

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 Tuesday 7th August, 2012 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 25th day of July 2012.



Jeff Hughes
Head of Democratic and
Legal Support Services

Note: Prayers will be said before the meeting commences. 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 7 - 16)

To approve as a correct record and authorise the Chairman to sign the Minutes of the Council meeting held on 4 July 2012.

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. Members' questions

To receive any Members' questions.

7. Executive Report - 10 July 2012 (Pages 17 - 24)

To receive a report from the Leader of the Council and to consider Executive recommendations on the matters below:

(A) Bishop's Stortford Town Centre Boundary

Minute 143 refers.

(B) East Herts Communication Strategy 2012

Minute 144 refers.

(C) Pedestrianised/Shared Space proposals for an Area of Bishop's Stortford Town Centre

Minute 145 refers.

(D) General Fund Revenue and Capital Outturn 2011/12

Minute 146 refers.

8. Executive Report - 31 July 2012

To receive a report (to follow) from the Leader of the Council and to consider Executive recommendations on the matters below:

- (A) Local Development Scheme (LDS) Version 4 (August 2012)
- (B) Sub-District Population and Household Forecasts – Parish Groupings and Towns: Phase 1 (May 2012)
- (C) Strategic Land Availability Assessment – Stage 2 – Update Report
- (D) District Plan Part 1 – Strategy Supporting Document – Update Report
- (E) District Plan Part 1 – Strategy Supporting Document – Material Changes to Draft Topic Assessments
- (F) District Plan Part 1 – Strategy Supporting Document – Chapter 4: Places and Next Steps

9. Standards Committee: Minutes - 29 June 2012 (Pages 25 - 32)

Chairman: Mr T Vickers

10. Human Resources Committee: Minutes - 11 July 2012 (Pages 33 - 42)

Chairman: Councillor C Woodward

11. Audit Committee: Minutes - 11 July 2012 (Pages 43 - 50)

Chairman: Councillor J Ranger

12. Licensing Committee: Minutes - 12 July 2012 (Pages 51 - 60)

Chairman: Councillor Mrs R Cheswright

13. Corporate Business Scrutiny Committee: Minutes - 17 July 2012 (Pages 61 - 68)

Chairman: Councillor D Andrews

14. Development Control Committee: Minutes - 18 July 2012

Chairman: Councillor S Rutland-Barsby (to follow)

15. Motions on Notice

To receive Motions on Notice.

DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.

2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.

3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.

4. It is a criminal offence to:

- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
- participate in any discussion or vote on a matter in which a Member has a DPI;
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

(Note: The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.)

MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 4 JULY 2012, AT 7.00 PM

PRESENT:

Councillor J Taylor (Chairman)
Councillors D Abbott, M Alexander,
D Andrews, W Ashley, P Ballam, S Basra,
E Bedford, R Beeching, E Buckmaster,
S Bull, A Burlton, M Carver,
Mrs R Cheswright, K Crofton, A Dearman,
J Demonti, P Gray, T Herbert, A Jackson,
G Jones, G Lawrence, J Mayes,
G McAndrew, M McMullen, P Moore,
W Mortimer, M Newman, T Page, M Pope,
N Poulton, R Radford, J Ranger, P Ruffles,
S Rutland-Barsby, N Symonds, M Tindale,
A Warman, N Wilson, J Wing, M Wood,
C Woodward and J Wyllie.

OFFICERS IN ATTENDANCE:

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

124 CHAIRMAN'S ANNOUNCEMENTS

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

The Chairman advised that she had agreed to accept onto the agenda, an urgent item of business relating to the Code of Conduct. Copies of the report had been included in the second supplementary agenda.

The Chairman reported on Councillor B Wrangles' progress following her recent operation and undertook to send some flowers on behalf of Members. She further reported on her recent engagements and highlighted two in particular. On 13 June 2012, she had attended a Mass of Thanksgiving celebrating Reverend John Sherrington's 25 years of priesthood at Westminster Cathedral. On 14 June 2012, she had visited Hatfield House for a Diamond Jubilee celebration at which she had met Her Majesty Queen Elizabeth II.

The Chairman advised that her Civic Service would be held on 9 September 2012, at 3.00 pm, at the Parish Church of St Mary the Virgin, Ware. The Civic Dinner would be held on 20 October 2012, at Fletcher's Lea, Ware Priory. All Members were invited to both events and to contribute raffle prizes.

Finally, the Chairman thanked the Vice-Chairman and Alderman K Barnes for their support in attending events she had been unable to.

125 MINUTES

Council noted two typographical errors within the Minutes of the Annual meeting held on 16 May 2012 as follows:

- Minute 21, Localism Act 2011, Recommendation (L) – delete the word “while” and replace with “whole”.
- Minute 24, Decision-making Structure, Recommendation (C) – delete “7” under “Revenues

and Benefits” and replace with “2”.

RESOLVED – that the Minutes of the Annual meeting held on 16 May 2012, be approved as a correct record and signed by the Chairman, subject to the typographical corrections now detailed.

126 DECLARATIONS OF INTEREST

The Head of Democratic and Legal Support Services advised Council on the new arrangements for disclosable pecuniary interests arising from the Localism Act 2011.

127 MEMBERS' QUESTIONS

Question 1

Councillor J Wing commented that The Department for Communities and Local Government had recently issued a consultation document titled ‘Localising Support for Council Tax Funding arrangements consultation’. This document proposed changes to the funding of Council Tax benefit that would throw a considerable extra burden from Government to local authorities. The language of the document was extremely difficult to understand and had caused great anxiety when discussed by Ware Town Council. He asked the Executive Member for Finance what the implications of the change in Council Tax Benefit funding would be for East Herts Council Tax payers. He also asked whether the change of funding had been accounted for within the Medium Term Financial Plan. Finally, he asked what effect the new arrangements would have on the Council Tax raised by East Herts Parish and Town Councils.

