

Public Document Pack

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 14th December, 2011 at 7.00 pm, for the purpose of transacting the business set out in the Agenda below, and you are hereby summoned to attend.

Dated this 1st day of December 2011



Jeff Hughes
Head of Democratic and
Legal Support Services

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

AGENDA

1. Chairman's Announcements

To receive any announcements.

2. Minutes (Pages 9 - 26)

To approve as a correct record and authorise the Chairman to sign the Minutes of the Extraordinary Council meeting and the Council meeting held on 28 September 2011.

3. Declarations of Interest

To receive any Members' declarations of interest.

4. Petitions

To receive any petitions.

5. Public Questions

To receive any public questions.

6. Presentation - East and North Hertfordshire NHS Trust Update - Changing A&E Services at the QEII Hospital

To receive a presentation from Richard Beazley (Chair), Sarah Brierley (Director of Business Development and Partnerships) and Nick Carver (Chief Executive).

7. Members' questions

To receive any Members' questions.

8. Executive Report - 11 October 2011 (Pages 27 - 30)

To receive a report from the Leader of the Council.

9. Executive Report - 8 November 2011 (Pages 31 - 34)

To receive a report from the Leader of the Council.

10. Executive Report - 6 December 2011

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

(A) Replacement Gym Equipment at Fanshawe and Leventhorpe pools

(B) Review of Discretionary Rate Relief

(C) Strategic Land Availability Assessment (SLAA) Next Steps

(D) Hertfordshire Strategic Employment Sites Study (April 2011)

(E) Local Development Framework - Evidence Base - Technical studies 2010/11 and 2011/12

(F) Annual Monitoring Report 2010/11

(G) Interim Planning Guidance Note (November 2011)

11. Minutes of Committees

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

(A) Corporate Business Scrutiny Committee - 4 October 2011 (Pages 35 - 38)

Chairman: Councillor D Andrews

(B) Human Resources Committee - 12 October 2011 (Pages 39 - 44)

Chairman: Councillor C Woodward

(C) Development Control Committee - 12 October 2011 (Pages 45 - 66)

Chairman: Councillor W Ashley

(D) Development Control Committee - 26 October 2011 (Pages 67 - 76)

Chairman: Councillor S Rutland-Barsby

(E) Licensing Committee - 3 November 2011 (Pages 77 - 82)

Chairman: Councillor M McMullen

(F) Development Control Committee - 9 November 2011 (Pages 83 - 108)

Chairman: Councillor W Ashley

(G) Environment Scrutiny Committee - 15 November 2011 (Pages 109 - 112)

Chairman: Councillor Mrs D Hollebon

(H) Community Scrutiny Committee - 22 November 2011

Chairman: Councillor G McAndrew (to follow)

(I) Audit Committee - 23 November 2011

Chairman: Councillor J Ranger (to follow)

(J) Corporate Business Scrutiny Committee - 29 November 2011

Chairman: Councillor D Andrews (to follow)

(K) Development Control Committee - 7 December 2011

Chairman: Councillor W Ashley (to follow)

12. Council Tax - Calculation of Council Tax Base 2012/13 (Pages 113 - 120)

To receive a report of the Executive Member for Finance.

13. Joint Revenues and Benefits Committee - Appointment of Substitute (Pages 121 - 124)

To receive a report of the Head of Democratic and Legal Support Services.

14. Treasury Management

To receive a report (to follow) of the Executive Member for Finance.

15. Motions on Notice

To receive Motions on Notice.

PERSONAL AND PREJUDICIAL INTERESTS

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

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

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

7. Exempt categories of decisions are:
- setting council tax
 - any ceremonial honour given to Members
 - an allowance, payment or indemnity for Members
 - statutory sick pay
 - school meals or school transport and travelling expenses: if you are a parent or guardian of a child in full-time education or you are a parent governor, unless it relates particularly to the school your child attends
 - housing; if you hold a tenancy or lease with the Council, as long as the matter does not relate to your particular tenancy or lease.
8. If you have a prejudicial interest in a matter being discussed at a meeting, you must declare that interest and its nature as soon as the interest becomes apparent to you.
9. If you have declared a personal and prejudicial interest, you must leave the room, unless members of the public are allowed to make representations, give evidence or answer questions about the matter, by statutory right or otherwise. If that is the case, you can also attend the meeting for that purpose. However, you must immediately leave the room once you have finished or when the meeting decides that you have finished (if that is earlier). You cannot remain in the public gallery to observe proceedings.
10. Members intending to make a declaration of interest, are invited to complete the form below and to hand this to Jeff Hughes or Martin Ibrahim, prior to the meeting. This will assist in recording all declarations. Members are still required to make a verbal declaration at agenda item 3.

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

MINUTES OF AN EXTRAORDINARY
MEETING OF THE COUNCIL HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 28
SEPTEMBER 2011, AT 7.00 PM

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

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Director of Neighbourhood Services
Jeff Hughes	- Head of Democratic and Legal Support Services
Martin Ibrahim	- Senior Democratic Services Officer
Alan Madin	- Director of Internal Services
Lois Prior	- Head of Strategic Direction (shared) and Communications Manager
George A Robertson	- Director of Customer and

Community
Services

321 HONORARY ALDERMEN

Council recalled that, at its meeting held on 21 February 2007 (Minute 609 refers), a procedure for the award of the title of Honorary Alderman was approved. The role of Honorary Aldermen would be to support the work of the Chairman's Charity and promote civic pride in the District of East Hertfordshire and its Council. They would also be encouraged to attend all civic ceremonial events when invited and, with the Chairman's permission, assist in hosting receptions/functions.

Councillor A P Jackson moved and Councillor M Wood seconded a motion that, pursuant to the provisions of Section 249 of the Local Government Act 1972, the title of Honorary Alderman be conferred on the following former members of East Hertfordshire District Council:

- K Barnes
- R Copping
- A Dodd
- R Gilbert
- M Goldspink
- R Parker

After being put to the meeting, and a vote taken, the motion was CARRIED by the necessary two thirds majority.

RESOLVED - that, pursuant to the provisions of Section 249 of the Local Government Act 1972, the title of Honorary Alderman be conferred on the following former members of East Hertfordshire District Council:

- K Barnes
- R Copping
- A Dodd

- R Gilbert
- M Goldspink
- R Parker

After a few brief words by Councillor M Wood, Mr K Barnes received a framed certificate and a civic badge of office from the Chairman.

After a few brief words by Councillor J Taylor, Mr N Copping received a framed certificate and a civic badge of office from the Chairman.

After a few brief words by Councillor M Alexander, Mr A Dodd received a framed certificate and a civic badge of office from the Chairman.

After a few brief words by Councillor A Jackson on behalf of Councillor J Demonti, Mr R Gilbert received a framed certificate and a civic badge of office from the Chairman.

After a few brief words by Councillor M Wood, Mrs M Goldspink received a framed certificate and a civic badge of office from the Chairman.

After a few brief words by Councillor A Jackson, Mr R Parker received a framed certificate and a civic badge of office from the Chairman.

The meeting closed at 7.29 pm

Chairman
Date

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

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

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Director of Neighbourhood Services
Jeff Hughes	- Head of Democratic and Legal Support Services
Martin Ibrahim	- Senior Democratic Services Officer
Alan Madin	- Director of Internal Services
Lois Prior	- Head of Strategic Direction (shared) and Communications Manager
George A Robertson	- Director of Customer and

Community
Services

322 CHAIRMAN'S ANNOUNCEMENTS

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

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

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

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

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

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

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

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

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

323 MINUTES

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

324 PETITION - TAXI DRIVERS

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

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

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

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

325 MEMBERS' QUESTION

Question 1

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

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

326 EXECUTIVE REPORT - 5 JULY 2011

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

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

327 EXECUTIVE REPORT - 6 SEPTEMBER 2011

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

328 CORPORATE STRATEGIC PLAN 2012/13 - 2015/16

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

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

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

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

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

330 EAST HERTS LOCAL DEVELOPMENT FRAMEWORK: LOCALISM AND NEIGHBOURHOOD PLANNING

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

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

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

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

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

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

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

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

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

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

333 NEW HOME BONUS AND COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

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

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

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

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

335 LDF: CALL FOR SITES UPDATE REPORT

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

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

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

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

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

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

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

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

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

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

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

337 ASSESSMENT OF EAST HERTS SPORTS FACILITIES (MAY 2011)

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

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

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

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

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

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

339 MONTHLY CORPORATE HEALTHCHECK - JULY 2011

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

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

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

340 MINUTES OF COMMITTEES

(A) AUDIT COMMITTEE - 12 JULY 2011

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

(B) HUMAN RESOURCES COMMITTEE - 13 JULY 2011

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

be received.

(C) CORPORATE BUSINESS SCRUTINY COMMITTEE -
19 JULY 2011

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

(D) DEVELOPMENT CONTROL COMMITTEE - 20 JULY
2011

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

(E) LICENSING COMMITTEE - 21 JULY 2011

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

(F) STANDARDS COMMITTEE - 16 AUGUST 2011

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

(G) DEVELOPMENT CONTROL COMMITTEE - 17
AUGUST 2011

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

(H) CORPORATE BUSINESS SCRUTINY COMMITTEE -
23 AUGUST 2011

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

(I) DEVELOPMENT CONTROL COMMITTEE - 25
AUGUST 2011

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

(J) LICENSING COMMITTEE - 1 SEPTEMBER 2011

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

(K) ENVIRONMENT SCRUTINY COMMITTEE - 13
SEPTEMBER 2011

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

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

(L) DEVELOPMENT CONTROL COMMITTEE - 14
SEPTEMBER 2011

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

(M) COMMUNITY SCRUTINY COMMITTEE - 20
SEPTEMBER 2011

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

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

2011, be received.

(N) AUDIT COMMITTEE - 21 SEPTEMBER 2011

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

341 LOCALISM BILL

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

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

(B) the Standards Committee be asked:

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

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

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

342 TREASURY MANAGEMENT

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

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

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

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

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

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

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

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

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

The meeting closed at 8.19 pm

Chairman
Date

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 11 OCTOBER 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, E Buckmaster,
S Bull, Mrs R Cheswright, K Crofton,
G McAndrew, M McMullen, P Moore,
P Phillips, N Poulton, J Ranger, C Rowley,
S Rutland-Barsby and J Wing

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Director of Neighbourhood Services
Martin Ibrahim	- Senior Democratic Services Officer
Alan Madin	- Director of Internal Services

348 MINUTES

RESOLVED – that the Minutes of the Executive meeting held on 6 September 2011, be approved as a correct record and signed by the Leader.

349 LEADER'S ANNOUNCEMENTS

The Leader welcomed the press to the meeting. He advised that he had agreed to accept a late item of business onto the agenda as a matter of urgency, in order that consideration could be given to making a funding bid to WENTA (originally the Watford Enterprise Agency) before the deadline of 14 October 2011.

350 DECLARATIONS OF INTEREST

Councillor M Carver declared a personal interest in the matter referred to at Minute 354 – My Incubator East Herts, in that he was Chairman of the Board of Governors at Hertford Regional College.

Councillor J Wing declared a personal interest in the matter referred to at Minute 354 – My Incubator East Herts, in that his wife was Vice-Chairman of the Board of Governors at Hertford Regional College.

351 EAST HERTS ANNUAL REPORT 2010/11

The Leader submitted a report setting out the Council's achievements in 2010/11.

In response to a Member's question, the Executive Member for Community Safety and Environment commented that the Council had no plans to return to weekly refuse collections.

The Executive approved the Annual Report, subject to the inclusion of cardboard in the reference to the extension of recycling materials.

RESOLVED – that the Annual Report 2010/11 be approved, subject to the inclusion of cardboard in the reference to the extension of recycling materials.

352 NATIONAL PLANNING POLICY FRAMEWORK –
CONSULTATION DRAFT DOCUMENT – DEPARTMENT
FOR COMMUNITIES AND LOCAL GOVERNMENT – JULY
2011

The Executive considered a proposed response to the Government's consultation on the Draft National Planning Policy Framework. The Executive Member for Planning Policy and Economic Development set out the proposed key changes to national policy in the report now submitted.

The Executive approved the response as detailed at Essential Reference Paper 'B' to the report now submitted.

RESOLVED – that in respect of the National Planning Policy Framework – Consultation Draft Document – July 2011, the Department for Communities and Local Government be advised that East Herts Council submits the response, as contained at Essential Reference Paper 'B' to the report now submitted.

353 MONTHLY CORPORATE HEALTHCHECK - AUGUST 2011

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

The Executive approved the report as now submitted.

