of the United Reformed Church Hall and the likely impact on Heritage Assets.

Councillor Jones stressed that the proposed Cinema and Hotel were poorly sited in that the site was remote from the train station. He was also concerned that the development would match and exceed the nearest tallest buildings.

Councillor J Taylor stressed that the scheme must be determined on the merits of the applications and any previous decisions must be disregarded. She reminded Members that this was an outline application and all matters were reserved. Councillor Taylor stated that

Bishop's Stortford did not need an enhanced retail offer and a new cinema and hotel as the town already had sufficient shops and a cinema.

Councillor Taylor commented that such a scheme should be supported by 1043 parking spaces as opposed to the proposed 600. She expressed concerns in relation to the loss of trees on the site. She also commented that elements of the high street could resemble a ghost town if this scheme was approved.

Councillor Taylor referred to her concerns in relation to highways issues, in particular the ageing population who were unable to use public transport for legitimate reasons. She was also concerned regarding pedestrian safety at the proposed 'T' junction.

Councillors Taylor and Jones were both concerned that the site was located in the flood zone of the River Stort. Councillor Taylor was concerned as to whether flood water could be contained within the FCA. She referred to the Environment Agency's objections and stated that the application did not comply with policy ENV25 of the East Herts Local Plan Second Review April 2007.

Councillor E Buckmaster commented that there was no guarantee from Officers or from the consultation responses that the flood risk issue could be fully mitigated. He stressed that the Bishop's Stortford Town Plan and the 2020 vision document did not include a development of this nature on this site.

The Director advised that the basis for the whole proposal was what the future held for Bishop's Stortford. He referred to there being a different situation now compared to when a Districtwide retail assessment had been carried out for the towns in East Herts. He stressed that the Authority could not time when any given scheme was submitted.

The Director advised that the applicant had undertaken to

maintain the current levels of parking during the implementation phase of this application. He further advised that the applicant had given some sound and forthcoming assurances that every effort would be made to minimise disruption.

Members were advised that, as always, the Committee must make a judgement as to whether the impact of the proposals could be justified in relation to the potential benefits to Bishop's Stortford in terms of a retail led proposal with new modern facilities.

The Director reminded Members that the Authority was obliged to deliver in terms of future housing supply in East Herts. He stated the Government Policy was very much in support of delivering that supply. He stressed that the Authority had not objected to the housing numbers that East Herts had been asked to deliver.

Members were advised that East Herts had performed poorly to date in terms of future housing supply in the District. The Director stated that, in terms of the flood risk mitigation measures, the Council's Drainage Engineer had stated that although the application complied with regulations in technical terms, the risk mitigation measures were very much at the lower end of the scale of acceptability.

The Director stated that the traffic issue was to a degree intractable in that Bishop's Stortford was an historic market town with very little that could be done to improve road capacity without fundamentally altering the town's character. He commented that there was insufficient space in the town for a development that provided 1000 plus car parking spaces.

Members were advised that due to the constrained nature of the town's highway network, the only realistic solutions were improving the flow on the existing roads, such as using the SCOOT system publicised by Hertfordshire Highways. Solutions were also available that gave

priority to certain types of vehicles at junctions.

The Committee was reminded that due to the geography of the East Herts area, for many people, the only solution for getting around was the private vehicle. The Director stressed that although there were concerns in respect of 4 blocks of development on this site, Officers had felt that the impact of the proposals was not so fundamental as to outweigh the potential benefits of the scheme. Members would have to make that judgement when determining these applications.

Councillor S Bull commented that he was an experienced retired retailer and it was widely accepted that big developments of this nature increased the prosperity of the surrounding town area. He stressed that this development close to the town centre should reduce the leakage to surrounding settlements such as Cambridge and Harlow.

Councillor Bull stated that this application would encourage people to continue to visit Bishop's Stortford and ensure the town was heading in the right direction.

Councillor T Page stressed that he was not satisfied that the issue of flood prevention had been satisfactorily addressed. He stated that a competently planned infrastructure had to be installed before this scheme was implemented.

Councillor Page expressed concerns that Bishop's Stortford Central was the most economically challenged ward in the town and this application would further accelerate the loss of vitality of South Street. He concluded that these applications did not stand up to the provisions of ENV19 and ST1 and ST1a of the East Herts Local Plan Second Review April 2007.

Councillor M Alexander stated that Bishop's Stortford was a well respected town that was suffering due to the leaching of trade to surrounding settlements. He stressed

that the applicant was a serious company that was not about to walk away from the town should this scheme be implemented.