In reply, the Executive Member expressed his gratitude for the opportunity to update Members on this important issue. He stated that Officers had been doing a lot of work on this and that a report would be submitted to the Executive in due course. He referred to ongoing meetings with colleagues in neighbouring Authorities to ascertain whether a common position could be achieved. The implications were that the

burden would increase if the Council did nothing.

The Executive Member referred to the Medium Term Financial Plan in which this issue had been highlighted as a key risk leading to a potential shortfall. The impact of the changes would depend on the mitigating measures the Council took, all of which would need to be considered by Members.

128 EXECUTIVE REPORT - 22 MAY 2012

RESOLVED – that the Minutes of the Executive meeting held on 22 May 2012, be received.

129 MONTHLY CORPORATE HEALTHCHECK - FEBRUARY AND MARCH 2012

RESOLVED – that (A) the underspending of £44k on property budgets be set aside and carried forward to 2012/13 to be applied to a programme of refurbishment of toilets at Wallfields, as detailed at paragraph 2.9 of the report submitted;

(B) £9k of the £50k funding for business improvement be set aside and carried forward to 2012/13 to be applied to the following projects:

- (1) Self service
- (2) Voice recognition phone service
- (3) Freedom of information request

as detailed at paragraph 2.10 of the report submitted;

(C) £50k of the £107k underspend on ICT licences be set aside and carried forward to 2012/13 to be applied to improvements to ICT resilience and business continuity and roll out of the new telephone system, as detailed at paragraph 2.11 of the report submitted; and

(D) in accordance with Financial Regulation 4.7.3, the carry forward of the capital budgets not spent in 2011/12, as set out in Essential Reference Paper 'D'

and summarised at paragraph 2.27 of the report submitted, be approved, and that these sums be added to the 2012/13 capital estimates.

130 EXECUTIVE REPORT - 19 JUNE 2012

RESOLVED – that the Minutes of the inquorate Executive meeting held on 19 June 2012, be received.

131 PARKING AND TRANSPORT STRATEGY

The Leader outlined the background to the formulation of the policy statements that would shape the development of the Parking Service and the Council's wider approach to transportation issues across the District. He referred to the Executive's consideration of this matter and suggested that an additional statement relating to sustainable transport be included. He proposed the following:

- We will seek to maintain car parking income at current levels in real terms.
- We will seek to ensure that users pay for the parking service rather than the council tax payer.
- We will promote existing and explore new technologies to improve the overall convenience of parking in East Herts.
- We will seek where possible and appropriate to match parking capacity with demand.
- We will seek to develop and implement parking solutions that reflect local needs.
- We will make the economic vitality of East Herts a core consideration when developing parking services.
- We will continue to work with other partners to look at what additional sustainable transport services may be appropriate and deliverable.

In response to various comments and questions, the Leader referred to the Executive Member for Economic Development's proposed consultation with stakeholders and requested Officers to provide the information requested on the "Ringo" system via the Members' Information Bulletin.

Council approved the policy statements as now revised.

RESOLVED – that the policy statements as now detailed, be approved.

132 ECONOMIC DEVELOPMENT STRATEGY REVISIONS

Various Members commented on the current economic situation and the difficulties faced by town centre retailers. The Leader referred to the challenges faced by the Council and the need for a more proactive approach towards economic development.

In response to a question by Councillor M Wood, the Leader stated that the possibility of bidding for "Portas funds" in the second tranche could be revisited.

Councillor J Wing commented on the pressures for retailers caused by the inflexible lease arrangements of commercial landlords. The Leader agreed that this was a problem and that whilst the Council had little direct influence, Members could make a wider appeal, perhaps involving local MPs.

Council approved the revised Strategy as now detailed.

RESOLVED - that (A) a revision of the Economic Development Strategy to incorporate amended strategic themes that will extend the timeframe of the strategy for another five years, be approved;

(B) the proposed key activities be noted; and

(C) the projects to be supported be funded by priority spend from the New Homes Bonus.

133 JOINT MEETING OF EXECUTIVE, COMMITTEES, ETC:
MINUTES - 16 MAY 2012

RESOLVED – that the Minutes of the joint meeting of the Executive, Committees, etc, held on 16 May 2012, be received.

134 DEVELOPMENT CONTROL COMMITTEE: MINUTES - 23
MAY 2012

In respect of Minute 39 – Applications 3/11/2209/FP and 3/11/2210/LB, on a point of information, Councillor Mrs R Cheswright referred to her comment relating to weight restrictions of heavy goods vehicles in the 10th paragraph and advised that the actual restriction in force was 7.5 and not 4.5 tons as she had stated then.

RESOLVED – that the Minutes of the Development Control Committee meeting held on 23 May 2012, be received.

135 CORPORATE BUSINESS SCRUTINY COMMITTEE:
MINUTES - 29 MAY 2012

In respect of Minute 57 – Review of Comments, Compliments and Complaints April 2011 to March 2012, the Committee Chairman referred to Councillor J Wing's comment alleging a lack of grant support for bringing the Great Bed back to Ware. He stated that this comment had been accepted at the time as he did not have the full facts to hand. As a point of information, he read from an e-mail, a copy of which had been passed to Councillor J Wing. In view of the information set out in this e-mail, he invited Councillor J Wing to distance himself from his original comment. Councillor J Wing stated that he would consider and give a full response later.

RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 29 May 2012, be received.

136 COMMUNITY SCRUTINY COMMITTEE: MINUTES - 12
JUNE 2012

RESOLVED – that the Minutes of the Community Scrutiny Committee meeting held on 12 June 2012, be received.

137 DEVELOPMENT CONTROL COMMITTEE: MINUTES - 20
JUNE 2012

RESOLVED – that the Minutes of the Development Control Committee meeting held on 20 June 2012, be received.