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

(B) in accordance with Financial Regulations 4.5.5, £40k be vired from the Bircherley Green Multi Storey car park capital budget to the Gascoyne Way Multi Storey car park capital budget, as detailed at paragraph 2.27 of the report submitted;

(C) in accordance with Financial Regulations 4.5.5, £20k be vired from the IT Electronic Document Management Corporate capital budget to the Business Continuity capital budget, as detailed at paragraph 2.28 of the report submitted;

(D) in accordance with Financial Regulations 4.5.5, £7,500 be vired from the IT Electronic Document Management Corporate capital budget to the IT Business Continuity capital budget, as detailed at paragraph 2.29 of the report submitted;

(E) £20k of the IT Hardware Funding capital budget be re-profiled from 2012/13 into 2011/12, as detailed at paragraph 2.30 of the report submitted; and

(F) in accordance with Financial Regulations 4.5.5, £18K be vired from the Members Allowance revenue budget to the Members Expenses revenue budget, as detailed at paragraph 2.24 of the report submitted.

354 MY INCUBATOR - EAST HERTS

The Executive considered a report proposing that a funding bid to WENTA (Watford Enterprise Agency) be made in order that a range of business support services could be provided. The Executive Member for Planning Policy and Economic Development detailed the application and funding arrangements in the report now submitted, which the Executive approved.

RESOLVED – that (A) the proposal to encourage prosperity and improve the economic opportunities available to East Herts communities be supported; and

(B) the funding profile specified in the summary and in Essential Reference Paper “A” of the report now submitted, be approved.

The meeting closed at 7.40 pm

Chairman
Date

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

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

ALSO PRESENT:

Councillors S Bull, Mrs R Cheswright,
M McMullen, P Moore, M Newman, T Page,
N Poulton, C Rowley, P Ruffles and
S Rutland-Barsby

OFFICERS IN ATTENDANCE:

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

398 APOLOGIES

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

399 MINUTES

RESOLVED – that the Minutes of the Executive meeting held on 11 October 2011, be approved and signed by the Leader as a correct record.

400 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.

401 SHARED SUPPORT SERVICES STRATEGIC BUSINESS CASE

The Executive considered proposals to develop a detailed business case for sharing support services (ICT, HR and Payroll, Facilities Management, Print, Estates Management) with North Hertfordshire and Stevenage Councils.

The Leader referred to the comments of the Corporate Business Scrutiny Committee and the need for scrutiny of the business cases to be developed before any were finalised. The Executive accepted this on the basis that scrutiny of proposed business cases would be undertaken and not the detailed partnership agreements between the Authorities.

In response to Members' questions, the Director of Internal Services outlined the agreed approach towards apportioning identified savings and costs between the three Authorities. It was noted that further detail would emerge once the business case for each support service was developed.

The Executive approved the recommendations as now detailed.

RESOLVED – that (A) the Council develop a detailed business case for sharing ICT, Human Resources, Payroll, Facilities Management and Print services with North Hertfordshire District Council and Stevenage Borough Council;

(B) the Council develop a detailed business case for

Estate Management services with North Hertfordshire District Council;

(C) the Council fund one third of the cost of developing the detailed business case, estimated as £80,000, i.e. £26,666 per Authority, to be funded by virements from under spending within the 2011/12 revenue budget or from the earmarked Service Improvement Reserve, as determined by the Director of Internal Services when finalising the 2011/12 accounts; and

(D) Scrutiny Committees scrutinise Shared Services business cases for appropriate services before they are finalised.

402 MONTHLY CORPORATE HEALTHCHECK - SEPTEMBER 2011

The Leader submitted an exception report on the finance, performance and risk monitoring for September 2011.

The Executive noted with disappointment the delay to the Castle Weir Hydro Scheme. The Environment Agency's advice was that the scheme should not be implemented until a time of low water levels, which would next be in the summer of 2012. The Executive Member for Community Safety and Environment advised that a review of the business case had been undertaken and would be reported back to the Executive.

The Executive approved the recommendations as now detailed.

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

(B) The Bourne, Ware Play Area Development Programme capital budget of £40k be re-profiled from 2011/12 into 2012/13, as detailed at paragraph 2.26 of the report submitted;

(C) the Castle Weir Micro Hydro scheme capital budget of £165k be re-profiled from 2011/12 into 2012/13, as detailed at paragraph 2.27 of the report submitted; and

(D) the action taken to mitigate and control strategic risks during the period July to September 2011, as detailed at paragraph 2.28 of the report submitted be noted.

The meeting closed at 7.32 pm

Chairman
Date

MINUTES OF A MEETING OF THE
CORPORATE BUSINESS SCRUTINY
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 4 OCTOBER 2011, AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors E Bedford, K Crofton, G Jones,
T Page, P Phillips, M Pope, J Ranger and
J Wing

ALSO PRESENT:

Councillors S Bull and P Ruffles

OFFICERS IN ATTENDANCE:

Linda Bevan	- Committee Secretary
Emma Freeman	- Head of People and Organisational Services
Lorna Georgiou	- Performance and Improvement Co-ordinator
George A Robertson	- Director of Customer and Community Services

343 APOLOGY

An apology was submitted on behalf of Councillor G Williamson. It was noted that Councillor K Crofton was in attendance as a substitute for him.

344 MINUTES

RESOLVED – that the Minutes of the meeting held on 23 August 2011 be confirmed as a correct record and

signed by the Chairman.

345 MTFP - REVENUES AND BENEFITS/HR

A report was submitted on behalf of the Director of Internal Services to update the Committee on the Human Resources support reduction and the Revenues and Benefits invest to save option, as had been requested by the Committee as part of a review of the MTFP (Medium Term Financial Plan).

Members expressed concern at the speed and extent of the reduction in Human Resources support. They felt Shared Services needed to be explored to ensure the resilience and standard of the service. In addition, further work was needed to ensure that more PDRs (Personal Development Reviews) were completed.

The Head of People and Organisational Services explained that it was planned that managers would take more responsibility for Human Resources matters. They had received core management training and would receive further training on Human Resources. This training was already ongoing in relation to the current restructure.

Members asked for more up-to-date information on the Revenues and Benefits activities. The Director of Customer and Community Services undertook to request an update report for the next meeting.

The Committee decided to make the comments detailed below to the Executive in addition to receiving the revised report on the Revenues and Benefits section.

RESOLVED – that (A) the Executive be informed that Corporate Business Scrutiny Committee:

- (1) accepts the direction taken for the Human Resources section but is concerned at the speed of changes which could jeopardise this excellent service;

- (2) believes that some key tasks need to be achieved before these changes e.g. improving completion of PDRs (Personal Development Reviews); and
 - (3) considers that resilience through Shared Services needs to be developed before these changes; and
- (B) Officers provide up-to-date information on the review of the Revenues and Benefits service and a full update report be provided to the next meeting.

346 SHARED SERVICES

The Head of People and Organisational Services gave an update on progress on Shared Services. She said that East Herts and North Herts District Councils and Stevenage Borough Council were committed to exploring Shared Services for areas such as facilities management, human resources, payroll, ICT, print and estates. Workshops had been held to explore the possibilities and develop options for structure, standards and costs. Areas of agreement and differences had been identified. A Strategic Business Case had been drawn up for consideration by the Executive on 8 November 2011. The Strategic Business case showed the possibility of savings above target, economies of scale and increased resilience for services. Following the approval of the Strategic Business Case, a more detailed case would be developed including governance, performance and location.

Councillor J Ranger requested that Scrutiny Committees be given the opportunity to comment before the final decision was taken on Shared Services for the services each one dealt with. He asked that the document on Shared Services produced by a task and finish group be circulated as part of this scrutiny. He commented on the good progress already made.

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

RESOLVED – that the Executive be informed that the Corporate Business Scrutiny Committee (A) welcomes the progress on Shared Services; and

(B) believes that Scrutiny Committees should scrutinise Shared Service agreements for appropriate services before they are finalised.

347 WORK PROGRAMME

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

It was noted that the Committee had asked for a further report on Revenues and Benefits in November.

The Chairman undertook to raise concerns over the lack of a paper version of the Members’ Handbook as Members complained of the difficulty in finding information on the intranet.

Councillor J Ranger requested that the budget consultation take place at Scrutiny Committees and not online as had been trialled unsuccessfully last year.

RESOLVED – that the work programme now submitted be approved subject to the addition of an up-to-date report on the Revenues and Benefits section in November.

The meeting closed at 8.15 pm

Chairman
Date

MINUTES OF A MEETING OF THE
HUMAN RESOURCES COMMITTEE HELD
IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 12 OCTOBER 2011, AT 3.00
PM

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

ALSO PRESENT:

Councillors P Moore

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Emma Freeman	- Head of People and Organisational Services
Alan Madin	- Director of Internal Services

177 APOLOGY

An apology for absence was submitted on behalf of Councillor P Ballam.

178 MINUTES

The Minutes of the meeting held on 13 July 2011 were received. It was agreed that resolution (B) of Minute 170 (Corporate Training Review) be amended to read "2011/12".

RESOLVED – the Minutes of the Human Resources Committee held on 13 July 2011 as amended, be confirmed as a correct record and signed by the Chairman.

179 ABSENCE MANAGEMENT

The Head of People and Organisational Services submitted a report on sickness absence between the period 1 April 2010 to 31 March 2011. It was noted that sickness absence had increased from 6.47% to 6.79% calculated on FTE. The average sickness taken from the East of England Local Government Association 2010 survey was 8.64%. Short term sickness absences had increased slightly. There had also been a slight increase in long term sickness. The report now submitted outlined the main reasons for both short term and long term sickness.

Updates were provided on the Occupational Health Service and the Employee Assistance Programme. It was noted that the Council had an independent Occupational Health provider but that other options were being explored.

Progress on recommendations for 2009/10 in terms of targets and stress-related sickness were noted. Targets for 2011/12 were set out in the report now submitted.

Councillor J Ranger referred to a fact that a drop in sickness absence figures might be as a result of home working. Clarification was provided in relation to flexible working methods.

Councillor P Ruffles sought clarification on the demographic profile of the Council and was advised that the Council reflected the local government workforce with the majority of employees over 40 years of age. He referred to certain illnesses which might affect the older generation (stress) but not the younger (colds and flu).

Members noted the report and approved the recommendations set out in the report now submitted specifically in relation to the sickness absence target for 2011/12 remaining; that further on stress awareness for managers be supported, of the need to evaluate the effects of home working on absence and the need to review the

Absence Management Policies in 2012.

RESOLVED - that (A) the report be noted;

(B) the sickness absence target for 2011/12 remain at 5 days FTE for short term and 2.5 days FTE long term and 7.5 days FTE total sickness absence;

(C) managers be provided with further training on stress awareness including seeking support by Occupation Health and the PPC;

(D) the effects of home working on absence rates be evaluated against office-based staff and be reported back; and

(E) the Absence Management Policy be reviewed in 2012.

180 HUMAN RESOURCES - QUARTERLY PERFORMANCE REPORT: OCTOBER 2011

The Head of People and Organisational Services submitted a report on Human Resources quarterly performance to October 2011. Policies which would be reviewed for submission to Committee next quarter included recruitment, retirement, redundancy and volunteering.

Updates were provided in relation to resourcing and the expiration of the recruitment contract with Manpower on 31 March 2013.

The Head of People and Organisational Services referred to PDRs and stated that the return rate stood at 38%.

The Head of People and Organisation Services provided updates in relation to equalities and diversity issues. It was noted there had been a 97% rate of return in respect of the data cleanse and the Council's obligations under the Equalities Act 2011. Updates were provided in relation to the C3W Programme and the exploration of a number of shared

services including facilities management, Human Resources, Payroll, ICT, some print services, creditor and debtors and Estates (North Herts and East Herts only). A further report on this issue would be reported to Corporate Management Team.

The Head of People and Organisational Services provided an update in relation to apprenticeship opportunities. One such apprenticeship had joined the PA team. Three of the Council's contractors were also offering apprenticeships.

It was noted that the Future Jobs Fund was now closed to any further bids.

Councillor J Ranger thanked the Officers and advised them to consider recommendations provided by the Task and Finish Group in relation to developing shared services. The Head of People and Organisational Services confirmed that these had been taken on board. He referred to low recruitment costs using Manpower and stated that in some organisations, staff were encouraged to facilitate the recruitment process by recommending friends. The Chairman referred to the need to reflect equality and diversity.

In response to a query concerning a legal issue and Broxbourne District Council, the Director of Internal Services confirmed that the Council had joined in a partnership with Essex County Council to access their legal database and access to Counsel for a subscription fee of £1000.

Members noted the report.

RESOLVED – that the report be noted.

181 REGIONAL "E" LEARNING PROJECT

The Head of People and Organisational Services submitted a report seeking the support of the regional E-learning Project. The aim of the project, which had been awarded £500,000 by Improvement East to fund the project for 18 months, was to drive improvement and E-learning across the East of England, to promote the sharing and collaboration of E-learning and to

eliminate duplication of effort, so that partners became self sufficient in a regional network which could extend beyond its boundaries to include wider authorities. The benefits of the scheme were explained and of particular note, was the fact that it would enhance the range of training and development methods currently offered and the ability to achieve economies of scale and in terms of not having to buy in training.

