

MINUTES OF A MEETING OF THE  
COUNCIL HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 16 MAY 2012, AT 7.00 PM

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

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Director of Neighbourhood Services
Lorna Georgiou	- Communications Team Leader
Jeff Hughes	- Head of Democratic and Legal Support Services
Martin Ibrahim	- Democratic Services Team Leader
George A Robertson	- Chief Executive and Director of Customer and Community Services

## 1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman (Councillor S Rutland-Barsby) welcomed the press and public to the meeting and reminded everyone that the meeting was being webcast.

She looked back over the past year and thanked Members for their trust and support. She had enjoyed meeting many people as Chairman, culminating in her recent visit to the Hertfordshire Schools Gala at the Royal Albert Hall. She also thanked Officers, her husband, the Vice-Chairman (Councillor J Taylor) and the Honorary Aldermen for their support throughout the year.

The Chairman reported that over £8,200 had been raised for her chosen charities, Isabel Hospice and St Elizabeth's Centre. Finally, the Chairman gave her best wishes to her successor.

Councillors A Jackson and M Wood each paid tribute to the Chairman. The Leader spoke of her dedication, zeal and enthusiasm in carrying out her duties. Councillor M Wood referred to her commitment in following the great traditions of representing the District, to which the whole Council was grateful.

The Vice-Chairman, Councillor J Taylor, presented the Chairman her Past Chairman's badge and a bouquet of flowers.

## 2 ELECTION OF CHAIRMAN OF THE COUNCIL FOR THE CIVIC YEAR 2012/13

It was moved by Councillor A Jackson and seconded by Councillor M Alexander that Councillor J Taylor be elected Chairman of the Council to hold office for the civic year 2012/13.

After being put to the meeting and a vote taken, Councillor J Taylor was elected Chairman of the Council for the civic year 2012/13.

RESOLVED - that Councillor J Taylor be elected Chairman of the Council and hold office for the civic year 2012/13.

The Chairman made the statutory Declaration of Acceptance of Office, and took the Chair.

3 APPOINTMENT OF VICE-CHAIRMAN OF THE COUNCIL FOR THE CIVIC YEAR 2012/13

It was moved by Councillor P Phillips and seconded by Councillor D Andrews that Councillor G McAndrew be appointed Vice-Chairman of the Council to hold office for the civic year 2012/13.

After being put to the meeting and a vote taken, Councillor G McAndrew was appointed Vice-Chairman of the Council for the civic year 2012/13.

RESOLVED - that Councillor G McAndrew be appointed Vice-Chairman of the Council and hold office for the civic year 2012/13.

The Vice-Chairman made the statutory Declaration of Acceptance of Office.

4 FURTHER CHAIRMAN'S ANNOUNCEMENTS

The Chairman (Councillor J Taylor) thanked Members for her election. She was humbled to be elected and expressed her commitment to serve the District. She paid tribute to her predecessor and commented that she would be a hard act to follow. She welcomed the appointment of Councillor G McAndrew as Vice-Chairman and looked forward to them working together in the coming year.

The Chairman stated that her chosen charity was the neo-natal intensive care unit at Great Ormond Street hospital. She referred to her personal experience of the service provided by the unit and expressed a desire to support life giving

opportunities.

The Chairman advised that her Civic Service would be held at St Mary's Church, Ware and that details of the Civic Dinner would follow in due course.

She reminded Members that there would be a joint meeting of committees at the conclusion of Annual Council and so all Members were requested to remain seated until all the business was concluded.

Members were also reminded that they had received a copy of an information sheet in the courier on the subjects of "Councillor Community Engagement Grants" and the Authority's "Community Grants Programme for 2012". Members who had any queries on these matters were advised to contact either Mekhola Ray or Claire Pullen of the Community Engagement Team.

Finally, the Chairman invited all Members and Officers to receive light refreshments at the conclusion of the meetings.

## 5 MINUTES

RESOLVED – that the Minutes of the Council meeting held on 4 April 2012, be approved as a correct record and signed by the Chairman.

## 6 MEMBERS' QUESTIONS

### Question 1

Councillor N Poulton asked the Leader of the Council to write to the Executive Member of the County Council responsible for Highway issues, County Councillor Stuart Pile, asking him what the future of the Hertfordshire Joint Members Panel was, following the decision to alter the current excellent working arrangements between County and District Members.

In reply, the Leader shared Councillor N Poulton's frustration and provided the latest information he had. Members were

aware that responsibilities and some budgets had been devolved to the local level and that the County was looking at replacing the Panel with two liaison meetings each year, that would include parish and town council representatives as well. Whilst acknowledging the wider engagement of this approach, the Leader expressed concern on whether District Members would be able to input to the decision-making process on significant issues.