138 ENVIRONMENT SCRUTINY COMMITTEE: MINUTES - 26
JUNE 2012

RESOLVED – that the Minutes of the Environment Scrutiny Committee meeting held on 26 June 2012, be received.

139 OVERVIEW AND SCRUTINY ANNUAL REPORT 2011-12

Council received and considered the Overview and Scrutiny Annual Report 2011/12 as now submitted. On behalf of the Scrutiny Chairmen, Councillor D Andrews thanked all Scrutiny Members for their contributions throughout the year. In particular, he thanked the Scrutiny Officer for her superb support.

RESOLVED - that the Annual Report on the work of the East Herts Scrutiny Committees and Health Engagement Panel during 2011/12 be received.

140 INVESTMENT STRATEGY

The Executive Member for Finance submitted a report seeking changes to the Council's Investment Strategy. He provided Members with the background to the current position that had been reached since Council had approved the Treasury Management Strategy in February 2012 (Minute 620

refers).

Councillor D Andrews referred to the informal investment board meetings and suggested that the Chairman of Corporate Business Scrutiny Committee should be invited to attend as an observer. The Executive Member had no objections to this suggestion and referred to the expertise that was available.

Councillor T Page asked whether in view of the Royal Bank of Scotland being implicated in the LIBOR rate-fixing scandal, it was appropriate for the Council to increase its investments with its banks. He asked whether the reward of investing with "A" rated banks instead of "AA" rated banks balanced the risk. He also asked whether it was more appropriate for the informal board meetings to be formalised. He further asked what role Sector, the Council's advisers played in respect of the investment board. Finally, he asked whether the Officer with overall responsibility for the Council's investments was employed full-time.

In reply, the Executive Member stated that the LIBOR scandal was a regulatory issue and therefore had no impact on his proposal. He commented that the ratings of the banks had changed, but that he was not proposing changing banks for investment purposes. In respect of the investment board, he believed that the current arrangements worked well and that it would not be appropriate for highly confidential discussions to be minuted. The board received professional advice from Sector, who attended the meetings. Finally, the Executive Member confirmed that the Council's Section 151 Officer was a full-time employee.

Council approved the proposals as now detailed.

RESOLVED – that (A) counterparty investment limits for Lloyds and Nat West be increased to £20m with immediate effect;

(B) a minimum credit rating of "A" be applied for investments of up to 2 years with UK banks; and

(C) the Executive Member for Finance be given delegated authority to vary the Council’s investment strategy (as a matter of urgency) in agreement with the Leader, the Chairman of the Audit Committee and the Director of Internal Services and to report the changes to the Council.

141 CODE OF CONDUCT

The Monitoring Officer submitted a report seeking adoption of an updated Code of Conduct. He apologised for its late production, but advised that the regulations had only just been issued by the Government.

In response to Members’ comments and questions, the Monitoring Officer undertook to provide further written advice on Disclosable Pecuniary Interests to Members and to arrange training.

Council approved the proposals as now detailed.

RESOLVED - that the Member Code of Conduct, as detailed at Essential Reference Paper ‘B’ of the report submitted, be adopted and the decision made on 16 May 2012 concerning arrangements for dealing with complaints be reaffirmed.

The meeting closed at 8.18 pm

Chairman
Date

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 10 JULY 2012, 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, G Jones,
M McMullen, T Page, N Poulton, J Ranger,
C Rowley, P Ruffles and S Rutland-Barsby.

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Director of Neighbourhood Services
Martin Ibrahim	- Democratic Services Team Leader
Alan Madin	- Director of Internal Services
George A Robertson	- Chief Executive and Director of Customer and Community Services

142 APOLOGIES

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

143 **BISHOP'S STORTFORD TOWN CENTRE BOUNDARY**

The Leader of the Council submitted a report seeking support for agreement of a Town Centre Boundary for Bishop's Stortford Town Centre as one of the mechanisms that would help direct improvement in the town in the short, medium and longer term.

Councillor G Jones referred to the original Chase and Partners Study as relating to retail uses only and sought clarification on the implications of the proposals for non-retail uses. He also asked how this related to the ongoing District Plan process. Finally, he expressed concern that these boundaries, which had been defined for retail purposes, could be used for other purposes, such as the Conservation Area.

The Leader responded by stating that adoption of the proposals would assist as part of the evidence base supporting the evolving District Plan. He referred to the many discussions of the 20 20 group.

The Executive Member for Strategic Planning and Transport added that adoption of these proposals would provide the flexibility for the principles of sustainable mixed uses, in line with the National Planning Policy Framework. He also confirmed that the Conservation Area had a separate boundary.

The Executive supported the proposals as now detailed.

RECOMMENDED – that (A) the town centre boundary as defined by the Chase and Partners Retail and Town Centres Study 2008 and attached to this report be agreed;

(B) the boundary as described be adopted by East Herts Council for the purposes of informing the East Herts District Plan and be given the status of material consideration in any planning matters relating to the area described; and

(C) in describing the town boundary, emphasis is given to sustainable mixed uses, retail led / services activities in line with the Central Government guidance as set out in the National Planning Policy Framework.

144 **EAST HERTS COMMUNICATION STRATEGY 2012**

The Leader of the Council submitted a report proposing the adoption of a new Communication Strategy and Action Plan together with a set of social media principles.

The Corporate Business Scrutiny Committee, at its meeting held on 29 May 2012, has considered and supported the adoption of the Strategy as now submitted.

Councillor E Buckmaster referred to the need to emphasise community engagement. In respect of social media tools, it was important for users to be clear as to whether they were expressing policy or opinion. Finally, he suggested the need to measure response rates as a key influencer.

The Leader accepted these comments and suggested that the Strategy could be tweaked to take account of these points.

The Executive Member for Health, Housing and Community Support advised Members that training on social media had been arranged for September 2012 and encouraged them to attend. She also reminded Members that community grants were available to them to arrange community engagement meetings in their area.