The Director advised Members that the parking provision standards were set out in terms of maximum rather than minimum provision. He also stressed that Hertfordshire Highways had not objected to the proposals so Members should be cautious when putting forward reasons for rejecting the applications. The Committee was advised that the fact that the scheme was not included in the local plan was not sufficient as a reason for refusal.

The Director emphasised that Members could advance an argument that the scheme would have a detrimental impact on the conservation area of Bishop's Stortford. He reminded the Committee that there would be no net loss of trees as a consequence of the proposals. Members were advised that the County Archaeologist was satisfied that the investigations that had taken place were sufficient.

Members continued to debate possible reasons for refusal following the continued advice of the Director.

Councillor J Taylor proposed and Councillor J Demonti seconded , a motion that applications 3/10/1964/FP and 3/11/1965/LC be refused on the grounds that archaeological remains had not been sufficiently investigated, the flood risk issue had not been resolved, the impact on traffic in general terms was not acceptable and was contrary to policy TR1 of the East Herts Local Plan Second Review April 2007 and the scale and height of the development would have an unacceptable impact on the character of the conservation area of Bishop's Stortford.

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

After being put to the meeting and a vote taken, the

Committee accepted the recommendations of the Director of Neighbourhood Services that applications 3/10/1964/OP and 3/10/1965/LC be granted subject to the conditions now detailed.

RESOLVED – that (A) in respect of application 3/10/1964/OP, subject to the referral of the application to the Secretary of State in relation to the Town and Country Planning (Flooding) (England) Direction 2007, and subject to the applicant entering into an agreement under section 106 of the Town and Country Planning Act 1990 as amended covering the following matters:

1. The provision of up to 40% affordable housing either as direct provision or through a commuted sum, or an element of both, the amount of which is to be determined;
2. Prior to demolition of the URC Church hall, the provision of replacement facilities of equal or greater quality to those currently provided in the hall in a location in close proximity to the existing URC Church hall to the satisfaction of the Council in consultation with the URC;
3. The provision of £307,916 financial contribution towards enhancing bus services that access the town centre and related infrastructure;
4. The provision of a financial contribution of up to £50,000 to enable the implementation of selective vehicle detection equipment at Adderley Road / The Causeway; Station Road (next to the bus interchange); South Street / Station Road; Riverside / Adderley Road; New access junction on Link Road (to serve the proposed development) within the town centre in order to mitigate for delays caused to bus service 510.

5. The agreement of appropriate timescales and criteria against which the operation of the Bridge Street/Link Road junction can be monitored and, if agreed operational criteria are breached, the provision of additional improvements including signalisation at that junction;
6. The provision of an enhancement to the existing VMS (Variable Messaging Signs), (as set out within the WSP document 'Parking Guidance Signage Review' April (2011)) within the Town Centre to provide enhanced information in relation to the availability of parking and other traffic information;
7. Prior to the loss of any of the current parking provision on the site, the provision of temporary and alternative public parking to be made during the construction of the development to ensure that overall level of public parking provision currently provided on the main site is maintained throughout the construction phase;
8. The provision of a car park management plan to ensure that the parking facilities within the development site follow the overall parking strategy for the Town Centre;
9. The provision of financial contributions towards nursery and secondary education, childcare, youth and libraries in accordance with the residential type and mix as approved in any subsequent planning application and the Planning Obligations Supplementary Planning Guidance 2008;
10. Bridge – prior to the occupation of the first Class A1 or A2 or A3 or A4 or A5 unit to

investigate the feasibility of the provision of a bridge and submit to the Local Planning Authority an application for planning permission to construct a pedestrian bridge over the watercourse between Link Road and Castle Gardens and, if permission is secured, to construct the bridge within 12 months of the granting of permission. Details of maintenance liability are to be agreed with the Council.

11. The provision of fire hydrants;
12. All reasonable legal and monitoring fees are to be paid by the applicant.

planning permission be granted subject to the following conditions:

1. Application for approval in respect of all matters reserved in this permission shall be made to the Local Planning Authority within a period of 3 years commencing on the date of this notice. (b) The development to which this permission relates shall be begun by not later than the expiration of a period of 2 years commencing on the date upon which final approval is given by the Local Planning Authority or by the Secretary of State, or in the case of approval given on different dates, the final approval of the last such matter to be approved by the Local Planning Authority or by the Secretary of State.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing the siting, design and external appearance of the

building(s) and landscaping of the site, which shall have been approved in writing by the Local Planning Authority before any development is commenced.