It was noted that there was no charge to Councils if they signed up to the 18 month period but an ongoing charge would be made from 31 December 2012 of £3,920 (251-750 staff) for 18 months and this charge could be met from within the Human Resources budget.

The Chairman said that he had experience of this project and that it worked well in Essex. Councillor J Ranger indicated his support for the project. Councillor P Ruffles made the point that individuals learn differently and supported a range of training and learning methods.

The Chairman sought assurances that this initiative could be made available to parishes. The Head of People and Organisational Services confirmed that it could.

Members supported the Regional E-Learning Project.

RESOLVED – that the Regional E-Learning Project be supported.

182 LOCAL JOINT PANEL - MINUTES OF THE MEETING: 13 JULY AND 13 SEPTEMBER 2011

Members noted the Minutes of the Local Joint Panel held on 13 July and 13 September 2011.

RESOLVED – that the Minutes of the Local Joint Panel held on 13 July and 13 September 2011 be noted.

183 DATE OF NEXT MEETING

The Committee noted that the next meeting would be held on 11 January 2012, at 3.00 pm in the Council Chamber, Wallfields, Hertford.

The meeting closed at 3.40 pm

Chairman
Date

MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 12 OCTOBER 2011, AT 7.00
PM

PRESENT: Councillor W Ashley (Chairman).
Councillors M Alexander, D Andrews, S Bull,
A Burlton, Mrs R Cheswright, G Jones,
G Lawrence, M Newman, S Rutland-Barsby
and B Wrangles.

ALSO PRESENT:

Councillors J Mayes and P Ruffles.

OFFICERS IN ATTENDANCE:

Liz Aston	- Development Control Team Leader
Glyn Day	- Principal Planning Enforcement Officer
Simon Drinkwater	- Director of Neighbourhood Services
Peter Mannings	- Democratic Services Assistant
Alison Young	- Development Control Manager

362 APOLOGIES

Apologies for absence were submitted on behalf of Councillors J Demonti and J Taylor. It was noted that Councillor D Andrews was in attendance as substitute for Councillor Demonti.

363 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 Members Code of Conduct Training due to be held at 5.15 pm in the Council Chamber prior to the 9 November 2011 meeting of the Committee.

The Vice-Chairman reminded Members of the special meeting of the Committee due to be held on Wednesday 26 October 2011 to determine the application in respect of the Benington Wind Turbine.

Members were advised that this meeting would be held in the Council Chamber, Wallfields, Hertford at 7.00 pm. The Committee agreed special arrangements for public speaking in that there would be 10 minutes available for the applicant and 10 minutes for the objectors. Councillor W Ashley left the room whilst this matter was determined.

364 DECLARATIONS OF INTEREST

Councillor S Bull declared a personal interest in the matters referred to under minute 383, in particularly the appeal decision in respect of application 3/10/2103/FP in that the appellant was Buntingford Town Council.

365 MINUTES

RESOLVED - that the Minutes of the Development Control Committee meeting held on 14 September 2011 be confirmed as a correct record and signed by the Chairman.

366 3/11/0924/FP - ERECTION OF 25 RESIDENTIAL UNITS AND ASSOCIATED CAR PARKING ACCESS, AMENITY SPACE AND LANDSCAPING AT TOLLSWORTH WAY CARAVAN SITE, TOLLSWORTH WAY, PUCKERIDGE, SG11 1TL FOR RIALTO HOMES LTD

The Director of Neighbourhood Services recommended that, subject to the applicant or successor in title signing a legal agreement pursuant to S106 of the Town and Country Planning Act 1990, in respect of application 3/11/0924/FP, planning permission be granted subject to the conditions now detailed.

Councillor G Jones expressed concerns that only 5 affordable housing units were proposed as part of this application. He also expressed concerns that the section 106 planning obligations were below the usual tariff for a scheme of this size.

Councillor Jones stated that he was unsure whether a scheme of this scale should proceed without the usual level of contributions. He stressed that although he could support the reduced affordable housing, he would prefer to see the full tariff for section 106 planning obligations.

Councillor A Burlton commented that he did not see why the Committee should accept a reduced level of Section 106 funding and affordable housing given that it was the Applicant's choice whether or not to develop this site.

The Director advised that Officers would always commence Section 106 negotiations on the basis of the full level of appropriate legal obligations. Members were advised that where the full level was not possible, Officers sought the opinion of an independent assessor to assess the applicants own viability report to determine what level of obligation was appropriate.

The Director stressed that this report indicated that a contribution in excess of £80,500 would not be financially

viable. Members were reminded that the Authority was obliged to provide a certain level of housing across the District. The Director referred to the need to bring sites forward for development whilst making the most efficient use of available land.

Councillor G Jones proposed and Councillor A Burlton seconded, a motion that the full tariff of Section 106 Planning Obligations be imposed for application 3/11/0924/FP.

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, subject to the applicant or successor in title signing a legal agreement for the full tariff of Section 106 Planning Obligations pursuant to S106 of the Town and Country Planning Act 1990, application 3/11/0924/FP be granted subject to the conditions now detailed.

RESOLVED – that, subject to the applicant or successor in title signing a legal agreement for the full tariff of Section 106 Planning Obligations pursuant to Section 106 of the Town and Country Planning Act 1990 in respect of application 3/11/0924/FP, planning permission be granted, subject to the conditions detailed in the report now submitted.

367 (A) 3/11/1365/FP AND (B) 3/11/1366/LB - CHANGE OF USE OF 3NO. BARNES TO B1 OFFICE USE, 2 NO. BARNES TO B8 STORAGE USE AND ERECTION OF NEW BUILDING FOR B1 OFFICE USE AT WIDBURY HILL FARM, WIDBURY HILL, WARE, SG12 7QE FOR MR N BUXTON

The Director of Neighbourhood Services recommended that, in respect of applications 3/11/1365/FP and 3/11/1366/LB, planning permission and listed building consent be granted subject to the conditions detailed in

the report now submitted.

Councillor B Wrangles commented that Hertfordshire Highways continued to question the viability of this site as a sustainable location for all modes of transport. She also stated that there was no footpath to and from the site, which was located on a dangerous road junction.

Councillor M Alexander expressed his surprise that there had been no late comments from Ware Town Council.

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

RESOLVED – that (A) in respect of application 3/11/1365/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

(B) in respect of application 3/11/1366/LB, listed building consent be granted subject to the conditions detailed in the report now submitted.

- 368 (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 BODYSHOP 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 Cheryl Sauvery addressed the Committee in objection 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 also recommended that, in respect of application 3/11/0988/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 advised that the Environment Agency had provided further justification in respect of their request for a financial contribution towards ecological enhancement works to the Birchanger Brook, which was in close proximity to the site.

Members were advised that Officers were now satisfied that sufficient justification existed for the requested financial contribution of £10,000 towards off-site ecological enhancement works to the Birchanger Brook. Officers had therefore recommended that application 3/11/0988/FP be granted subject to the signing of a legal agreement pursuant to S106 of the Town and Country Planning Act 1990.

Councillor M Newman stated that although the gap between the car park and residents' rear gardens had been increased, it should be possible for a condition to be imposed requiring some level of screening beyond planting trees at ground level.

The Director confirmed additional screening could be added as a condition of planning permission. Members were reminded that any screening would increase the overall height of the proposed development.

Councillor A Burlton commented that some additional screening was essential given that any new trees would not provide sufficient screening for some considerable length of time after they were planted. He stressed that some other form of screen should be provided on the first floor of the car park.

Councillor M Alexander stated that any additional

screening would also help to absorb any sound that emanated from the site.

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

RESOLVED – that (A) in respect of application 3/11/0987/FP, planning permission be granted subject to the conditions detailed in the report now submitted and subject to the following additional condition:

1. Prior to the commencement of the development hereby permitted details of screening to be erected on the first floor of the car park shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with those approved details.

Reason: In the interests of privacy in accordance with policy ENV1 of the East Herts Local Plan April 2007.

(B) in respect of application 3/11/0988/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.

369 3/11/1339/FP - SIDE EXTENSION TO AN EXISTING AGRICULTURAL BUILDING AT ALSWICK HALL, HARE STREET ROAD, BUNTINGFORD, SG9 0AA FOR ALSWICK HALL FARMS LTD

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1339/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 3/11/1339/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

370 3/11/1282/FP - REPLACEMENT DWELLING WITH BASEMENT - AMENDMENT TO SCHEME APPROVED UNDER PLANNING REF. 3/07/1374/FP AT WOODLANDS, FRIARS ROAD, BRAUGHING, WARE, SG11 2NR FOR MR EDWARDS

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1282/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor A Burlton stated that the conclusion of the report could send out the wrong message that any development that was not visible would not result in harm to the character and appearance of a rural area.

Councillor Mrs R Cheswright expressed concerns in relation to the impacts of the proposed replacement dwelling with a basement in the rural area. She was also concerned that the site was untidy with spoil from building works around the site boundary.

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

RESOLVED – that in respect of application 3/11/1282/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

371 3/11/1387/FP - EXTENSIONS TO BRICK BUILT 1960'S BUILDING AND ERECTION OF NEW DWELLING TO REAR WITH ASSOCIATED ACCESS AND LANDSCAPING AT GREAT HORMEAD VILLAGE HALL, GREAT HORMEAD, BUNTINGFORD, SG9 0NR FOR HORMEAD VILLAGE HALL MANAGEMENT COMMITTEE

Mr Edward Keymer addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, subject to the applicant or successor in title signing a legal agreement pursuant to S106 of the Town and Country Planning Act 1990, in respect of application 3/11/1387/FP, planning permission be granted subject to the conditions now detailed.

Councillor Mrs R Cheswright expressed her satisfaction in relation to the Section 106 planning obligation detailed in the report now submitted. She referred to residents' concerns in relation to car parking and restricted fire service access.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that, subject to the applicant or successor in title signing a legal agreement pursuant to S106 of the Town and Country Planning Act 1990, application 3/11/1387/FP be granted subject to the conditions now detailed.

RESOLVED – that, subject to the applicant or successor in title signing a legal agreement pursuant to S106 of the Town and Country Planning Act 1990, in respect of application 3/11/1387/FP, planning permission be granted, subject to the conditions detailed in the report now submitted.

372 3/11/1170/FP - REPLACEMENT DWELLING WITH BASEMENT AT EDGEWOOD FARM, BROXBOURNE COMMON, BROXBOURNE, EN10 7QS FOR MR D FELTHAM

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1170/FP, planning permission be refused for the reasons now detailed.

Councillor M Alexander referred to paragraph 7.2 of the report now submitted. He stressed that Officers had been of the view that an internally accessed basement would be acceptable in this Green Belt location. He referred to the subsequent concerns of Officers in relation to the visual impact of the access being via a sunken patio.

Councillor Alexander questioned whether the proposed development would be visible from White Stubbs Bungalow. He stated that the development would not be visually intrusive and should be approved.

The Director advised that Officers had felt that the impact of the extensive excavations made for a greater visual impact on the Green Belt. Normally Officers were supportive of hidden basements without windows but in this case felt the impact was unacceptable in this location.

Councillor M Alexander proposed and Councillor B Wrangles seconded a motion that application 3/11/1170/FP be granted on the grounds that the application would not result in harm to the openness of the Green Belt and would not harm the character and appearance of the surrounding rural area.

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

The Committee rejected the recommendation of the Director of Neighbourhood Services that application 3/10/1170/FP be refused planning permission for the

reasons now detailed.

RESOLVED – that in respect of application 3/11/1170/FP, planning permission be granted subject to the following conditions:

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

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

2. The development hereby approved shall be carried out in accordance with the following approved plans 11-1067-101 D, 11-1067-102, 11-1067-103, 11-1067-104, 11-1067-105, 11-1067-106 A.

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

3. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To secure the protection of and proper provision for any archaeological remains in accordance with policies BH2 and BH3 of the East Herts Local Plan Second Review April 2007.

4. No works or development shall take place until full details of both hard and soft landscape proposals have been submitted to

and approved in writing by the Local Planning Authority. These details shall include, as appropriate: (a) Means of enclosure (b) Car parking layouts (c) Hard surfacing materials (d) Planting plans (e) Written specifications (including cultivation and other operations associated with plant and grass establishment) (f) Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate.

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

5. All hard and soft landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved designs, in accordance with policy ENV2 of the East

Herts Local Plan Second Review April 2007.

6. Within 3 months of first occupation of the new dwelling hereby approved, the existing dwelling shall be demolished and all rubble and debris removed from the site. The land shall be re-landscaped in accordance with details pursuant to Conditions 4 and 5 of this permission.

Reason: The construction of a new dwelling would otherwise be inappropriate development in the Green Belt.

7. Prior to first occupation of the dwelling hereby permitted, the modified vehicular access shall be constructed to the specification of the Highway Authority and surfaced in bituminous or other similar durable material as may be approved in writing by the Local Planning Authority for a distance of at least 6m into the site measured from the carriageway edge, and arrangements shall be made for surface water drainage from the site to be intercepted and disposed of separately so that it does not discharge into the highway.