The Executive supported the proposed Strategy, subject to the amendments now detailed.

RECOMMENDED - that (A) that the comments of the Corporate Business Scrutiny Committee be received; and

(B) the 2012 Communication Strategy as now amended, be approved.

145 **PEDESTRIANISED/SHARED SPACE PROPOSALS FOR AN AREA OF BISHOP'S STORTFORD TOWN CENTRE**

The Leader of the Council submitted a report seeking support for exploration of a combined scheme for time limited pedestrianisation of South Street/Potter Street in Bishop's Stortford and creation of Shared Space focused around the South Street/ Station Approach as one of the mechanisms that would help direct improvement in the town in the short, medium and longer term.

In response to a question by Councillor E Buckmaster, the Chief Executive and Director of Customer and Community Services advised that the Urban Transport Study had been delayed and was not expected to be concluded before the Autumn 2012.

Various Members referred to the impact of Shared Space on people with visual and sensory impairment and the need to consult widely on any proposals. The Leader agreed that it would be important for Hertfordshire Highways to take this on board.

The Executive Member for Finance reminded Members that these proposals did not commit any funds and that any scheme that did come forward would need to be considered on its merits.

The Executive supported the proposals as now detailed.

RECOMMENDED – that (A) exploration of a combined scheme for time limited pedestrianisation of South Street/Potter Street and creation of Shared Space focused around the South Street/ Station Approach, be endorsed;

(B) Hertfordshire Highways be requested to

prepare a programme which sets out the options for a time limited pedestrianisation scheme by carrying out a technical assessment of through traffic, servicing requirements for local traders, public transport facilities and access arrangements from the surrounding catchment area; and

(C) Hertfordshire Highways be requested to prepare design details of Shared Space for the area around the junction of South Street and Station Road they as part of their current work programme of traffic improvements schemes for Bishop's Stortford.

146 **GENERAL FUND REVENUE AND CAPITAL OUTTURN
2011/12 (1)**

The Executive Member for Finance submitted a report seeking approval for the establishment of new Reserves in respect of Environmental Pollution and Preventing Repossessions.

The Executive supported the proposals as now detailed.

RECOMMENDED – that the establishment of new Reserves in respect of Environmental Pollution - £62k and Preventing Repossessions - £30k, be approved.

(see also Minute 150 below)

147 **MINUTES**

RESOLVED - that the Minutes of the meetings held on 22 May and 19 June 2012, be approved as correct records and signed by the Leader.

148 **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.

149 2011/12 OUT-TURNS AND 2012/13 TARGETS

The Leader of the Council submitted a report setting out the performance indicators that the Council was required to monitor and publish annually in the Annual Report. He advised the Executive of the performance outturns for 2011/12 and any changes to targets.

The Corporate Business Scrutiny Committee, at its meeting held on 29 May 2012, supported the actions taken in respect of improving data quality. The Committee also recommended that Officers be authorised to re-evaluate EHPI 16a – the percentage of staff with disabilities and EHPI 16b – the percentage of top 10% earners with a disability. The Executive accepted this recommendation.

In response to a question from Councillor E Buckmaster, the Chief Executive and Director of Customer and Community Services explained the leisure contract subsidy arrangements.

The Executive approved the proposals as now detailed.

RESOLVED – that (A) the Outturns for 2011/12 as set out in Essential Reference Paper ‘B’ of the report submitted, be endorsed;

(B) the 2013/14 target of 65% for EHPI 3 – Overall satisfaction with the Authority be approved;

(C) the revised target from 2013/14 onwards of 91% for EHPI 156 - Buildings accessible to people with a disability be approved;

(D) the revised targets of £0.02 for 2012/13, £0.16 for 2013/14 and £0.47 for 2014/15 for EHPI 2 – Net cost/subsidy per visit (Swims and Gym) be approved;

(E) the revised targets to maintain performance achieved in 2011/12 for the next three years for EHPI 3a to 3c – Usage: number of Swims and EHPI 4a to 4b – Usage: Gyms; be approved;

(F) the revised target from 2013/14 onwards of 80% for EHPI 2.15 – Health and Safety Inspections be approved;

(G) the 2013/14 target of 75% for EHPI 90b – Satisfaction with waste recycling, be approved;

(H) the proposed deletion of EHPI 14 – retirements be approved; and

(I) in line with the recommendation of the Corporate Business Scrutiny Committee, Officers be authorised to re-evaluate EHPI 16a – the percentage of staff with disabilities and EHPI 16b – the percentage of top 10% of earners with a disability.

150 GENERAL FUND REVENUE AND CAPITAL OUTTURN
2011/12 (2)

The Executive Member for Finance submitted a report advising of the General Fund Revenue Outturn for 2011/12 and the significant variances against the approved Estimates. He also advised of the financing arrangements for the Capital Outturn for 2011/12 and the planned funding of the updated 2012/13 capital programme.

The Executive approved the proposals as now detailed.

RESOLVED – that (A) the General Fund Revenue Outturn for 2011/12 be approved; and

(B) the level of fund Balances at 31 March 2012 as set out within the report, be noted.

(see also Minute 146 above)

151 MONTHLY CORPORATE HEALTHCHECK - APRIL AND MAY 2012

The Leader of the Council submitted an exception report on finance, performance and risk monitoring for April – May 2012.

The Executive approved the proposals as now detailed.

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

(B) the allocation of £25,000 of earmarked funds by East Herts Local Strategic Partnership as stated at paragraph 2.4 of the report submitted, be noted;

(C) in accordance with Financial Regulation 4.5.5, the virement of £10,000 from the New Homes Bonus Grant Priority Spend 2012/13 to Revenue Grants, be noted;

(D) the carry forward requests of £10,100 and £4,000 as outlined in paragraphs 2.17 and 2.18 of the report submitted; be approved; and

(E) the action taken to mitigate and control strategic risks in paragraph 2.19 of the report submitted, be approved.