Reason: To comply with the provisions of Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

3. No demolition or development shall take place within the proposed development site until the applicant, or their agents, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to the planning authority and approved in writing. No use or occupation shall take place until the approved written scheme of investigation for archaeological works has been implemented in full, and the Local Planning Authority has received and approved an archaeological report of all the required works, and provision has been made for analysis and publication where appropriate.

Reason: To ensure the protection of and proper provision for any archaeological remains in accordance with Policy BH2 of the East Herts Local Plan April 2007 and Planning Policy Statement 5: Planning and the Historic Environment.

4. No development shall take place until detailed plans, showing the existing and proposed ground levels of the site relative to adjoining land and buildings, together with the slab levels of the proposed buildings have been submitted to, and approved in writing by the Local Planning Authority. The development

shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development is properly related to the levels of adjoining development in the interests of amenity.

5. Prior to or concurrently with the submission of the first of any reserved matters applications for the site, a Design Guide shall be formulated and submitted to the Local Planning Authority for approval. The Design Guide shall be prepared in accordance with the principles and parameters established in the outline application and shall include more detailed information in relation to the following:
 1. the approach to be followed in relation to the design and external appearance of the buildings, including the ratio of glazing to other elements of the buildings, external materials to be used and colour treatments to be applied;
 2. the approach to be followed in relation to the surface treatment to be applied in any areas of the site outside of buildings, street furniture, lighting, public art and any other structures to be placed in these areas;
 3. the approach to be followed in relation to advertising to be applied to the external façade of any of the buildings or otherwise within the site;

Reason: To ensure high quality design and coordinated development in accordance with policy ENV1 and BH6 of the East Herts Local Plan Second Review April 2007

6. No development above ground level shall take place until all materials to be used for hard surfacing within the site including roads, driveways and car parking areas 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: To ensure that the development does not detract from the appearance of the locality in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

7. Prior to the first occupation of any of the A1, A2, A3, A4, A5 units (retail units), a plan showing the uses designated for each unit shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with that plan and any change in use of the units within the approved plan shall be agreed in writing by the Local Planning Authority.

Reason: To ensure that there is an appropriate mix of retail and other uses to sustain the vitality and viability of the Town Centre in accordance with policies STC1 and STC2 of the East Herts Local Plan Second Review April 2007.

8. Within 12 months of commencement of the development hereby approved, details of the management and availability of any D1 community facility space have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the community facility is properly provided for within the site for the local community in accordance with policy LRC11 of the East Herts Local Plan second Review April 2007.

9. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 1. Drawings and full details of any temporary highway works and the phasing of any highway works;
 2. Methods for accessing the site;
 3. The parking of vehicles of site operatives and visitors;
 4. Loading and unloading of plant and materials;
 5. Storage of plant and materials used in constructing the development;
 6. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 7. Wheel washing facilities;
 8. Measures to control the emission of dust and dirt during construction;
 9. A scheme for recycling/disposing of waste resulting from demolition and construction works;
 10. The management of any crossings of the public highway and/or other public rights of way.

Reason: To ensure that the construction works and associated activity are acceptable

in terms of amenity of the area and highway safety.

10. No development shall take place until details of the phasing of construction of development on the application site have been submitted to and approved in writing by the Local Planning Authority. Those details shall include:
 1. the details of access to be provided to buildings located on the site which are to remain in use during construction;
 2. detail of the timing of the provision of vehicular and foot access to new buildings which are to be constructed;
 3. detail of the timing of the provision of the public area of the site located between proposed block A and the western perimeter of the site (adjacent to the extent of Coopers, as proposed) as shown on plan references T04 10 and T12 09.

Reason: The development shall be carried out in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

11. Prior to first occupation of any part of the development hereby approved, the Green Travel Plan as set out in Chapter 9 of the Transport Assessment shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To promote the use of non car modes of transport in accordance with national guidance in PPG13 and policy TR4 of the East Herts Local Plan Second Review

April 2007.

12. No development shall take place until details of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. Once agreed, those facilities shall thereafter be implemented in accordance with the approved details, made available for use prior to the first occupation of the site and thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

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

13. The development shall be carried out in accordance with the Flood Risk Assessment (WSP, October 2011 Revision 1) and the Flood Risk Addendum (WSP, March 2011) and the mitigation measures detailed within those documents.

