

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

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

ALSO PRESENT:

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

OFFICERS IN ATTENDANCE:

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

256 APOLOGY

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

257 CORPORATE STRATEGIC PLAN 2012/13 - 2015/16

The Leader submitted a report on the Council's draft four year Corporate Strategic Plan, outlining its priorities for the next four years and the key outcomes it wished to achieve.

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

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

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

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

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

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

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

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

Government's announcements regarding localisation of business rates and Council Tax Benefit. Members' attention was drawn to comments by Corporate Business Scrutiny set out elsewhere on the agenda.

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

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

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

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

The Executive supported the proposals as now detailed.

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

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

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

(See also Minute xx below)

259 EAST HERTS LOCAL DEVELOPMENT FRAMEWORK:
LOCALISM AND NEIGHBOURHOOD PLANNING

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

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

(B) communities wait, before they do any substantive work on neighbourhood plans, until the Localism Bill has received Royal Assent later this year, so that there is more certainty about the neighbourhood planning process and the Council

is in a better position to support and advise.

(see also Minute xxx below)

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

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

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

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

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

(see also Minute xxx below)

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

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

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

(see also Minute xxx below)

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

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

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

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

(see also Minute xxx below)

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

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

Project Plan and Establishment of SLAA Partnership

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

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

(see also Minute xxx below)

264 LDF: CALL FOR SITES UPDATE REPORT

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

RECOMMENDED – that (A) the responses received to the Call for sites consultation between 6 May and 10 June 2011 attached at Essential Reference Paper “B” of the report now submitted, be noted and taken into account as part of the preparation of the East Herts Strategic Land Availability Assessment (SLAA), and

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

(see also Minute xxx below)

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

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

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

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

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

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

(see also Minute xxx below)

266 ASSESSMENT OF EAST HERTS SPORTS FACILITIES (MAY 2011)

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

RECOMMENDED – that the draft Assessment of East Herts Sports Facilities be agreed and

published as follows:

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

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

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

(see also Minute xxx below)

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

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

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

(see also Minute xxx below)

268 MONTHLY CORPORATE HEALTHCHECK - JULY 2011 (1)

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

The Executive supported the recommendations as now detailed.

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

(1) £30k of the £50k provision in the capital programme be brought forward from 2012/13 to 2011/12 with the balance of £20k to lapse as a saving, and

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

(see also Minute xxx below)

269 MINUTES

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

270 ISSUES ARISING FROM SCRUTINY

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

RESOLVED – that the report be received.

271 MONTHLY CORPORATE HEALTHCHECK - JUNE 2011

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

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

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

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

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

272 MONTHLY CORPORATE HEALTHCHECK - JULY 2011 (2)

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

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

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

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

(see also Minute xxx above)

273 DRAFT 2010/11 ANNUAL GOVERNANCE STATEMENT

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

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

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

274 FLYPOSTING POWERS FOR TOWN COUNCILS

The Executive Member for Community Safety and Environment submitted a report on the issues involved with enabling Town Councils to take up fly-posting removal powers. He commented that Town Councils should be aware of the full ramifications of the transfer in terms of health and safety and training.

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

The Executive approved the proposals as now detailed.

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

275 FINANCIAL STRATEGY 2011; MEDIUM TERM FINANCIAL

STRATEGY/UPDATED MTFP 2012/13 - 2015/16 AND APPLICATION OF THE NEW HOMES BONUS (2)

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

The Executive approved the proposals as now detailed.

RESOLVED – that the Government's proposals in respect of the localisation of business rates and Council Tax benefit be noted.

(see also Minute xx above)

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

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

(see also Minutes xxx – xxx above)

The meeting closed at 8.45 pm

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Chairman
Date