The meeting closed at 8.12 pm

Chairman
Date

MINUTES OF A MEETING OF THE
STANDARDS COMMITTEE HELD IN THE
ROOM 27, WALLFIELDS, HERTFORD ON
FRIDAY 29 JUNE 2012, AT 10.00 AM

PRESENT:

District Council Members:

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

Town Councils' Representatives:

Mrs E Woods

Parish Councils' Representatives:

Mr J Jones and Mr C Marks

Independent Members:

Mr D Farrell and Mr T Vickers (Chairman)

OFFICERS IN ATTENDANCE:

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

110 ELECTION OF CHAIRMAN

RESOLVED – that Mr T Vickers be elected Chairman of the Standards Committee for meetings between now and its disestablishment (on 30 June 2012).

111 APOLOGIES

Apologies for absence were submitted on behalf of Mr S Bouette and Mr J Morphew.

112 CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked those District Councillors, independent members and representatives of town/parish councils for their work as members of the Standards Committee.

He advised that, through legislative changes, the current Committee and its membership would be replaced by a new Member body to oversee the conduct of District, Parish and Town Councillors.

However, the Committee still had a duty to consider extant code of conduct complaints.

The Chairman stated that he had requested this meeting to consider these complaints and also to afford it the opportunity to comment, if it so wished, on the Authority's new standards regime for Members' conduct.

113 DECLARATIONS OF INTEREST

Mr C Marks declared a personal and prejudicial interest in complaints concerning members of Hormead Parish Council as he was either the complainant and, in all cases, the Clerk to that Authority. He withdrew from the meeting prior to the consideration of the items of business concerning Hormead Parish Councillors (see Minutes 121 to 123 below).

114 MINUTES

Councillor M Carver, with regard to Minute 779 – Apologies – advised that he had submitted his apology for absence for the meeting.

With regard to Minute 782 – Localism Act 2011 – the

Chairman:

- (A) highlighted that no provision had been made within the Authority's revised Code of Conduct requiring Members to declare receipt of gifts and hospitality (such a requirement continued to apply to officers), and
- (B) invited Members to confirm, or otherwise, that they had received finalised versions of the various documents detailed in advance of their adoption at the Council meeting on 16 May 2012.

The Committee requested the Monitoring Officer to draw Council's attention to the omission of any requirement either in the revised code of conduct or its constitution for Members to declare receipt of gifts and hospitality.

Members confirmed that they had no further comments on the finalised versions of the various conduct documents considered by Council at its meeting on 16 May 2012.

RESOLVED – that (A) the Minutes of the meeting of the Standards Committee held on 19 April 2012 be confirmed as a correct record and signed by the Chairman, subject to the inclusion of Councillor Carver's name to those detailed as having submitted an apology for absence under Minute 799, and

(B) the Monitoring Officer be requested to draw Council's attention to the omission of any requirement either in the revised code of conduct or its constitution for Members to declare receipt of gifts and hospitality.

115 COUNCIL DETERMINATION ON NEW STANDARDS REGIME

The Chairman invited the Committee to consider, and if appropriate, comment on the new Members' code of conduct regime approved by the Council at its meeting held on 16 May 2012.

Members noted the detail of the new code of conduct, the processes approved for dealing with complaints and the constitution of a new Standards Committee.

Council, it was further noted, had not accepted any of the Committee's recommendations for a new standards regime.

Concern was expressed that no representation from town/parish councils had been included within the new standards regime. The regime should, at some stage, include provisions to ensure standards issues affecting parish/town councils were dealt with appropriately.

Individual parish/town councils wishing to adopt codes of conduct that contained provisions not within the template should contact the Monitoring Officer for advice.

The Committee stressed the importance of public perception and that any standards regime must command public trust. Members considered that the Monitoring Officer should be required to report summary details of complaints received and dismissed as trivial, together with the reasons.

The Committee debated a number of further areas of concern relating to:

- (a) the appointment and role of independent members;
- (b) the content of the code of conduct, and
- (c) the process for dealing with complaints, particularly the role of the Monitoring Officer.

The Committee noted that Council would be reviewing the code and associated processes in the light of experience and best practice information.

Councillor Carver, on behalf of the Authority, thanked independent members and representative town/parish council representatives for their work on the Standards Committee.

RESOLVED – that the Monitoring Officer be requested to convey the debate and comments of the Committee,

as now detailed, on its new standards regime to East Herts Council.

116 EXCLUSION OF THE PRESS AND PUBLIC

The Committee considered whether or not to exclude the press and public from the meeting during the discussion of the items of business at Minutes 117 to 123 below on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 7c of Part 1 of Schedule 12A of the Local Government Act 1972. The Committee agreed that these items should be considered in public.

The Committee also agreed that the Investigating Officer's report referred to in Minute 121 below did not contain any exempt information or personal data and should therefore be made available for public inspection.

RESOLVED – that (A) the matters detailed in Minutes 117 to 123 below be considered in public, and

(B) as the report referred to in Minute 121 did not contain any exempt information or personal data, it be made available for public inspection.

117 COMPLAINT IN RESPECT OF A DISTRICT COUNCILLOR:
REFERENCE EHDC/07/2011

The Monitoring Officer reported that the Investigating Officer's report had not been received in relation to complaint reference EHDC/07/2011.

The Committee expressed its grave concern over the handling of the investigation and the time taken by the independent investigating officer. The Monitoring Officer was requested to ensure that the investigation report was received by no later than the end of July 2012.

RESOLVED – that the report be received.

118 COMPLAINT IN RESPECT OF A DISTRICT COUNCILLOR:
REFERENCE EHDC/08/2011

The Monitoring Officer reported that the Investigating Officer's report had not been received in relation to complaint reference EHDC/08/2011.

The Committee expressed its grave concern over the handling of the investigation and the time taken by the independent investigating officer. The Monitoring Officer was requested to ensure that the investigation report was received by no later than the end of July 2012.