Reason: In the interests of flood risk in accordance with policies ENV19 and ENV21 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 25: Development and Flood Risk.

14. Prior to the first occupation of the development hereby permitted, details shall be submitted to and agreed in writing by the Local Planning Authority of a specification of works to open up and naturalise the current culverted route of the watercourse within the flood compensation area and as identified in the WSP report 'Justification for not de-culverting Old River Lane culvert' 29 July 2011. Once agreed, the works shall be implemented as such and shall be completed

prior to the first occupation of the development hereby agreed. The timing and specification of the works may be further varied and agreed in writing by the Local Planning Authority.

Reason: To ensure that the development maximises its ecological and biodiversity potential. In accordance with policy ENV18 of the East Herts Local Plan Second Review April 2007

15. Prior to first occupation of any part of the development a management plan for the flood compensation area and any drainage system used on the application site 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: To prevent flooding by ensuring that the flood compensation area and any other drainage system is satisfactorily maintained and managed by the responsible party, in accordance with policies ENV19 and ENV21 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 25: Development and Flood Risk.

16. No development shall take place until the following components to deal with the risks associated with contamination of the site have been submitted to and approved in writing by the Local Planning Authority:-
 1. A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; potentially unacceptable risks arising from

contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: In the interests of groundwater protection, in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 23: Planning and Pollution Control.

17. Prior to first occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and

maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To ensure the site no longer poses a potential risk to groundwater in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 23: Planning and Pollution Control.

18. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. If piling is found to be necessary the development shall be carried out in accordance with the approved details.

Reason: In the interests of groundwater protection, in accordance with policy ENV20 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 23: Planning and Pollution Control.

19. No development above ground level shall take place until details of facilities to be provided for the storage and removal of refuse from the Main site during the operational phase have been submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be provided and retained in accordance with those approved details.

Reason: In the interests of amenity, in

accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007.

20. No trees located on land within the Bishop's Stortford Memorial Gardens or the beech tree T72 (all shown on plan reference 42806L/topo 1 of 3; 2 of 3 and 3 of 3 within Chapter 12.1 of the EIA) shall be removed, unless otherwise agreed in writing by the Local Planning Authority. Those trees shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with relevant British Standards, for the duration of the works on site and until at least five years following contractual practical completion of the approved development. In the event that trees become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

Reason: To ensure the continuity of amenity afforded by existing trees, in accordance with policies ENV2 and ENV11 of the East Herts Local Plan Second Review April 2007.

21. Within 12 months of commencement of the development hereby approved, a management plan for all open spaces and routes within the site which are outside of buildings has been submitted to and approved in writing by the Local Planning Authority. The

development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that outside spaces and routes are properly managed in the interests of the amenity of the site and the surroundings.

22. Details of replacement bat foraging, commuting and habitat to replace that lost as part of the development and the timescale for provision shall be submitted to, and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.

Reason: To ensure that appropriate levels of replacement bat foraging, commuting and habitat space are provided for, in accordance with policy ENV16 and ENV17 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 9: Biodiversity and Geological Conservation.

23. No development shall take place until a scheme setting out the measures to be taken to ensure the creation of new habitats within the FCA and the timing of that provision has been submitted to and agreed in writing by the local planning authority. Once agreed, the scheme shall be implemented in accordance with those agreed details.

Reason: To ensure that the development mitigates for the potential loss of existing habitats and biodiversity in accordance with policy ENV17 of the East Herts Local Plan Second Review April 2007 and Planning Policy Statement 9: Biodiversity and

Geological Conservation.

24. Details of CCTV provision on the site together with a management plan 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 ensuring that the development provides adequate means to protect against crime, in accordance with policy ENV3 of the East Herts Local Plan Second Review April 2007.

25. No development shall take place until a scheme for the implementation of energy efficiency measures within the development to secure at least 10% of the energy supply of the development from decentralized and renewable or low-carbon sources, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development assists in reducing climate change emissions in accordance with policy ENG1 of the East of England Plan May 2008 and policy SD1 of the East Herts Local Plan Second Review April 2007.

26. The development shall, except to the extent that the Local Planning Authority otherwise agrees in writing, be carried out in accordance with the details submitted with the application.

Reason: To comply with the requirements of the Town and Country Planning (General Permitted Development) Order 1995.