Reason: To ensure that the access is satisfactorily constructed in the interests of highway safety and convenience.

8. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order, 1995, the enlargement, improvement or other alteration of any dwellinghouse as described in Schedule 2, Part 1, Class A of the Order shall not be undertaken without the prior written permission of the Local Planning Authority.

Reason: To ensure the Local Planning

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

9. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development Order), 1995 the provision within the curtilage of the dwelling of any building, enclosure or swimming pool as described in Schedule 2, Part 1, Class E of the Order shall not be undertaken without the prior written permission of the Local Planning Authority.

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

10. The residential curtilage of the dwelling hereby approved shall be restricted to the area edged in red on drawing 11-1067-101 D.

Reason: For the avoidance of doubt and to ensure that the residential curtilage does not encroach into the Green Belt.

373 3/11/1369/FP - RE-DIVISION OF EXISTING DWELLING TO FORM 2NO. 2 BEDROOMED DWELLINGS WITH TWO STOREY SIDE AND REAR EXTENSIONS AND PORCHES TO FRONT AND ASSOCIATED PARKING PROVISION AT PRIMROSE COTTAGE, SLOUGH ROAD, ALLENS GREEN, SAWBRIDGEWORTH, HERTS, CM21 0LR FOR MR D SPINKS

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1369/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 3/11/1369/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

374 3/11/1295/FP - SIDE AND REAR EXTENSIONS AND DEMOLITION OF EXISTING DETACHED GARAGE AT THE KENNELS, FANHAMS HALL ROAD, SG12 7QA FOR MR A SMITH

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1295/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor M Newman, as the local ward Member, referred to the building as unique and interesting in that it was a modern half timber construction. He stressed the importance of any development being in keeping with the existing structure.

Councillor Newman commented on whether Officers could add a condition in relation to material samples being provided to ensure the development remained in keeping with the existing structure. The Director confirmed that Officers could add such a condition should the application be approved.

In response to concerns from Councillor M Alexander, the Director advised that Officers valued the comments of Town and Parish Council's as much as Members do.

The Director confirmed that Officers always allowed ample time for comments to be submitted and Officers would talk to the Parish and Town Councils to request

that where there were no objections, Officers be advised of this rather than no comment being made.

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

RESOLVED – that in respect of application 3/11/1295/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

375 3/11/1391/FP - DEMOLITION OF EXISTING DWELLING AND ERECTION OF DETACHED REPLACEMENT DWELLING WITH BASEMENT, GLAZED LINK, TRIPLE GARAGE AND COVERED SWIMMING POOL AT HEDGE GROVE FARM, PEMBRIDGE LANE, BRICKENDON, BROXBORNE HERTS EN10 7QR FOR MR L WILLIAMSON

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1391/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 3/11/1391/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

376 3/11/0856/FP - ERECTION OF STORAGE BARN AT ELBOW LANE FARM, ELBOW LANE, HERTFORD HEATH, SG13 7QA FOR JAMES BOURKE OF LADKARN HOLDINGS LIMITED

Mr Eamon Bourke addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0856/FP, planning

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

In response to a query from Councillor M Alexander in respect of paragraph 3.2, the Director confirmed that no response had been received from National Grid's Plant Protection Team.

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

RESOLVED – that in respect of application 3/11/0856/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

377 3/11/1230/FP - RAISE ROOF AND EAVES, NEW DORMER WINDOWS, FIRST FLOOR REAR EXTENSION AND FRONT CANOPY AT 19 GYPSY LANE, GREAT AMWELL, SG12 9RL FOR MR JOHN KESSLER

Mr Lawrence Tansley addressed the Committee in objection to the application. Mr John Reeves spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1230/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

In response to a query from Councillor A Burlton, the Director confirmed that the number of bedrooms would increase from 3 to 5 as a result of the proposed development. Members were advised of an additional detached annexe on the site which contained further bedrooms.

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

RESOLVED – that in respect of application

3/11/1230/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

378 3/11/1320/FP - TWO STOREY REAR EXTENSION, SINGLE STORY SIDE/REAR EXTENSION INCORPORATING A GARAGE, EXTENDED REAR PATIO AND RETAINING WALL AT 35 HIGH ROAD, WATERFORD, SG14 2PR FOR MR AND MRS STOCKER

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1320/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 3/11/1320/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

379 3/11/1300/SV - REMOVAL OF AGRICULTURAL OCCUPANCY RESTRICTION IMPOSED BY AGREEMENT DATED 28TH NOVEMBER 1990 (3/90/0890/FO) MADE PURSUANT TO THE PROVISIONS CONTAINED WITHIN SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 AT 1 ROSE COTTAGES, WYDDIAL, BUNTINGFORD AND TRANSFERRED BY MEANS OF UNILATERAL UNDERTAKING TO THE BUNGALOW, STONEBURY FARM, HARE STREET, BUNTINGFORD FOR MR RALPH SCOTT

The Director of Neighbourhood Services recommended that, subject to the applicant entering into an agreement under S106 of the Town and Country Planning Act 1990 to restrict the occupancy of The Bungalow, Stonebury Farm, Hare Street, in respect of application 3/11/1300/SV, planning permission be granted subject to the conditions now detailed.

The Committee accepted the recommendation of the Director of Neighbourhood Services that, subject to the applicant entering into an agreement under S106 of the Town and Country Planning Act 1990 to restrict the occupancy of The Bungalow, Stonebury Farm, Hare Street, application 3/11/1300/SV be granted subject to the conditions now detailed.

RESOLVED – that, subject to the applicant entering into an agreement under S106 of the Town and Country Planning Act 1990 to restrict the occupancy of The Bungalow, Stonebury Farm, Hare Street, in respect of application 3/11/1300/FP, planning permission be granted, subject to the conditions detailed in the report now submitted.

380 3/11/1217/FP - SINGLE STOREY REAR EXTENSION AND FIRST FLOOR REAR EXTENSION - AT CHRYSANTHEMUM COTTAGE, THORLEY LANE WEST, THORLEY, BISHOP'S STORTFORD, HERTS, CM23 4BN FOR MR AND MRS BOWLER

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1217/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 3/11/1217/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

381 E/10/0083/B - THE UNAUTHORISED RESIDENTIAL USE OF AN AGRICULTURAL BUILDING AT SWALLOWFIELD FARM, CHURCH ROAD, EPPING GREEN, HERTS, SG13 8NB

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/11/0083/B, enforcement action be authorised on the basis now detailed.

The Committee accepted the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/11/0083/B on the basis now detailed.

RESOLVED – that in respect of E/11/0083/B, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to take enforcement action under 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 the use of the agricultural building and land for residential purposes, as now submitted.

382 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 advised that it has been drawn to the attention of Officers that the site plan accompanying the enforcement report had inadvertently included part of an adjoining site. Officers had provided hard copies of a revised plan.

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 now submitted.

383 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 7.55 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
DEVELOPMENT CONTROL COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 26 OCTOBER 2011, AT 7.00
PM

PRESENT: Councillor S Rutland-Barsby (Chairman).
Councillors M Alexander, D Andrews,
E Bedford, S Bull, A Burlton, J Demonti,
G Jones, G Lawrence, M Newman, J Taylor
and B Wrangles.

ALSO PRESENT:

Councillors P Ballam, K Crofton, L Haysey,
M McMullen, N Poulton, P Ruffles and
G Williamson.

OFFICERS IN ATTENDANCE:

Fiona Brown	- Planning Technician
Glyn Day	- Principal Planning Enforcement Officer
Simon Drinkwater	- Director of Neighbourhood Services
Tim Hagyard	- Development Control Team Leader
Hazel Izod	- Senior Planning Officer
Peter Mannings	- Democratic Services Assistant
Kevin Steptoe	- Head of Planning and Building Control
Barbara Sylvia	- Planning Admin
Alison Young	- Development

Control Manager

384 APOLOGIES

Apologies for absence were submitted on behalf of Councillors W Ashley and Mrs R Cheswright. It was noted that Councillors D Andrews and E Bedford were substituting for Councillors Mrs R Cheswright and W Ashley respectively.

385 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 Members' Code of Conduct Training due to be held at 5.15 pm in the Council Chamber prior to the 9 November 2011 meeting of the Committee.

386 3/11/1190/FP - ERECTION OF A SINGLE WIND TURBINE OF UP TO 86.5M IN HEIGHT, SUBSTATION, ACCESS TRACKS AND ANCILLARY INFRASTRUCTURE AT LAND EAST OF WALKERN ROAD AND NORTH AND WEST OF HIGH ELMS LANE, BENINGTON FOR MR ANDREW BOTT

Professor Sandra File addressed the Committee in objection to the application. Mr Andrew Bott and Mrs Natalie Clennell spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1190/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director referred to the late representations schedule as being extensive in light of the strength of feeling regarding this application. He also stated that comments from Councillor N Poulton had been inadvertently omitted from the report. Therefore, he detailed these verbally.

The Director also referred to comments received from Councillor J Ranger, who was concerned that the report lacked balance between the pros and cons of the scheme. Councillor Ranger was fully supportive of the comments of the Parish Councils and commented on the low electricity generation, casting doubt on the applicant's claim of 26% efficiency in a low wind area such as Hertfordshire. He believed that this could be as low as 18% or less.

Councillor N Poulton, as a local ward Member, addressed the Committee in opposition to the application. He commented that the proposed turbine would have a greater impact on Watton at Stone than for residents of Benington.

Councillor Poulton stressed that the turbine would dominate the skyline and would be totally out of proportion to the natural surrounding landscape. He referred to the planning history of the previously refused application for 3 turbines and he summarised the comments of the planning inspector in rejecting the appeal.

Councillor Poulton stated that it was widely believed all the points raised by the inspector could also be applied to this application. He referred to the many historic buildings close to the site, in particular Gregory's Farm. He summarised the inspector's comments in relation to this historic building.

Councillor Poulton stressed that the only suitable access for lorries was through Watton at Stone and such movement would cause inconvenience and financial hardship to residents and shop owners. He commented that traffic would have to negotiate a dangerous narrow lane towards Benington, in particular, a narrow ancient bridge over the River Beane where traffic could only flow in a single direction.

Councillor Poulton emphasised that all the comments of

the inspector on the previous scheme were still relevant. He referred to the Localism Bill and the weight of local objection and requested that Members refuse the application out of hand.

Councillor K Crofton, as the local ward Member, addressed the Committee in opposition to the application. He summarised the decision facing Members as one that would affect the future of residents 10 km or more from the site in Benington, Watton at Stone and Aston. He stated that this whole area was special in that it was devoid of any development or man made structures.

Councillor Crofton stated that this turbine would be totally out of character in a landscape conservation area. He stressed that there were alternatives to such an intrusive structure, for example, ground heat source energy and solar power. He commented that efforts should be directed at reducing energy usage rather than increased power generation.

Councillor Crofton emphasised that the proposed turbine would generate more energy than the needs of the applicant's farm. He stated that the applicant should follow the example of other farmers and install 20 metre turbines to support their farms.

Councillor Crofton referred to Hertfordshire as one of the least windy counties in the UK and stressed that the turbine would not produce more than 20% of its rated capacity. He referred to the process by which the turbine would be installed and the concrete base that would be in place after the turbine was decommissioned.

Councillor Crofton stated that wind turbines in Germany and Holland needed conventional power station back up for when there was insufficient wind. He stressed that during the severe UK winter in 2010/11, little or no energy was generated by the 3,000 turbines around the country. He referred to the impact of the application on Gregory's farm and also commented on the effects of the sheer size

of the turbine, in particular the effects of blade swish resulting in acoustic vibrations.

Councillor Crofton referred to the weight of local objection and the objections of local Members and MPs. He reminded the Committee of the Green Belt issues and stated that the application should be rejected as it was contrary to Regional Spatial Strategy (RSS) Policy ENV6 and Local Plan Policies BH12 and BH16 and was also in conflict with policies GBC2, GBC3, GBC12 and GBC14 of the East Herts Local Plan Second Review April 2007

Councillor J Taylor stated that this application was wholly inappropriate in the rural area beyond the Green Belt. She stressed that Policy GBC3 made no provisions for wind turbines as an acceptable form of development in such locations. She expressed concern that the need to combat climate change was taking precedence over the preservation of one of the most beautiful locations in East Herts.

Councillor Taylor commented that although this application was for one turbine only, it was to be located closer to Gregory's Farm than any of three turbines previously refused. She summarised the comments on the appeal inspector in relation to Gregory's Farm. Councillor Taylor referred in detail to the feed in tariffs in place for the type of turbine due to be installed should this application be approved.

Councillor Taylor requested that Officers comment on the documented problems with noise in relation to the Enercon E53 800 kilowatt turbine. She stated that far more homes would be adversely affected by loss of amenity by the application than the 345 who could benefit from the power generated by the turbine. She stressed that the power would be fed directly into the national grid so would not benefit local homes.