RESOLVED – that the report be received.

119 COMPLAINT IN RESPECT OF A DISTRICT COUNCILLOR:
REFERENCE EHDC/09/2011

The Monitoring Officer reported that the Investigating Officer's report had not been received in relation to complaint reference EHDC/09/2011.

The Committee expressed its grave concern over the handling of the investigation and the time taken by the independent investigating officer. The Monitoring Officer was requested to ensure that the investigation report was received by no later than the end of July 2012.

RESOLVED – that the report be received.

120 COMPLAINT IN RESPECT OF A DISTRICT COUNCILLOR:
REFERENCE EHDC/10/2011

The Monitoring Officer reported that the Investigating Officer's report had not been received in relation to complaint reference EHDC/10/2011.

The Committee expressed its grave concern over the handling of the investigation and the time taken by the independent investigating officer. The Monitoring Officer was requested to

ensure that the investigation report was received by no later than the end of July 2012.

RESOLVED – that the report be received.

121 COMPLAINT IN RESPECT OF A PARISH COUNCILLOR:
REFERENCE HORM/02/2011

The Monitoring Officer tabled a copy of the Investigating Officer's report on their investigation of complaint referenced HORM/02/2011.

The Monitoring Officer confirmed that a copy of this report had been sent to both the complainant and the subject Member.

The Committee noted that that the Investigating Officer had concluded that there was no evidence of a breach of Hormead Parish Council's Code of Conduct.

The Committee, after debate, and based on advice from the Monitoring Officer, agreed with the Investigating Officer's finding.

RESOLVED – that the Investigating Officer's finding that there was no evidence of a breach of Hormead Parish Council's Code of Conduct in relation to complaint referenced HORM/02/2011 be agreed.

122 ASSESSMENT SUB-COMMITTEE DECISION: REFERENCE
HORM/01/2012

The Monitoring Officer reported the decision taken by the Assessment Sub-Committee in respect of complaint referenced HORM/01/2012, particularly in the context of a previous complaint referenced HORM/03/2011.

RESOLVED – that the report be received.

123 COMPLAINT AGAINST A PARISH COUNCILLOR:
REFERENCE HORM/03/2011

The Monitoring Officer reported on the action taken in respect of complaint referenced HORM/03/2011.

The Committee noted the action taken and also the decision of the Assessment Sub-Committee on a related complaint referenced HORM/01/2012.

RESOLVED – that the report be received.

The meeting closed at 12.25 pm

Chairman
Date

MINUTES OF A MEETING OF THE
HUMAN RESOURCES COMMITTEE HELD
IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON
WEDNESDAY 11 JULY 2012, AT 3.00 PM

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

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Helen Farrell	- Human Resources Officer
Emma Freeman	- Head of People, ICT and Property Services
Alan Madin	- Director of Internal Services
Jaleh Nahvi	- Human Resources Officer

152 APPOINTMENT OF VICE CHAIRMAN

It was moved by Councillor P Ruffles and seconded by Councillor D Hone that Councillor J Ranger be appointed Vice Chairman for the Civic Year 2012/13.

RESOLVED – that Councillor J Ranger be appointed Vice Chairman for the Civic Year 2012/13.

153 MINUTES

RESOLVED – that the Minutes of the meeting held on 11 January 2012 be confirmed as a correct record and signed by the Chairman.

154 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded Members of the changes in relation to Disclosable Pecuniary Interests and reminded Members to return their forms.

155 HUMAN RESOURCES - QUARTERLY PERFORMANCE REPORT

The Head of People, ICT and Property Services submitted a report summarising people management statistics and human resource delivery for the July 2012 quarter. A summary of the new projects to be undertaken was provided.

She provided an update in relation to the services provided by Manpower for permanent and temporary recruitment and that their contract with County Council would end in April 2013.

It was noted that following a review by Investors in People in April 2012, the Council had also been successful in passing all 39 indicators and had received a "two-tick" accreditation status.

The Director of Internal Services advised that following on from the consultation in relation to Shared Services, comments would be analysed and a report would be submitted to Members in September 2012.

Councillor P Ruffles referred to Equalities and Disability issues and suggested that the fourth bullet point relating to "employees become disabled" should be extended to include Members. This was supported.

Updates were provided in relation to Human Resource Policies to be reviewed.

Members noted the quarterly performance report.

RESOLVED – that the quarterly performance report be noted.

156 HUMAN RESOURCES MANAGEMENT STATISTICS

The Head of People, ICT and Property Services submitted a report detailing performance indicators for the period 1 April to 30 June 2012.

Members noted that staff turnover for 2012/13 was projected to be 7.73% against a target of 10%. Short term sickness was projected at 4.74% against a target of 5%. Long term sickness was projected at 2.28 days against a target of 2.5 days.

The Head of People, ICT and Property Services reported that there had been 9 new starters during the quarter. Updates were provided in relation to the Council's Performance Development Review schemes and the Corporate Training Plan for 2012/13 and in relation to Equalities Monitoring reviewed on an annual basis. Councillor J Ranger referred to comments made by the Executive regarding disability "targets" preferring instead the use of the word "indicators". He made the point that the Council should be encouraging people with a disability to apply for positions with the Council and that these were not targets in the pure sense of the word.

Councillor C Woodward referred to the fact that the Council was under target in terms of women within the management structure. The Head of People, ICT and Property Services referred to recent re-structures which had affected the target. She suggested that there was a need to review the next tier down and undertook to review the matter and report back to Members.

Members noted the quarterly performance report.

RESOLVED – that the report be noted.

157 ABSENCE AND TURNOVER STATISTICS

The Head of People, ICT and Property Services submitted a report detailing absence levels, short and long term sickness

for 2011/12 including the current and proposed initiatives to reduce absence. A detailed analysis of the rationale behind short term and long term sickness, including the progress made against targets made in 2011/12 and proposed actions for 2012/13, were detailed in Essential Reference Paper “B” of the report now submitted.