The Leader referred to an officer level meeting that was being held on 14 June 2012 to discuss the way forward. He understood that the County Council's Cabinet would be considering the matter in July 2012. The Leader commented that, in principle, he would be happy to write the letter suggested, but not until after the outcome of the officer meeting in June 2012 was known.

Councillor N Poulton agreed that the letter should wait until after the officer meeting in June 2012, but asked the Leader to confirm that the scheduled Panel meeting on 20 August 2012 would still take place and that a mechanism for petitions to be heard would be retained.

In reply, the Leader undertook to ask Officers to seek clarity on the August meeting and to raise the issue of petitions.

## Question 2

Councillor J Ranger expressed concern that the Local District Plan might be delayed and asked the Executive Member for Planning Policy and Economic Development to let Council know the progress of the Secretary of State's decision concerning the appeal relating to the schools site in Bishop's Stortford.

In reply, the Executive Member for Planning Policy and Economic Development expressed his gratitude for this opportunity to update Members on the Government's decisions or lack of. He reminded Members that the appeal decision on the schools site had been expected on 24 April 2012, but had now been delayed until 26 July 2012. This

three month delay had had a significant impact on the District Plan timetable, as the intention of starting public consultation on the preferred option in September 2012 would now have to be changed.

The Executive Member commented that the Government had yet to remove Regional Plans from statute, which was particularly frustrating, as the Government had spoken of speeding up the planning process and yet were causing more delays. He undertook to lobby the Government and to seek the local MP's support for an end to such delays.

The Executive Member advised on the new District Planning timetable. The District Plan Panel meeting scheduled for 13 June 2012 had now been cancelled. The Panel meeting on 26 July 2012 would be retained and an additional meeting would be held on 28 November 2012, from which recommendations would be submitted, via the Executive on 4 December 2012, to the Council meeting on 12 December 2012. Therefore, the public consultation would not begin until 17 January 2013.

## 7 EXECUTIVE REPORT - 6 MARCH 2012

The Leader reflected on the progress made by the Council over the previous 12 months. He spoke of a year of consolidation with the conclusion of the C3W programme and the budget challenges faced by the Council. He referred to the Council's achievements in freezing council tax levels and car parking charges again, retaining support for PCSOs and commencing shared Revenues and Benefits services.

The Leader also commented on new initiatives, such as the Local Authority Mortgage Scheme, the utilisation of the New Homes Bonus and the establishment of Hertford Futures. He referred to the continued work on the health agenda, working with PCTs, NHS Trusts and the County Council's Scrutiny Committee. He also reminded Members of the success in receiving a public health award and thanked Officers in the Environmental Health team for their hard work.

The Leader commented on the role of scrutiny and thanked Members for their continued good work and expressed his gratitude to Liberal Democrat and Independent Members for their efforts. He spoke of the financial challenges ahead and believed that the Council had strengthened its position over the previous year. He looked forward to building on this in helping people over the coming year.

Councillor E Buckmaster thanked the Leader and spoke of the past year as a rewarding experience.

Councillor J Wing also thanked the Leader for his comments. He acknowledged the financial pressures the Council faced, but undertook to continue to champion support for community groups. As a Ware Councillor, he looked forward to the town receiving the same focus as Bishop's Stortford and Hertford.

RESOLVED – that the Minutes of the Executive meeting held on 6 March 2012, be received.

8 EXECUTIVE REPORT - 4 APRIL 2012

RESOLVED – that the Minutes of the inquorate Executive meeting held on 4 April 2012, be received.

9 COMMUNITY SCRUTINY COMMITTEE: MINUTES - 28 FEBRUARY 2012

RESOLVED – that the Minutes of the Community Scrutiny Committee meeting held on 28 February 2012, be received.

10 DEVELOPMENT CONTROL COMMITTEE: MINUTES - 29 FEBRUARY 2012

RESOLVED – that the Minutes of the Development Control Committee meeting held on 29 February 2012, be received.

11 LICENSING COMMITTEE: MINUTES - 8 MARCH 2012

RESOLVED – that the Minutes of the Licensing Committee meeting held on 8 March 2012, be received.

12 ENVIRONMENT SCRUTINY COMMITTEE: MINUTES - 13 MARCH 2012

RESOLVED – that the Minutes of the Environment Scrutiny Committee meeting held on 13 March 2012, be received.

13 AUDIT COMMITTEE: MINUTES - 14 MARCH 2012

RESOLVED – that the Minutes of the Audit Committee meeting held on 14 March 2012, be received.