Councillor Taylor emphasised that Members must listen to the concerns of the 6 Parish Councils. She stated that

the applicant should listen to local opinions and embrace other green solutions such as solar power. She stressed that irreparable damage would be caused to a lovely area of East Herts, which must be protected for the enjoyment of future generations.

Councillor M Newman acknowledged the expertise reflected by the case officer in the report. He referred to the shortfall of electricity supply from locally sourced fuels in relation to demand. He stressed that the costs of fossils fuels was spiralling and the supply from abroad was increasingly at risk of being unreliable.

Councillor Newman referred to the 7 year UK energy strategy as being reliant on renewable energy solutions, in particular wind power. He stated that it was more efficient to generate electricity close to where it was needed and reasoned and ethical consideration must be given to any suitable site proposed for the installation of wind turbines.

Councillor Newman cast doubt on whether it was justifiable to allow new power stations at Sizewell or in the Trent Valley whilst turning down wind turbines in East Herts. He queried whether it was appropriate to sit back and wait for large national schemes for energy generation to come forward.

He acknowledged that a single turbine was a drop in the ocean of the UK energy needs. He stated however that any sustainable project should be supported. He referred to electricity pylons as having the same level of acceptability as the proposed turbine. He emphasised that the public would get used to seeing wind turbines pretty quickly if they were installed in the numbers that were suggested by the Government.

Councillor D Andrews commented that the national wind speed data implied that this site was at the low end of acceptability for a wind turbine. The wind speed was 5.8 to 6.2 metres per second and 6 metres per second was

recognised as the minimum average at 45 metres above ground. He stressed that a time of peak demand would be cold, frosty and foggy evenings when there was often no discernable wind.

Councillor Andrews stated that this application should be refused as there was inadequate energy return for the harmful impact on the Beane Valley. He stressed that the application must be refused as it was contrary to policies GBC2, GBC3, GBC12 and GBC14 of the East Herts Local Plan Second Review April 2007.

Councillor M Alexander stated that the Committee often had significant concerns in relation to the visual impact of 15 metre high phone masts close to town locations. He compared this to the very high levels of concern for a wind turbine of 86.5 metres in height.

Councillor Alexander stressed that the 6 Parish Councils had objected to the application for some very valid reasons and the Committee should listen to these concerns. He stated that the application would result in very little benefit and a lot of harm.

Councillor G Jones commented that the visual impact of the proposed turbine was very much in the eye of the beholder and he was minded to support the Officers' recommendation.

In response to a query from Councillor Taylor in relation to noise and the Enercon E53 800 Kilowatt turbine, the Director stressed that the appeal inspector had not attached any significant weight to such concerns.

The Director advised the balance argument in relation to the harm of development in the Green Belt was not relevant as this application site was not located in the Green Belt. He stressed that Members must weigh up all the issues in reaching a balanced decision on this application.

The Director acknowledged that the roadway would be in the Green Belt but would be level with the landscape and unobtrusive. He stated that the ancillary structures were modest in nature when compared to the wind turbine.

Councillor Alexander stressed that many local residents would not be able to distinguish between what was Green Belt and what was not. He stated that the public would see the general landscape and this would undoubtedly change.

In reference to the reasons for refusal and associated planning policies suggested by Councillor Taylor earlier in the debate, the Director advised that loss of amenity was not an issue on the larger application for three turbines. The Director stated that policies GBC12 and BH12 were not saved policies so could not be applied to this application.

The Director advised that policies GBC2 and GBC3 were not given any particular weight by the appeal inspector for the previous application for three turbines. The Committee should be cautious about applying these policies should Members resolve to refuse this application for a single turbine.

The Director stressed that the issues relevant to policy BH16 and RSS policy ENV6 were valid but had been judged to be acceptable in relation to this application in terms of the impacts of the single smaller turbine.

The Director advised that GBC14 and landscape character was an issue where Members could exercise some judgement when determining this application. Members were reminded that the landscape officer felt this application for a single turbine could be supported in the rural area beyond the Green Belt.

Councillor J Taylor proposed and Councillor S Bull seconded, a motion that application 3/11/1190/FP be refused on the grounds that the proposal would introduce

a tall moving structure into a landscape void of such development and would result in significant harm to the landscape character of the surrounding area and the Local Planning Authority is not satisfied that the environmental benefits of the turbine outweigh this harm and as such the proposals are considered to be contrary to policies SD3 and GBC14 of the East Herts Local Plan Second Review April 2007 and the adopted Landscape Character Assessment SPD September 2007.

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 as now submitted.

RESOLVED – that in respect of application 3/11/1190/FP, planning permission be refused for the following reason:

1. The proposal would introduce a tall moving structure into a landscape void of such development and would result in significant harm to the landscape character of the surrounding area. The Local Planning Authority is not satisfied that the environmental benefits of the turbine outweigh this harm and as such the proposals are considered to be contrary to policies SD3 and GBC14 of the East Herts Local Plan (Second Review) April 2007 and the adopted Landscape Character Assessment SPD (Sept 2007).

The meeting closed at 8.45 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 3 NOVEMBER
2011, AT 4.30 PM

PRESENT: Councillor A Burlton (Chairman)
Councillors W Ashley, P Ballam, E Bedford,
E Buckmaster, Mrs R Cheswright, K Crofton,
J Demonti, N Poulton, P Ruffles, J Taylor and
N Wilson

OFFICERS IN ATTENDANCE:

Linda Bevan	- Committee Secretary
Paul Newman	- Interim Licensing Manager
George Robertson	- Legal Services Manager

387 APOLOGIES

Apologies were submitted on behalf of Councillors R Beeching, M McMullen and B Wrangles. It was noted that Councillor P Ruffles was in attendance as a substitute for Councillor R Beeching.

388 CHAIRMAN'S ANNOUNCEMENTS

The Chairman asked Members to consider an item from the Interim Licensing Manger on Roadworthiness Garages. The Interim Licensing Manager explained that he had received a request from a garage in Stanstead Abbotts to offer a service to provide MOT and roadworthiness certificates for taxis. A number of garages offered this service in East Herts but these were not in this village. He asked for Members' views and they said they approved of an additional garage offering the service in that location.

389 MINUTES

RESOLVED - that the Minutes of the meeting held on 1 September 2011 be approved as a correct record and signed by the Chairman.

390 LICENSING SUB-COMMITTEE

RESOLVED – that the Minutes of the Licensing Sub-Committee meetings held on 23 August, 7 September, 19 September and 10 October 2011 be received.

391 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 since 18 May 2011.

The Committee commented that Members who had not received training could not be Members of Sub-Committees. The Interim Licensing Manager said Officers were seeking training opportunities for these Members but none were currently available.

The Committee decided to receive the report.

RESOLVED – that the report be received.

392 LICENSING UPDATE QUARTER 3 2011

The Director of Neighbourhood Services submitted a report updating Members on activity in the Licensing Section including processing licences, and other implementation of the Service Plan. The Interim Licensing Manager gave details of enforcement activity at the meeting. He said he expected an increase in taxi licensing activity as a new private hire company was proposed for Hertford.

Members decided to receive the report.

RESOLVED – that the report be received.

393 DCMS CONSULTATION ON DEREGULATION OF
REGULATED ENTERTAINMENT

The Director of Neighbourhood Services submitted a report seeking Members' views on a response to a DCMS (Department of Culture, Media and Sport) consultation on the Deregulation of Regulated Entertainment under the Licensing Act.

The Interim Licensing Manager explained some of the responses suggested by him and the Environmental Health Officer.

Members expressed concern that the proposals would cause increased nuisance to residents in the District. They wanted the Council to be pro-active in dealing with these issues rather than re-active only. They decided to set up a working party to consider a response to the DCMS as detailed below. They also suggested the issue should be considered by the Environment Scrutiny Committee.

RESOLVED – that (A) a working party be set up to consider the Council's response to the consultation on the deregulation of regulated entertainment comprised of Officers from the Licensing and Environmental Health sections, a Police representative and Members drawn from the Licensing and Environmental Scrutiny Committees; and

(B) the report now submitted be considered by the Environmental Scrutiny Committee as an item of urgent business (subject to the agreement of the Chairman of that Committee) on 15 November 2011, so that this consideration could take place before the deadline for a response on the consultation.

394 AMENDMENTS TO LICENSING ACT BY POLICE REFORM
AND SOCIAL RESPONSIBILITY ACT 2011

The Director of Neighbourhood Services submitted a report on amendments to the Licensing Act 2003 introduced by the

Police Reform and Social Responsibility Act 2011.

The Interim Licensing Manager explained the benefits of some of the changes. However, he pointed out that if Licensing Authorities were required to advertise applications in the press this would be expensive.

Members decided to receive the report and requested that any funds made available for advertising be allocated to the appropriate section.

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

(B) any funds made available for advertising licensing applications be identified and made available to the Licensing section.

395 DIAMOND JUBILEE

The Director of Neighbourhood Services submitted a report seeking Members' views on a Home Office consultation on the relaxation of licensing restrictions for alcohol licensed premises for the Queen's Diamond Jubilee on 1 to 5 June 2012.

Members decided to send a response approving of the relaxation of restrictions.

RESOLVED – that the Home Office be informed of the Committee's approval of proposals for the relaxation of licensing restrictions for the Queen's Diamond Jubilee.

396 FEEDBACK ON CONSULTATION WITH THE TAXI TRADE

The Director of Neighbourhood Services submitted a report on feedback from a consultation with the licensed taxi trade on whether a fare increase was appropriate.

A meeting had been held with representatives of the taxi trade to discuss a possible fare increase because of the rise in fuel prices. However, the representatives had felt such a rise

would further damage trade which had been adversely affected by the economic downturn. They had asked for a further consultation in January 2012.

Members noted the comments of the taxi trade and decided to receive the report.

RESOLVED – the report be received.

397 ATTENDANCE AT MAGISTRATES' COURT

The Chairman of the Licensing Committee, Councillor M McMullen had requested comments from the Legal Section on the appearance of Councillors in the Magistrates' Court for appeals.

The Legal Services Manager explained that it was possible that Councillors would be asked to appear when there was an appeal to the Magistrates' Court about a decision of the Licensing Sub-Committee. However, recent cases had been dealt with and resolved by Officers, so that no Councillors had been called upon. He hoped the same would apply to a recent case that had arisen in Sawbridgeworth.

In response to concerns expressed by Members, he assured them that they would be given full support by his team although the initial statement giving a view of proceedings at the Sub-Committee would have to come from the Member appearing in Court. He emphasised the need to inform him if Members felt they were not adequately supported in licensing matters. He assured them of his every efforts to ensure this was the case and would address any further concerns they had.

Members noted the comments of the Legal Service Manager.

RESOLVED – that the comments of the Legal Service Manager on support for them on Licensing matters be noted.

The meeting closed at 5.40 pm

Chairman

Date

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

PRESENT: Councillor W Ashley (Chairman).
Councillors D Andrews, E Bedford, S Bull,
A Burlton, Mrs R Cheswright, J Demonti,
G Lawrence, M Newman, S Rutland-Barsby,
T Page and J Taylor.

ALSO PRESENT:

Councillors S Basra, E Buckmaster, P Moore
and P Ruffles.

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

403 APOLOGIES

Apologies for absence were submitted on behalf of Councillors M Alexander, G Jones and B Wrangles. It was noted that Councillors D Andrews, E Bedford and T Page were substituting for Councillors M Alexander, B Wrangles and G Jones respectively.

404 CHAIRMAN'S ANNOUNCEMENTS

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

The Chairman thanked the Director of Neighbourhood Services for the Members' Code of Conduct Training that had been held prior to this meeting of the Committee.

The Chairman advised that application 3/11/1470/FP – Extension of existing horticultural nursery site, including provision of 2 no. blocks of polytunnels, growing areas, rainwater lagoon, new vehicular access and internal track for Joseph Rochford Gardens Ltd had been withdrawn from the agenda.

The Chairman advised the Committee that Building Control Officers would give a half an hour to 45 minute presentation in the Council Chamber prior to the Committee meeting on 7 December 2011.

The Chairman reminded the Committee of the Development Control open morning due to be held on 2 December 2011, where Members would have the opportunity to meet with Officers to improve their understanding of the application process.

The Chairman requested that Members inform him or the Head of Planning and Building Control of any additional items they would like covered in the Member Training due to be held prior to the Committee meeting on 4 January 2012.

405 DECLARATIONS OF INTEREST

Councillor T Page declared a personal and prejudicial interest in application 3/11/1421/FP in that he lived within earshot of the activities that would be in place on the site should this application be approved. He addressed the Committee as a local ward Member and then left the

room during consideration of this matter.

Councillor S Bull declared a personal interest in application 3/11/1280/OP in that he was an acquaintance of the applicant and owner of the adjacent Tyre and Exhaust Business.

406 MINUTES

RESOLVED – that the Minutes of the meetings held on 12 and 26 October 2011 be confirmed as correct records and signed by the Chairman.