The Head of People, ICT and Property Services provided a detailed analysis of the turnover for the period 1 April 2011 to 31 March 2012 of 11.86% against a target of 10% and a breakdown of the Stability Index and vacancy rate. An analysis of statistics relating to voluntary leavers was detailed in Essential Reference Paper “C” of the report now submitted.

Councillor J Ranger referred to the “reasonable” levels of sickness in comparison to other averages as set out in the report now submitted.

Councillor P Ruffles thanked Officers for such a comprehensive and detailed report and sought clarification in relation to home working sickness. The Head of People, ICT and Property Services advised that trends were being monitored.

Councillor P Ruffles queried the possibility of using voluntary workers to work on flower beds and litter pick and of the need to develop a policy. The Head of People ICT and Property Services explained the Council’s position in relation to such a suggestion adding that there was a possibility of “helping partners out” and agreed to report back on this issue.

In summary and in terms of sickness and proposed actions for 2012/13, the Head of People, ICT and Property Services recommended that the targets for 2012/13 remain at 5 days FTE (full time equivalent) for short term absence, 2.5 days (FTE) for long term absence and 9.5 days FTE total sickness absence. This was supported.

In summary and in terms of turnover and proposed actions for 2012/13, the Head of People, ICT and Property Services provided an update in relation to the cessation of the

Manpower Contract on 7 April 2013, of the County Council's decision to bring in permanent recruitment in-house and how this might impact on East Herts District Council.

Members supported the recommendations now detailed.

RESOLVED – that (A) sickness absence targets as detailed in the report now submitted, be approved, specifically that the targets for 2012/13 remain at 5 days FTE (full time equivalent) for short term absence, 2.5 days (FTE) for long term absence and 9.5 days FTE total sickness absence;

(B) the Council continue to explore a shared regional recruitment portal with the East of England Local Government Association (EELGA) and sign up to the proposal;

(C) initiatives be explored in relation to career progression and succession planning;

(D) new roles be reviewed to establish their suitability for Apprenticeship and Voluntary Work experience; and

(E) turnover targets remain unchanged for 2012/13.

158 LEARNING AND DEVELOPMENT 2011/12

The Head of People, ICT and Property Services submitted a report outlining the Corporate Training Plan delivered in 2011/12 and seeking approval of the Corporate Training Plan for 2012/13, the detail of which, was set out in Essential Reference Papers "B" and "C" of the report now submitted. The budgets for Corporate Training, Service Training, Professional Training and the Corporate Training Plan for 2012/12 were also set out in the report now submitted.

Councillor C Woodward was pleased to see the improvements in the Personal Development Review (PDR) statistics. It was noted that Revenues and Benefits continued to have the

highest submission / completion rates of all sections.

Councillor J Ranger suggested that the use of pre and post evaluation forms might be useful in terms of E-Learning.

Councillor C Woodward questioned whether some courses and policies might be flagged up on an employees' computer whereby the computer could be locked until the individual had completed and provided proof that they had undertaken the course of study. This, he suggested, might be especially useful in terms of mandatory courses.

Members noted the annual report and approved the Corporate Training Plan for 2012/13

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

(B) the Corporate Training Plan for 2012/13 be approved.

159 INVESTORS IN PEOPLE AND STAFF SURVEY REPORT

The Head of People, ICT and Property Services submitted a report following a review by the Investors in People and their recommendations made as a result. It was noted that the Council had received a successful positive assessment and would retain the IIP Standard Award for a further three years. As part of the Council's ongoing development, a number of recommendations were made, the detail of which was set out in the report now submitted. It was noted that recommendations were considered by an Engagement and Partnership Team in May 2012 and would ultimately be considered by Corporate Management Team.

Members received the report.

RESOLVED – that the report be received.

160 JOB EVALUATION FOR SENIOR MANAGERS

The Head of People, ICT and Property Services submitted a

report which reviewed a job evaluation process for Chief Executive and Chief Officer posts and reviewed the Hay Job Evaluation Process for Heads of Service.

It was noted that the Head of People, ICT and Property Services had looked at two major schemes, the Hay and Local Government Association and had compared each against a set of criteria. The Head of People, ICT and Property Services stated that on the whole, the Hay Scheme offered better value for money, knowledge and expertise.

Members supported the use of the Hay Job Evaluation process for Chief Executive and Chief Officer roles and that a job evaluation review be completed for Head of Service roles.

RESOLVED – that (A) the Hay Job Evaluation process for Chief Executive and Chief Officer roles be approved; and

(B) a job evaluation review be completed for Head of Service roles.

161 LOCAL JOINT PANEL - MINUTES OF THE MEETING HELD ON 13 JUNE 2012

RESOLVED – that the Minutes of the Local Joint Panel meeting held on 13 June 2012 be received.

(see also Minutes 162 – 166 below)

162 STAFF AND MEMBER CAR PARKING REVIEW

The Head of People ICT and Property Services submitted a report outlining a policy for consideration regarding staff and Member car parking, the detail of which was set out in the report now submitted. The Director of Internal Services advised that Option 1 (that the status quo continues) was unanimously supported by the Local Joint Panel at its meeting held on 13 June 2012.

Councillor C Woodward sought clarification on how Option 1

might impact on the concerns expressed by the public. The Director of Internal Services explained that with the exception of 1 or 2 days around Christmas, this arrangement would not impact on the public. He explained how the car parking system operated at Wallfields and Gascoyne Way, Hertford.

Councillor J Ranger encouraged the policy of car sharing where possible.

Members supported the adoption of Option (1) as detailed in the report now submitted as a Policy for staff and Member parking.

RESOLVED – that Option (1) as detailed in the report now submitted, be approved as a policy for staff and Member parking.