14 STANDARDS COMMITTEE: MINUTES - 14 MARCH 2012

RESOLVED – that the Minutes of the Standards Committee meeting held on 14 March 2012, be received.

15 IT PROTOCOL FOR MEMBERS

Council considered and approved the recommendation of the Standards Committee, at its meeting held on 14 March 2012, on a proposed IT protocol for Members.

RESOLVED – that the proposed IT Protocol for Members, as now submitted, be adopted.

16 CORPORATE BUSINESS SCRUTINY COMMITTEE: MINUTES - 20 MARCH 2012

RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 20 March 2012, be received.



17 DEVELOPMENT CONTROL COMMITTEE: MINUTES - 21 MARCH 2012

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RESOLVED – that the Minutes of the Development Control Committee meeting held on 21 March 2012, be received.

18 CHIEF EXECUTIVE AND DIRECTOR OF XX RECRUITMENT PANEL: MINUTES - 18 APRIL 2012

RESOLVED – that the Minutes of the Chief Executive and Director of XX Recruitment Panel meeting held on 18 April 2012, be received.

19 DEVELOPMENT CONTROL COMMITTEE: MINUTES - 18 APRIL 2012

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RESOLVED – that the Minutes of the Development Control Committee meeting held on 18 April 2012, be received.

20 STANDARDS COMMITTEE: MINUTES - 19 APRIL 2012

RESOLVED – that the Minutes of the Standards Committee meeting held on 19 April 2012, be received.

21 LOCALISM ACT 2011

Council considered the recommendations of the Standards Committee at its meeting held on 19 April 2012, on the new standards regime arising from provisions within the Localism Act 2011. The Monitoring Officer also submitted a report outlining alternative recommendations for the Council to consider.

In response to various Members' questions, the Monitoring Officer clarified the role of the Independent Person, the position on disclosable interests and the need for town and parish councils to adopt a code of conduct. He advised that regulations on Disclosable Pecuniary Interests had yet to be published.

The Leader proposed, and Councillor M Tindale seconded, that the alternative recommendations, as now detailed, be adopted. After being put to the meeting, this was declared CARRIED. Council approved the alternative recommendations as now detailed.

RESOLVED – that (A) a Standards Committee comprising 5 elected Members of the District Council, appointed proportionally, be established;

(B) the Leader of the Council be requested to nominate to the Standards Committee only one Member who is a Member of the Executive;

(C) the Local Government Association’s “Template code and guidance note on conduct”, as detailed at Essential Reference Paper ‘C’ of the report now submitted, be adopted;

(D) when the Disclosable Pecuniary Interests Regulations are published, the Monitoring Officer, after consultation with the Leader of the Council, add to that draft Code, provisions which he considers to be appropriate for the registration and disclosure of interests other than Disclosable Pecuniary Interests;

(E) in respect of arrangements for dealing with complaints, the proposals set out in Essential Reference Paper ‘E’ of the report now submitted, be adopted;

(F) the Council join with other Authorities with a pool of Independent Persons;

(G) the Independent Persons be reimbursed for travel and subsistence expenses;

(H) the Monitoring Officer be requested to prepare and maintain a new register of Members’ interests to comply with the requirements of the Act and of the

Council's Code of Conduct, once adopted, and ensure that it is available for inspection as required by the Act;

(I) the Monitoring Officer be requested to ensure that all Members are informed of their duty to register interests;

(J) the Monitoring Officer be requested to prepare and maintain new registers of Member' interests for each Parish Council and any Code of Conduct adopted by each Parish Council and ensure that it is available for inspection as required by the Act;

(K) the Monitoring Officer be requested to arrange to inform and train Parish Clerks plus one or two Members from each Parish/Town Council on the new registration arrangements;

(L) the Monitoring Officer be instructed to recommend to Council a Standing Order which equated to the current Code of Conduct requirement that a Member must withdraw from the meeting room, including from the public gallery, during the while of consideration of any item of business in which he/she has a Disclosable Pecuniary Interest, except where he is permitted to remain as a result of the grant of a dispensation;

(M) the Monitoring Officer be instructed to recommend to Council a Standing Order which equates to the current Code of Conduct requirement that where a decision is to be made by a single Member, the decision will be referred to the Executive if he/she has a Disclosable Pecuniary Interest, except where he is permitted to remain as a result of the grant of a dispensation;

(N) the power to grant dispensations be delegated:

(i) on Grounds set out in paragraphs 11.2 (a) and 11.2 (d) of the report now submitted, to the

Monitoring Officer with an appeal to Standards Committee; and

- (ii) on Grounds set out in paragraphs 11.2 (b), 11.2 (c), 11.2 (e) of the report now submitted, to the Standards Committee after consultation with the Independent Person.