407 3/11/1225/FP - CHANGE OF USE FOR A TEMPORARY PERIOD FROM 5 JANUARY 2012 TO 5 JANUARY 2014 OF FORMER BARN TO A FUNCTION ROOM, REPLACEMENT ROOF TO MAIN BARN WITH PHOTO VOLTAIC PANELS COVERING THE WHOLE OF THE SOUTH FACING ROOF SLOPE, TOILETS, REFRIGERATORS, AND OFFICE PROVIDED WITHIN THE ADJACENT POLE BARN AT TEWIN BURY FARM HOTEL, HERTFORD ROAD, TEWIN, AL6 0JB FOR MR V WILLIAMS

The Director of Neighbourhood Services recommended that, subject to the applicant or successor in title signing a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, in respect of application 3/11/1225/FP, planning permission be granted subject to the conditions now detailed.

The Chairman advised that the local ward Member was in support 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, subject to the applicant or successor in title signing a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, application 3/11/1225/FP be granted subject to the conditions now detailed.

RESOLVED – that, subject to the applicant or successor in title signing a legal agreement pursuant to S106 of the Town and Country Planning Act 1990 in respect of application 3/11/1225/FP, planning permission be granted, subject to the conditions detailed in the report now submitted.

408 3/11/1492/FP - CONSTRUCTION OF 9 NO. 2/3 BEDROOM HOLIDAY LODGES, OFFICE, LARDER AND PARKING AT PALLETTS WOOD, HOOKS CROSS FARM, OAKS CROSS, WATTON AT STONE, SG14 3RY FOR MR DAN COLLINS

Mr Dan Collins addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1492/FP, planning permission be refused for the reasons now detailed.

The Director advised that the Landscape Officer was not supportive of the application in respect of the impact on trees on the site. Members were advised that County Highways were now satisfied that with the provision of further details in respect of access arrangements, an acceptable outcome could be achieved.

As such, Members were advised that, if they were minded to refuse the application, the third reason for refusal was no longer required.

Councillor J Taylor stated that the site was in the Green Belt and she was minded to vote against this application. She commented that the fourth reason for refusal contained the issues that were particularly relevant in support of her concerns.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services that application 3/11/1492/FP be refused planning permission for the reasons now

detailed.

RESOLVED – that in respect of application 3/11/1492/FP, planning permission be refused for the first, second and fourth reasons detailed in the report now submitted.

409 3/11/0236/SV - MODIFICATION OF SECTION 106 UNILATERAL UNDERTAKING (REF 3/07/1546/FO) TO OMIT CLAUSE 5.1 REMOVING THE REQUIREMENT TO PROVIDE A CAR CLUB AT FORMER TXU SITE, MEAD LANE, HERTFORD, SG13 7AH FOR WESTERN HOMES (HOUSING) LTD

Hertford Town Councillor Matthew McCormick addressed the Committee in opposition to the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/0236/SV, a variation of the Section 106 unilateral undertaking (reference 3/11/0236/SV) dated 21 January 2008 pursuant to planning permission 3/07/1546/FO to omit Clause 5.1 removing the requirement to provide a Car Club, be granted subject to the new clauses detailed in the report now submitted.

The Director advised that Officers were able to support this application to vary the legal agreement so that the requirement for the provision of a car club was removed. Members were advised that the car club provision would be replaced by a requirement to provide two additional parking spaces for the residents of Spencer Street.

Members were referred to the additional representations schedule in respect of the payment of £5,556 to Hertfordshire County Council. The Director advised that the Officers' recommendation no longer needed to include the provision of a financial contribution towards the provision of a car club in Mead Lane.

Councillor S Rutland-Barsby expressed every sympathy with the concerns of Councillor McCormick. She referred to the

problems resulting from the actions of the appeal inspector and also the fact that Spencer Street was not an adopted road. She also commented that it did not seem proper that every resident had to agree before parking restrictions could be put in place.

Councillor M Newman stated that refusing this application would not solve the parking problems on Spencer Street. He commented on whether it would be possible to place an obligation on the developer to implement a private parking scheme solely for the residents of Spencer Street.

The Director advised that, as with any obligation, Officers would have to ensure this was reasonable and could reasonably be associated with a development. Officers explained that no evidence had been put forward that the parking problems on Spencer Street were as a result of the Elder Court development and would not have occurred in any event.

The Director stressed that it would be reasonable to assume there was considerable parking pressure in this area due to the proximity of nearby employment and Hertford East train station.

Members were advised that it would be unreasonable to impose an obligation on a developer without the clear evidence of a link between the Elder Court development and parking problems in Spencer Street. Members were reminded that any agreement would have to have the unanimous agreement of all the residents and associated landowners and owners of property.

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 3/11/0236/SV, a variation of the Section 106 unilateral undertaking (reference 3/11/0236/SV) dated 21 January 2008 pursuant to planning permission 3/07/1546/FO to omit Clause 5.1 removing the requirement to provide a Car Club, be granted subject to the first clause detailed in the report now

submitted.

RESOLVED – that, in respect of application 3/11/0236/SV, a variation of the Section 106 unilateral undertaking (reference 3/11/0236/SV) dated 21 January 2008 pursuant to planning permission 3/07/1546/FO to omit Clause 5.1 removing the requirement to provide a Car Club, be granted subject to the first clause detailed in the report now submitted.

410 3/11/0370/FP - SEPARATION OF PLOTS 7 AND 8 SHOWN AS A PAIR OF SEMI-DETACHED DWELLINGS ON THE APPROVED SCHEME UNDER REF. 3/09/1370/FP TO PROVIDE 2NO. DETACHED DWELLINGS. ALTERATIONS AND EXTENSIONS TO ENABLE USE OF ROOF SPACES FOR ADDITIONAL ACCOMMODATION TO INCLUDE 2NO. ADDITIONAL BEDROOMS FOR EACH DWELLING AT LAND AT, GRAVELLY LANE, BRAUGHING FOR LINDEN HOMES

The Director of Neighbourhood Services recommended that, subject to the applicant entering into a deed of variation in respect of the Section 106 legal obligation entered into for the planning permission granted for 17 dwellings under LPA reference 3/09/1370/FP to cover the matters now detailed, in respect of application 3/11/0370/FP, planning permission be granted subject to the conditions now detailed.

Councillor Mrs R Cheswright expressed her disappointment that, once again, there was an application to separate plots of land for two large 5 bedroom houses on this site when Braughing needed smaller 2 to 3 bedroom houses.

The Director advised that this was not another application for this site but one that Officers had brought back to Committee following legal advice in relation to the application of conditions via a legal agreement. The application was being reported back to Members as a procedural matter to enable Officers to issue the decision notice.

The Committee accepted the recommendation of the Director of Neighbourhood Services that, subject to the applicant entering into a deed of variation in respect of the Section 106 legal obligation entered into for the planning permission granted for 17 dwellings under LPA reference 3/09/1370/FP to cover the matters now detailed, application 3/11/0370/FP be granted subject to the conditions now detailed.

RESOLVED – that, subject to the applicant entering into a deed of variation in respect of the Section 106 legal obligation entered into for the planning permission granted for 17 dwellings under LPA reference 3/09/1370/FP to cover the matters now detailed, in respect of application 3/11/0370/FP, planning permission be granted, subject to the conditions detailed in the report now submitted.

- 411 (A) 3/11/1174/FP AND (B) 3/11/1159/LB - REPAIR, REFURBISHMENT AND EXTENSION AND CHANGE OF USE OF BUILDING TO TOWN COUNCIL OFFICES AT THE COTTAGE, SAYESBURY MANOR, SAWBRIDGEWORTH, CM21 9AN FOR SAWBRIDGEWORTH TOWN COUNCIL
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The Director of Neighbourhood Services recommended that, in respect of applications 3/11/1174/FP and 3/11/1159/LB, planning permission and 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 supported the recommendations of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of applications 3/11/1174/FP and 3/11/1159/LB, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

412 3/11/1280/OP - RESIDENTIAL DEVELOPMENT AT LAND TO THE SOUTH OF BALDOCK ROAD, BUNTINGFORD FOR MR ROFF

Mr Roff addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1280/OP, outline planning permission be refused for the reasons now detailed.

Councillor S Basra addressed the Committee in support of the application as the local ward Member. He commented that the application would create 3 dwellings in what was a nice cul-de-sac. Councillor Basra stated that there were no problems with access from Baldock Road and urged Members to approve the application.

Councillor S Bull echoed the points raised by Councillor Basra, in particular, the point about the acceptable access from Baldock Road. He stated that the Environment Agency, Hertfordshire Highways and Buntingford Town Council had raised no objections. Councillor Bull also urged the Committee to support this application.

Councillor M Newman commented that the principal concern for Officers appeared to be the cramped nature of the proposed development. He stressed that when compared to a site in Hunsdon and other applications that had been approved, the proposed development was very well spaced out by comparison.

The Director reminded Members that they should make their judgement in relation to the Local Plan policies that were relevant to this application. Members were reminded that this was an outline application and full details in respect of the layout of the site were not known at this stage. He commented that Members would only be approving this application in principle if they wanted to support it at this stage.

The Director advised that Members should bear in mind that policies in the East Herts Local Plan Second Review April 2007 were not supportive of applications that were beyond the outer boundary of a town in the rural area of the District.

The Committee was advised not to place significant weight on the issue of this outline application providing a contribution to the housing supply in the District. The Director stressed that even if a full application was submitted for 4 to 5 houses, this was not considered to be significant in land supply terms.

The Director advised that Members should consider the potential impact of the adjoining uses on the proposed development.

Councillor Mrs R Cheswright commented that the site was very well screened and would not be unduly cramped in nature. She stated that 3 houses would sit very well in this location.

The Chairman reminded Members that this was only an outline application and the full application could be for more than 3 houses. Members were reminded that approving this scheme was only to establish the principle of development.

In response to a query from Councillor J Demonti as to whether the Committee could attach a condition to this application restricting the site to 3 dwellings, the Director stressed that such a condition may not be able to achieve the objective sought as separate new full applications could be submitted.

Councillor S Bull proposed and Councillor M Newman seconded, a motion that outline application 3/11/1280/OP be approved subject to the total number of residential units within the development not exceeding 3 and the maximum height of any proposed buildings not exceeding

6 metres to the eaves and 9 metres to the roof ridges, as proposed within the submitted application.

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 outline application 3/11/1280/OP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/11/1280/OP, planning permission be granted subject to the following conditions:

1. Outline permission time limit (1T032)
2. Outline – submission of details (2E012)
3. The total number of residential units within the development hereby permitted in outline shall not exceed 3 and the maximum height of any proposed buildings shall not exceed 6 metres to the eaves and 9 metres to the roof ridges, as proposed within the submitted application.

Reason: To ensure the provision of an appropriate form of development that is compatible with the context of the surrounding area; in accordance with the parameters set out within the application and accompanying Design and Access Statement, and in accordance with policy ENV1 of the Local Plan.

4. Approved drawings (2E102) - 210070DWG004A; 210070DWG003D
5. Programme of archaeological work (2E024)
6. The detailed layout plans to be submitted for

approval of reserved matters shall indicate the provision of a 1.8m wide footway between the site and the end of the existing footway along Baldock Road to the east of the site. No occupation of any development shall occur until the footway has been constructed.

Reason: To ensure the provision of an appropriate footway link in the interests of highway safety and convenience for pedestrians.

7. Wheel washing (3V251)
8. Prior to the commencement of the development, a scheme for the protection of dwellings against external noise shall be submitted to and approved in writing by the local planning authority. All works which form part of the approved scheme shall be completed prior to the occupation of any permitted dwelling.

Reason: In order to ensure an adequate level of amenity for residents of the new dwellings in accordance with Policy ENV25 of the East Herts Local Plan second Review April 2007.

9. Construction hours of working (6NO72)
10. Prior to the commencement of development, a detailed survey and assessment of the site shall take place to determine if the land is contaminated and, if so, what remediation measures are necessary. Any necessary remediation shall include measures to decontaminate the site (specifying actions and target levels relating to any contaminants found) and prevent pollution of groundwater and surface water. All details of any survey, assessment and proposed remediation works

(complete with a timescale) pursuant to this condition shall be submitted to and agreed in writing by the Local Planning Authority and development shall only take place in accordance with the agreed details.

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

Directives:

1. Street naming and numbering (19SN4)
2. Please note that if, either before or during construction works, it is discovered that the site is contaminated the responsibility for safe development and secure occupancy of the site lies with the developer.

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, GBC2, GBC3, TR2, TR7, ENV1, ENV2, ENV11, BH1, BH2, BH3 and IMP1 and PPS 1: Delivering Sustainable Development, and PPS 3: Housing. The balance of the considerations having regard to those policies and the location of the site between the existing development to the North West of the site and the approved residential development under ref: 3/10/2040/OP to the South is that permission should be granted.