27. The development hereby approved shall be carried out in accordance with the following approved plans: T03A 07, T03B 08, T04 10, T05 09, T06 08, T07 08, T08 10, T09 10, T10 10, T11 10, T12 09, T13 09, 0721/GA/010 D, 0721/GA/009 D.

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

Directives:

1. Other legislation (01OL1)
2. Under the terms of the Water Resources Act (1992) and the Land Drainage Byelaws(1981) the prior written consent of the Environment Agency is required for certain works in over, under or with 8 metres of a Main River (or as otherwise agreed by the Environment Agency).
3. Planning obligation (08PO1)
4. Street name and numbering (19SN4)

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 SD1, SD2, SD3, HSG1, HSG3, HSG4, HSG6, TR1, TR2, TR3, TR4, TR7, TR8, STC1, ENV1, ENV2, ENV3, ENV11, ENV16, ENV18, ENV19, ENV21, ENV23, ENV25, LRC11, BH1, BH2, BH3, IMP1 and PPS1 Delivering

Sustainable Development, PPS3 Housing, PPS4 Planning for Sustainable Economic Growth, PPS5 Planning for the Historic Environment, PPG13 Transport, PPG17 Open Space, Sport and Recreation, PPG24 Planning and Noise, PPS25 Development and Flood Risk. The balance of the considerations having regard to those policies and the significant investment of the proposed into the town is that permission should be granted.

(B) in respect of application 3/10/1965/LC, conservation area consent be granted subject to the following condition:

1. Listed Building three year time limit (1T14)

The meeting closed at 11.05 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 1
SEPTEMBER 2011, AT 5.30 PM

PRESENT: Councillor M McMullen (Chairman)
Councillors W Ashley, P Ballam, E Bedford,
E Buckmaster, Mrs R Cheswright, K Crofton,
J Demonti, N Poulton, J Taylor, A Warman,
B Wrangles and P Ruffles.

OFFICERS IN ATTENDANCE:

Linda Bevan	- Committee Secretary
Paul Newman	- Interim Licensing Manager
Brian Simmonds	- Head of Community Safety

253 APOLOGIES

Apologies for absence were submitted on behalf of Councillors R Beeching, A Burlton and N Wilson. It was noted that Councillor P Ruffles was in attendance as a substitute for Councillor R Beeching.

254 MINUTES

RESOLVED – that the Minutes of the meeting held on 21 July 2011 be confirmed as a correct record and signed by the Chairman subject to the deletion of “further” from (A) of Minute 214 page 251 and the insertion of “additional”.

255 DELEGATING OF ALL NON STATUTORY FUNCTIONS TO A TAXI LICENSING PANEL

The Director of Neighbourhood Services submitted a report on delegation of non-statutory taxi licensing

decisions to a Licensing Panel.

The Head of Community Safety and Environmental Health explained that he had been asked to make savings and introducing a Panel instead of the Licensing Sub-Committee to consider matters concerning taxi drivers would help towards this. He said East Herts considered a high percentage of such cases at committee compared with some nearby Councils.

The Chairman pointed out that about 300 applications were processed by the Licensing section every year. In approximately 4 years only about 60 cases had been considered by committee. He felt this was a small percentage.

Members raised a number of concerns including the following matters.

They said that East Herts was a much larger District than other ones nearby and this made the situation different in East Herts. It contained a number of towns with different circumstances.

They wanted further details of the exact savings which could be achieved by setting up a panel.

They were also concerned that the public perception was that elected representatives took decisions on these matters. In addition, hearing from the applicants in person sometimes gave a better understanding of their situation.

Members decided that they preferred a panel including the Chairman of the Licensing Committee, a trained Member of the Licensing Committee on a rotational basis and a representative of the Director of Neighbourhood Services. They asked that the panel include a female Councillor or Officer where appropriate e.g. offences of a sexual nature.

The Committee decided on a Panel as now detailed.

RESOLVED that - (A) a financial breakdown of the costs of Licensing Sub-Committees and income from fees be provided;

(B) a Licensing Selection Panel be set up consisting of the Chairman of the Licensing Committee, a trained Member of the Licensing Committee on a rotational basis and a representative of the Director of Neighbourhood Services;

(C) the Licensing Selection Panel review which taxi applications should be considered by a Licensing Sub-Committee or be delegated to Officers for approval or refusal for a period up to April 2012; and

(B) the financial situation and operation of the Panel be reviewed at the end of the initial period.

The meeting closed at 6.45 pm

Chairman
Date

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