## 22 APPOINTMENT OF STATUTORY OFFICERS

Following the recent appointment to the post of Chief Executive and Director of Customer and Community Services, there was a need to confirm the appointment of statutory officers.

Council approved the appointment of statutory officers as now detailed.

RESOLVED – that (A) the Chief Executive and Director of Customer and Community Services be appointed as Head of Paid Service; and the Director of Internal Services to act as deputy; and

(B) the Director of Neighbourhood Services be appointed as Returning Officer in accordance with Section 35(1) of the Representation of the People Act 1983 and as Electoral Registration Officer in accordance with Section 8(2)(a) of the Representation of the People Act 1983.

## 23 REVIEW OF CONSTITUTION

The Monitoring Officer submitted a report reviewing the Council's Constitution and proposing various amendments. He also proposed an additional amendment reducing the notification period for substitute Members of the Development Control Committee from 24 hours to 7 hours before the meeting.

In response to questions from Members, the Monitoring Officer confirmed that "written" included e-mails and that

Members would still be able to request applications being reported to Committee.

Council approved the amendments as now submitted.

RESOLVED – that the amendments to the Constitution, as now submitted, be approved.

## 24 DECISION-MAKING STRUCTURE

The Head of Democratic and Legal Support Services submitted a report reviewing the Council's decision-making structure. He advised that Council was required to approve the size of the proposed committees and the allocation of seats to political groups. Council noted that three political groups had been formed and their nominations to the seats on committees were detailed in the report now submitted.

In addition, Council noted the establishment of a new Council Tax Setting Committee and a new Standards Committee (from 1 July 2012) as a result of the decisions at Minute XX above.

Leaders of political groups advised on their nominations to these Committees.

Council approved the proposals as now detailed.

RESOLVED – that (A) the following Scrutiny Committees, Regulatory Committees, Joint Committee and Joint Member Panel be appointed, with the number of voting Members stated:

<u>Committee</u>	<u>No. of Members</u>
Community Scrutiny	10
Corporate Business Scrutiny	10
Environment Scrutiny	10
Audit	7

Council Tax Setting	5
Standards Committee (w.e.f. 1 July 2012)	5
Development Control	12
Human Resources	7
Licensing	15
Highways Joint Member Panel (8 from Hertfordshire County Council and 8 from East Herts Council)	16
East Herts Council and Stevenage Borough Council Joint Revenues and Benefits Committee (3 from each Council)	6
Hertfordshire Police and Crime Panel	1

(B) the allocation of seats to political groups be as set out in Essential Reference Paper 'C' of the report now submitted;

(C) the allocation of seats on the Highways Joint Member Panel (8) and the Revenues and Benefits Joint Committee (3) to political groups be as follows:

Highways Panel

Conservative	7
Liberal Democrats	1

Revenues and Benefits

Conservative	7
Liberal Democrats	1

(D) the membership of Scrutiny Committees,

Regulatory Committees, the East Herts Council and Stevenage Borough Council Joint Revenues and Benefits Committee and the Highways Joint Member Panel be as set out in Essential Reference Paper 'D' of the report submitted, with Members being appointed in accordance with the wishes of the political groups to whom the seats on these bodies have been allocated;

(E) the intention of the Leader of the Council to appoint 5 Members to the Executive (in addition to the Leader) with the portfolio responsibilities as detailed at Essential Reference Paper 'B' of the report submitted, be noted;

(F) the Council's Standards Committee be established for the period ending on 30 June 2012 and consist of four independent Members, four District Councillors (of whom at least one should be from each political party with four or more Members), one Town Council Member, two Parish Council Members and the following District Councillors be appointed:

District Council

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

Town/Parish

Mr J Jones  
Mr C Marks  
Mrs E Woods

Independents

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

(G) the programme of Council meetings, as detailed at paragraph 6.1 of the report submitted, be approved;

(H) the Director of Internal Services be authorised to

sign, on behalf of the Authority, the finalised agreement to establish Hertfordshire’s Police and Crime Panel’s (governance) arrangements;

(I) Councillor M Alexander be appointed as East Herts Council’s member of the Hertfordshire Police and Crime Panel;

(J) the Director of Internal Services be authorised to make changes in the standing membership of committees, joint committee and panel in (A) above, in accordance with the wishes of the political groups to whom seats on these bodies have been allocated, and

(K) the action to be taken by the Director of Internal Services, in consultation with the Leader, under delegated authority, concerning the appointment of representatives to outside bodies, be noted.

The meeting closed at 8.45 pm

Chairman	.....
Date	.....