413 3/11/1448/FP - ERECTION OF 5 NEW DWELLINGS INCLUDING 2 AFFORDABLE UNITS WITH ASSOCIATED ACCESS ROAD AND LANDSCAPING AT LITTLE ORCHARD, OFF ASTON END ROAD, ASTON FOR JC AND LB THOMSON TRUST

Mr Nick Gray addressed the Committee in opposition to the application. Mr Peter Newson spoke for the application.

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1448/FP, planning permission be refused for the reasons now detailed.

The Director referred Members to the additional representations schedule. Members were advised that in terms of the proposed condition requested by the applicant, Officers did not consider that this would meet the appropriate tests. Officers were also concerned that the issue of land ownership and control of the hedge which required trimming remained unclear. There were also concerns that there was no clear prospect that the works could be achieved, and therefore, a condition to require this was not considered to be appropriate.

The Committee Chairman stated that Councillor A Jackson, as the local ward Member, fully endorsed the position of Aston Parish Council and had urged the Committee to consider the wider benefits of approving this application. Councillor Jackson had commented that the application should only be approved if all aspects of the application met with the approval of Hertfordshire Highways.

Councillor Jackson was of the view that this application provided an ideal opportunity for Aston to make a contribution towards housing supply in East Herts. The Committee Chairman referred Members to paragraph 7.7 of the report now submitted. He stated that the application site was in the green belt where the starting point for affordable housing was 100% as opposed to the

40% provided by 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 3/11/1448/FP be refused planning permission for the reasons now detailed.

RESOLVED – that in respect of application 3/11/1448/FP, planning permission be refused for the reasons detailed in the report now submitted.

414 3/11/1421/FP - ERECTION OF MARQUEE BETWEEN MARCH AND AUGUST FOR EVENTS AND HIRE AT BISHOP'S STORTFORD RUGBY CLUB, SILVER LEYS, HADHAM ROAD, BISHOP'S STORTFORD, CM23 2QE FOR BISHOP'S STORTFORD RUGBY CLUB

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1421/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor T Page addressed the Committee in opposition to the application, as he had concerns in relation to neighbour notification, parking and noise concerns relating to the use of the site. Councillor Page was concerned that only 2 notifications had been sent to Dane Park addresses and none to Dane Acres.

Councillor Page expressed concerns that residents experienced problems with car parking in Dane Park and Dane Acres and referred to a recent rugby club function on 5 November 2011, when emergency vehicles would have been unable to access Dane Acres due to inconsiderate parking.

Councillor Page commented that the principle of development in this location was flawed and was inconsistent with the policies of the East Herts Local Plan Second Review April 2007, in particular policy ENV24.

He expressed concerns in relation to the impact on neighbour amenity as well as the visual impact of the proposed marquee in what was an open area.

Councillor Page also referred to concerns from Environmental Health in relation to noise management when events were being held inside the proposed marquee. He commented that the marquee would be out of keeping in relation to existing sensitive buildings in the vicinity of the site.

Councillor Page referred to other uses of the site adding to the pressure on the sports amenity offer at the Rugby Club and stressed that this was contrary to policy LRC1 of the East Local Plan Second Review April 2007. He expressed concerns that parking arrangements were also contrary to policy TR7.

Councillor Page left the room after addressing the Committee due to a personal and prejudicial interest (Minute 405 refers).

Councillor D Andrews sought and was given clarification that there would be no permanent foundations underneath the proposed marquee. Councillors J Demonti and A Burlton echoed all of the concerns raised by Councillor Page.

The Director acknowledged Members' concerns that it was difficult to control the emission of noise from a marquee. Members were advised that a condition had been included stating that prior to the first use of the marquee, a noise management plan would have to be submitted to and approved in writing by the Local Planning Authority.

The Director acknowledged the parking concerns but stated that any additional parking would occur in the evening at weekends at times separate to rugby matches. Members were advised that Officers considered that a trial period of operation under circular 11/95 was a position that could be supported hence the

recommendation for approval.

In response to a query from Councillor D Andrews, the Director stated that the conditions could be firmed up to state that any planning permission would be for a limited period only, expiring on 10 November 2012 and the marquee would be in place from 1 March to 31 August 2012.

The Director advised that policy LRC1 of the East Herts Local Plan Second Review April 2007 was intended to prevent the loss of sports facilities and no such facilities were threatened by this application. Officers were also of the view that a noise management plan and parking controls would prevent problems with noise and parking.

Councillor J Demonti proposed and Councillor J Taylor seconded, a motion that application 3/11/1421/FP be refused as the application was contrary to policies LRC1, ENV24 and TR7 of the East Herts Local Plan Second Review April 2007.

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

Councillor D Andrews proposed and Councillor M Newman seconded, a motion that application 3/11/1421/FP be granted subject to an additional condition stating that prior to the first use of the marquee, a plan showing the provision of additional temporary parking in addition to that shown within the application, shall be submitted to and approved in writing by the local planning authority and the approved parking provision must be available at all times when the marquee is in use.

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

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

RESOLVED – that in respect of application 3/11/1421/FP, planning permission be granted subject to the following conditions:

1. This permission shall be for a limited period only, expiring on 10 November 2012, and the marquee shall be in place from 1st March to 31st August.

Reason: In order that the impact of the development can be assessed over a trial period having regard to the amenities of local residents.

2. Prior to the first use of the marquee hereby approved a Noise Management Plan detailing measures to contain music and speech noise shall be submitted to and approved in writing by the Local Planning Authority, and thereafter the use of the marquee should accord with the approved details.

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

3. No external loudspeaker systems shall be installed without the prior written permission of the Local Planning Authority.

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

4. Prior to the first use of the marquee hereby approved, a plan showing the provision of additional temporary parking, in addition to that shown within the application, shall be submitted to and approved in writing by the

local planning authority. The approved parking provision shall thereafter be available at all times when the marquee is in use.

Reason: To ensure the provision of adequate parking for the use in accordance with policy TR7 of the East Herts Local Plan Second Review April 2007.

5. Approved Plans (2E102).

Directives:

1. Other Legislation (01OL)
2. For the avoidance of doubt, you are reminded of the requirements of the premises licence for the site.

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007), and in particular policies SD2, TR7, ENV1, ENV24, BH1 and LRC1. The balance of the considerations having regard to those policies is that permission should be granted.

415 3/11/1592/FP - CHANGE OF USE FROM INDUSTRIAL (B1/B2/B8) TO GYMNASIUM (D2) AT 2 HASLEMERE INDUSTRIAL ESTATE, PIG LANE, BISHOP'S STORTFORD, CM23 3HG FOR MRS V BARLOW

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1592/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

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 3/11/1592/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

- 416 3/11/1516/FO - MINOR MATERIAL AMENDMENT TO INCREASE LENGTH OF APPROVED TWO STOREY SIDE EXTENSION BY 0.35M (REFERENCE 3/11/0831/FP) AT 2 TUDOR MANOR FARM COTTAGES, WHITE STUBBS LANE, BAYFORD, SG13 8QA FOR MRS K HOPSON

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1516/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

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 3/11/1516/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

- 417 3/11/1380/FP - CHANGE OF USE FROM A1 (RETAIL) TO USE AS TANNING AND BEAUTY SALON (SUI GENERIS) WITH WALL MOUNTED AIR CONDITIONING UNIT AT 96 SOUTH STREET, BISHOP'S STORTFORD, CM23 3BG FOR MR S VAUGHAN

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1380/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

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 3/11/1380/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

418 3/11/1360/FP - CONSTRUCTION OF A DETACHED DOUBLE GARAGE WITH LOG STORE AT THE HUNTING BOX, PATMORE HEATH, ALBURY SG11 2LX FOR MR M CUTHBERT

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1360/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

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 3/11/1360/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

419 3/11/1430/FP - CHANGE OF USE OF LAND (AS HATCHED IN RED ON PLAN NO. 1289) TO RESIDENTIAL CURTILAGE, NEW STABLES AND TENNIS COURT. EXCAVATION OF FORMER POND AND ASSOCIATED LANDSCAPING AT LITTLE HORMEADBURY FARM, THE STREET, LITTLE HORMEAD, BUNTINGFORD, SG9 0LS FOR MR G DUFFY

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1430/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

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 3/11/1430/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

420 3/11/1546/FP - ERECTION OF DETACHED CAR PORT OUTBUILDING AT GREAT HORMEAD BURY, GREAT HORMEAD, BUNTINGFORD, SG9 0NH FOR MR HOPKINS

The Director of Neighbourhood Services recommended that, in respect of application 3/11/1546/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

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 3/11/1546/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

421 P/11/0015/A - UNAUTHORISED DISPLAY OF PLACARD ADVERTISEMENTS WITHIN THE DISTRICT OF EAST HERTFORDSHIRE DISTRICT COUNCIL

The Director of Neighbourhood Services recommended that, in respect of the sites relating to P11/0015/A, enforcement action be authorised on the basis now detailed.

Councillor D Andrews praised the work of the Enforcement Team in tackling the problem of illegal signage across the District. Councillor Andrews stated that he was particularly frustrated by the signage that was attached to Highway furniture. He referred to such

activity as an offence under the Highways Act 1980.

In response to a query from Councillor T Page on time limits for this enforcement action, the Director stressed that a poster patrol took place 3 to 4 times a year and enforcement action as proposed in the report now submitted, was a fairly low priority when compared to the usual breaches of planning control.

The Director commented that Officers had written to the appellant stating that such posters must be taken down and should not be erected in future but there had been reoccurrences. Members were advised this aspect of enforcement work was very difficult in that posters taken down by Officers on a Wednesday had been replaced by the appellant in the form of a huge banner in Bishop's Stortford the following Sunday.

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 sites relating to P/11/0015/A on the basis now detailed.

RESOLVED – that in respect of P/11/0015/A, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to take enforcement action on the basis now detailed.

422 E/11/0234/B - BREACH OF A S106 AGREEMENT, WHICH RESTRICTS THE PROPERTY TO BE OCCUPIED BY PERSONS OVER 50 YEARS OF AGE, AT 11 STOCKING HILL, COTTERED

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/11/0234/B, no further action be authorised in respect of the land at Stocking Hill, Cottered.

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

no further action be authorised in respect of E/11/0234/B in respect of land at Stocking Hill, Cottered.

RESOLVED – that in respect of E/11/0234/B, no further action be authorised in respect of the land at Stocking Hill, Cottered.

423 E/11/0174/A - THE UNAUTHORISED ERECTION OF A PARTIALLY ROOFED AREA OF RAISED DECKING AND THE CREATION OF A FENCED ENCLOSURE AT THE BRAMBLES, 117 HIGH STREET, BUNTINGFORD, SG9 9AF

The Director of Neighbourhood Services recommended that, in respect of the site relating to E/11/0174/A, enforcement action be authorised on the basis now detailed.

Councillor S Bull commented on whether the appellant had been given a reasonable opportunity to rectify this breach of planning control. The Director confirmed that there had been no response from the appellant to written correspondence from Officers.

Councillor S Bull proposed and Councillor Mrs R Cheswright seconded, a motion that Enforcement Action be authorised in respect of E/11/0174/A in respect of unauthorised development at The Brambles, 117 High Street, Buntingford.

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

The Committee accepted the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/11/0174/A on the basis now detailed.

RESOLVED – that in respect of E/11/0174/A, the Director of Neighbourhood Services, in conjunction with the Director of Internal Services, be authorised to take enforcement action on the basis now detailed.

424 CONFIRMATION OF EAST HERTFORDSHIRE DISTRICT COUNCIL TREE PRESERVATION ORDER (NO. 7) 2011 P/TPO 563 '103, NEW ROAD, WARE, HERTS

The Director of Neighbourhood Services submitted a report recommending that a Tree Preservation Order (TPO) be confirmed as an opposed order to protect trees at 103 New Road, Ware.

After being put to the meeting and a vote taken, the Committee supported the Director's recommendation that Tree Preservation Order (No 7), Ref P/TPO 563 2011 be confirmed as an opposed Order.

RESOLVED – that (A) Tree Preservation Order (No 7), Ref P/TPO 563 2011 be confirmed as an opposed Order; and

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

425 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 8.47 pm

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MINUTES OF A MEETING OF THE
ENVIRONMENT SCRUTINY COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON TUESDAY
15 NOVEMBER 2011, AT 7.00 PM

PRESENT: Councillor Mrs D Hollebton (Chairman)
Councillors W Ashley, S Basra, R Beeching,
P Gray, C Rowley, M Wood, J Wyllie and
E Bedford

ALSO PRESENT:

Councillor G McAndrew

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Dave Cooper	- Performance Officer
Marian Langley	- Scrutiny Officer
Andrew Pulham	- Parking Manager
George A Robertson	- Director of Customer and Community Services

426 APOLOGIES

Apologies for absence were received from Councillors D Abbott and N Poulton. It was noted that Councillor E Bedford was substituting for Councillor D Abbott.

427 MINUTES

RESOLVED – that the Minutes of the meeting held on 13 September 2011 be confirmed as a correct record and signed by the Chairman.

428 CHAIRMAN'S ANNOUNCEMENTS

With the consent of Members, the Chairman requested that the order of the agenda be changed slightly. This was agreed.

429 2011/12 SERVICE PLANS - SUMMARY OF PROGRESS AND EXCEPTIONS REPORT

The Leader of the Council submitted a summary of 2011/12 Service Plan actions relevant to Environment Scrutiny Committee which had been achieved and those where completion dates had been revised. It was noted that eight actions had been achieved and one action required a revised completion date, the detail of which was set out in Essential Reference Paper 'B' of the report now submitted.

The Committee received the report and were pleased that this report showed "good news". Members noted the progress against the 2011/12 Service Plan Actions and the action requiring a revised completion date.

RESOLVED – that the summary of progress against the 2011/12 Service Plan actions be noted, including those actions which had had their completion dates revised.

430 EAST HERTS PARKING AND TRANSPORT STRATEGY 2012/22 TASK AND FINISH GROUP INTERIM REPORT

The Chairman of the Parking and Transport Strategy Task and Finish Group submitted a report providing Members with an update on the progress made in relation to completion of the Council's Parking and Transport Strategy and invited Members to consider and comment on the early findings of the Task and Finish Group.

Councillor G McAndrew referred to appreciative comments from Councillor M Carver on the positive work

of the Task and Finish Group. Councillor G McAndrew referred to the terms of reference of the Task and Finish Group, which were set out in Essential Reference Paper "C" of the report submitted. He also referred to the meetings which had taken place in main towns throughout the district and the feedback which had been submitted so far. It was anticipated that this feedback could be developed to support a strategy which would be reported back to Members and then to the Executive and then Council for approval and adoption by July 2012.

Councillor G McAndrew explained that the rationale for undertaking the work which was to distil initiatives from a higher level to a lower level, i.e. from the county-level Local Transport Plan to a local level so that the District developed initiatives which "dovetailed". He explained the role of stakeholders and residents in the process of reviewing 15 important outcomes which were then distilled into 5 key priorities for each of the main towns.

A Member referred to the need to "promote economic wellbeing of the towns and surrounding villages" and stated that this priority was something which applied to all towns and not just Ware. The issues associated with parking technology available at the time East Herts installed its current system versus what was now being used in other areas (such as Automatic Plate Number Recognition) and what might be available in the future, was discussed.

A Member referred to the fact that the issue of "public transport" appeared not to be mentioned much by the Task and Finish Group. He suggested that this was mainly as a result that the majority of East Herts residents were car owners. Problems of stakeholder engagement were considered and both the Task and Finish group Chairman and the lead Officers confirmed that the feedback from extensive consultations would underpin the final report.

Members thanked Councillor G McAndrew and the team

for their report and looked forward to the concluding report.

Members received the report.

RESOLVED – that the work undertaken and work proposed be noted.

431 HEALTHCHECK THROUGH TO AUGUST 2011

The Director of Customer and Community Services submitted a report on the performance of key indicators relating to Environment Scrutiny Committee during the period July to August 2011, the detail of which was set out in the report now submitted. He referred to the Performance Indicator EHPI 6.8 (turnaround of pre NTO PCN Challenges) which had been “red” for August 2011 but was now showing “green” for the most recent returns.

Members received the report.

RESOLVED – that the report be received.

432 SCRUTINY WORK PROGRAMME 2011/12

The Committee considered items for scrutiny during the civic year 2011/12.

The Scrutiny Officer provided an update on future items for consideration.

The Committee approved the Work Programme as now submitted.

RESOLVED – that the work programme as now detailed be agreed.

The meeting closed at 7.45 pm

EAST HERTS COUNCIL

COUNCIL – 14 DECEMBER 2011

REPORT BY THE EXECUTIVE MEMBER FOR FINANCE

COUNCIL TAX - CALCULATION OF COUNCIL TAX BASE
2012/13

WARDS AFFECTED: All

Purpose/Summary of Report

- To recommend to the Council the calculation of the council tax base for the whole district, and for each parish and town council, for 2012/13.

RECOMMENDATIONS FOR DECISION: that	
(A)	from 1 April 2012, 90% of the full council tax continue to be charged in respect of second homes, the charge in respect of long term empty properties be increased from 90% to 100% and the council tax base for East Herts and each of its parish and town councils be calculated as set out in this report; and
(B)	in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amount calculated by East Hertfordshire Council as its council tax base for the whole area for 2012/13 shall be 58576.71 and for the parish areas listed below for 2012/13 the amount shown in column A below, to be increased by 50.97 for the whole area and for each parish or town by the amounts in column B by the removal of the long term empty discount:- <u>Table 1</u>

	A	B		A	B
ALBURY	278.78	0.63	HIGH WYCH	336.13	0.69
ANSTEY	155.94	0	HORMEAD	329.99	0.44
ARDELEY	201.26	0.16	HUNSDON	485.32	0.16
ASPENDEN	127.76	0.09	LITTLE BERKHAMSTED	281.40	1.08
ASTON	436.97	0.47	LITTLE HADHAM	536.72	0.97
BAYFORD	224.44	0.16	LITTLE MUNDEN	418.45	0.20
BENGEO	301.38	0	MUCH HADHAM	932.14	0.91
BENINGTON	395.64	0.29	SACOMBE	89.43	0.27
BISHOP'S STORTFORD	15222.77	9.62	STANSTEAD ST. MARGARETS	714.65	0
BRAMFIELD	122.08	0.29	SAWBRIDGEWORTH	3733.05	3.78
BRAUGHING	588.89	0.43	STANDON	1799.43	1.82
BRENT PELHAM / MEESDEN	149.35	0.10	STANSTEAD ABBOTTS	745.45	0.66
BRICKENDON	289.94	0.49	STAPLEFORD	265.35	0.1
BUCKLAND	122.48	0.38	STOCKING PELHAM	80.37	0.17
BUNTINGFORD	2052.64	1.76	TEWIN	816.75	0.52
COTTERED	314.79	1.68	THORLEY	304.55	0.31
DATCHWORTH	748.80	0.63	THUNDRIDGE	626.67	0.64
EASTWICK / GILSTON	195.60	0.25	WALKERN	661.54	0.22
FURNEUX PELHAM	257.93	0.22	WARESIDE	318.35	0.36
GREAT AMWELL	1020.11	1.05	WARE TOWN	7402.84	4.11
GREAT MUNDEN	144.25	0.50	WATTON - AT - STONE	1013.38	0.95
HERTFORD	11571.33	11.68	WESTMILL	159.29	0.16
HERTFORD HEATH	976.65	0.41	WIDFORD	235.92	0.09
HERTINGFORDBURY	316.32	0.89	WYDDIAL	73.44	0.18
			TOTAL	58576.71	50.97

1.0 Background

- 1.1 Calculation of the council tax base is governed by statutory regulation and the Council has limited discretion.
- 1.2 As a billing authority the council must notify the County Council and the Police Authority of the tax base and must do this between 1 December and 31 January preceding the tax year. The Council must also tell a parish what their tax

base is within 10 working days of any written request

- 1.3 The tax base will be used by the Council when setting the rates of council tax at the March Council meeting.
- 1.4 The tax base calculations must be made by the Authority as a whole.
- 1.5 The regulations set out the following formula to be used to calculate the tax base:-

$$\text{Tax base} = A \times B$$

(A is the total of the “relevant amounts”)

(B is the estimated collection rate)

Item A, the total of “relevant amounts” is found by a second formula:-

$$\text{Item A} = \frac{(H - (I \times E) + J) \times E}{G}$$

where:

H is the estimated number of dwellings, which are shown in the valuation list at 31 October 2011, adjusted for exemptions.

I x E is the number of discounts estimated to be allowed multiplied by the discount rate of 25%.

J is the estimated equated number of new less demolished dwellings plus the estimated change in discounts for 2012/13 and the effect of successful appeals.

$\frac{E}{G}$

converts the number of dwellings in each valuation band to a “Band D” equivalent.

Item A can be summarised as the effective number of equivalent Band D properties after taking the actual number in each valuation band and allowing for valuation changes, for errors and appeals, new properties, periods of

exemption, reductions for disabled persons and discounts for single occupiers and unoccupied properties.

2.0 Report

2.1 The assumptions made are as follows:

Number of taxable properties

2.2 For 2012/13 it is assumed that there will be limited new completions with a net addition of only 323.5 new properties by 31 March 2013. These have been allocated to parish areas on the basis of development in hand and planning approvals. It is assumed that all new dwellings will be exempt for the first six months and that a proportion of discounts will apply thereafter. No valuation increases have been assumed for improvements and extensions as these do not take effect until properties are sold on.

2.3 It has been assumed that 255 properties will qualify for disabled persons reductions, based on experience in the current year.

2.4 A figure of 1222 exemptions/voids is included in line with the current position. Further increases will have a negative impact on the tax base.

Collection Rate

2.5 Item B in the tax base formula is the estimate of the collection rate for 2012/13. For 2011/12 a collection rate of 98.75% was agreed and notwithstanding the increase in reminders, summonses and liability orders this is expected to be achieved. However, there is some evidence from benefit applications that some tax payers are running down savings and experiencing increasing difficulty in managing their debts. It would be prudent therefore to remain at this collection rate in 2012/13 instead of returning to the 2009/10 rate of 99%.

2.6 This gives an overall tax base of 58576.71 which is an increase over the previous base of 0.78% i.e. 453 Band 'D' equivalent properties.

- 2.7 Should any Member have detailed questions or comments on the assumptions it would be of great benefit to advise the Director of Internal Services or the Executive Member for Resources and Internal Support well in advance of the meeting.

Long Term Empty Properties

- 2.8 The Government is consulting on changes to the Council tax regulations which if approved will provide greater local discretion over the award of some discounts and exemptions. There is potential to increase the tax base in later years should the changes be enacted. Rather than a discount for long term empty homes the proposals provide scope for a premium rate to be applied at the discretion of the billing authority to create an incentive for earlier completion of renovations.
- 2.9 These changes are for the future but the Council has existing discretion to set the long term empty discount at between 0% and 50% and has previously set a 10% discount. At any one time there are between 500 and 600 properties in receipt of the discount and the band D equivalent of such properties at the date of calculating the tax base was 500 with the removal of the 10% this increases the tax base by 50.97 . The additional council tax yield for this Council (i.e. excluding amounts due to precepting authorities) would be £8110

3.0 Implications/Consultations

- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

Local Authorities (Calculation of the Tax Base) Regulations 1992 (as amended)

Contact Member: Councillor M Tindale, Executive Member for Finance

Contact Officer: Alan Madin, Director of Internal Services, ext
1401

Report Author: Su Tarran - Head of Revenues and Benefits

ESSENTIAL REFERENCE PAPER 'A'

Contribution to the Council's Corporate Priorities/ Objectives:	Contributes to the health and sustainability of the organization by recommending the council tax base for the next financial year.
Consultation:	None
Legal:	The Council must set the tax base in accordance with relevant regulations.
Financial:	The S151 officer, has confirmed that the assumptions are prudent.
Human Resources:	None
Risk Management:	The assumptions made are reasonable at the current time but consideration should be given to the fluidity of the current economic climate in reviewing the position during the year.

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EAST HERTS COUNCIL

COUNCIL – 14 DECEMBER 2011

REPORT BY HEAD OF DEMOCRATIC
AND LEGAL SUPPORT SERVICES

JOINT REVENUES AND BENEFITS COMMITTEE –
APPOINTMENT OF SUBSTITUTE MEMBER

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- To appoint a substitute Member to the East Herts Council and Stevenage Council Joint Revenues and Benefits Committee.

RECOMMENDATION: that	
(A)	Councillor P Moore be appointed as the East Herts Council substitute Member on the East Herts Council and Stevenage Council Joint Revenues and Benefits Committee.

1.0 Background

1.1 Following the implementation of partnership arrangements for the provision of a shared Revenues and Benefits service between East Herts and Stevenage Councils, Council (on 6 July 2011) approved the establishment of a joint committee.

2.0 Report

2.1 The joint committee comprises 6 Members in total, three from each Authority. East Herts Council's representatives are Councillors L Haysey, G McAndrew and M Tindale.

2.2 It is proposed that Councillor P Moore be appointed as East Herts Council's substitute Member.

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None

Contact Officer: Jeff Hughes, Head of Democratic and Legal Support Services, Ext No 2170

Report Author: Martin Ibrahim, Senior Democratic Services Officer.

ESSENTIAL REFERENCE PAPER 'A'

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	<p>Promoting prosperity and well-being; providing access and opportunities <i>Enhance the quality of life, health and wellbeing of individuals, families and communities, particularly those who are vulnerable.</i></p> <p>Fit for purpose, services fit for you <i>Deliver customer focused services by maintaining and developing a well managed and publicly accountable organisation.</i></p> <p>Leading the way, working together <i>Deliver responsible community leadership that engages with our partners and the public.</i></p>
Consultation:	None
Legal:	The appointment of Members to committees is a Council function.
Financial:	None
Human Resource:	None
Risk Management:	None

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