(see also Minute 161 above)

163 RECRUITMENT POLICY

The Head of People, ICT and Property submitted a report detailing the revisions to the Recruitment Policy. It was noted that in order to facilitate debate, the Director of Internal Services at the Local Joint Panel meeting held on 13 June 2012, had suggested that the report be submitted to Human Resources Committee subject to the Staff and the Employer's Side resolving any issues of disagreement. The Head of People, ICT and Property confirmed that there were now no issues of disagreement.

Members noted and approved the revised policy.

RESOLVED – that the Recruitment Policy, as now submitted, be approved.

(see also Minute 161 above)

164 FLEXIBLE WORKING POLICY

The Head of People, ICT and Property Services submitted a

report outlining the revisions to the Flexible Working Policy.

The Local Joint Panel, at its meeting held on 13 June 2012, had supported the policy now submitted. Members approved the Flexible Working Policy as set out in the report now submitted.

RESOLVED – that the Flexible Working Policy, as now submitted, be approved.

(see also Minute 161 above)

165 REDUNDANCY AND APPEALS POLICIES

The Head of People, ICT and Property Services submitted a report setting out revisions to the Redundancy and Appeal Policies. It was noted that to facilitate debate at the Local Joint Panel meeting held on 13 June 2012, the Director of Internal Services, suggested that the reports be submitted to this Committee subject to both the Employer's Side and the Staff Side resolving any anomalies in advance of this meeting. It was noted that paragraph 1.3 of the Policy, the line stating "This policy does not form part of employee's terms and conditions of employment" had been deleted from the revised policy. It was also noted that in paragraph 6.7, the word "strive" be changed to "endeavour".

Members discussed the Council's multiplier and supported the suggestion to leave this alone.

The Head of People, ICT and Property confirmed that there were now no issues of disagreement.

Members approved the revisions to the Redundancy and Appeals policy.

RESOLVED – that the revisions to the Redundancy and Appeals Policy, as now submitted, be approved.

(see also Minute 161 above)

166 BULLYING AND HARASSMENT POLICY

The Head of People, ICT and Property Services submitted a report concerning revisions to the Bullying and Harassment Policies. It was noted that, to facilitate debate at the Local Joint Panel meeting held on 13 June 2012, the Director of Internal Services, had suggested that the reports be submitted to Human Resources Committee, subject to both the Employer’s Side and the Staff Side resolving any anomalies in advance of this meeting.

Members approved the Dignity at Work Statement.

The Head of People, ICT and Property Services advised that the Policy had been amended to ensure that Human Resources would intervene at an early stage and confirmed that the revisions now had the support of UNISON.

RESOLVED – that the Bullying and Harassment Policy, as now submitted, be approved.

(see also Minute 161 above)

The meeting closed at 4.45 pm

Chairman
Date

MINUTES OF A MEETING OF THE
AUDIT COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 11 JULY
2012, AT 7.00 PM

PRESENT: Councillor J Ranger (Chairman)
Councillors D Andrews, W Mortimer, M Pope,
R Radford and N Wilson

ALSO PRESENT:

Councillors M Tindale

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Simon Chancellor	- Head of Finance and Performance
Alan Madin	- Director of Internal Services

ALSO IN ATTENDANCE:

Paul Dossett	- Grant Thornton
Helen Maneuf	- Shared Internal Audit Services
Margaret Mulkerrin	- Shared Internal Audit Services
Nick Taylor	- Grant Thornton

167 MEMBER TRAINING - REVIEW OF DRAFT ACCOUNTS
2011/12: PRESENTATION BY THE DIRECTOR OF
INTERNAL SERVICES AND HEAD OF FINANCIAL
SERVICES AND PERFORMANCE

The Director of Internal Services submitted a report and gave a presentation outlining the structure, principles and content of the Statement of Accounts. The training session had been

requested by Members of Audit Committee at a previous meeting, in order to provide Members with an early opportunity of viewing and questioning the accounts from an informed viewpoint, when the accounts were submitted for consideration by Members later in the year and following the audit.

The Director of Internal Services and the Head of Financial Services and Performance provided an overview of the structure of the Statement of Accounts, key issues and accounting principles which would impact on the accounts.

Members sought and were provided with clarification on a number of issues by Officers.

Councillor J Ranger thanked Officers for the presentation and hoped that this would provide Members with an understanding of the Council's accounts, when they were next submitted.

RESOLVED – that the presentation and report be received.

168 APPOINTMENT OF VICE CHAIRMAN

It was moved by Councillor N Wilson and seconded by Councillor D Andrews, that Councillor W Mortimer be appointed Vice Chairman for the Civic Year 2012/13.

RESOLVED – that Councillor W Mortimer be appointed Vice Chairman for the Civic Year 2012/13.

169 APOLOGIES

Apologies for absence were submitted from Councillors A Warman and J Wing. It was noted that Councillor D Andrews was substituting for Councillor A Warman.

170 MINUTES

RESOLVED – that the Minutes of the meeting held on 14 March 2012 be confirmed as a correct record, and

signed by the Chairman.

171 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed new Members of the Committee.

172 SHARED INTERNAL AUDIT SERVICE (SIAS) - ANNUAL ASSURANCE STATEMENT REPORT 2011/12

The Head of Assurance for the Shared Internal Audit Service (SIAS) submitted a report on the adequacy and effectiveness of the Council's control environment, highlighting any key concerns. The report also summarised the audit work and the performance of the Internal Audit Service.

In terms of the Annual Assurance Statement (Financial Systems) for 2011/12, Members were advised that, in the opinion of the SIAS, there was a largely sound system of control in place, with some minor weaknesses which might put a limited number of the system objectives at risk. From a non-financial view point, the SIAS gave a moderate assurance, acknowledging that there was a sound system of control in place, but there were some areas of weakness which might put some of the system objectives at risk. Members were provided with a summary of these issues and areas for improvement, the detail of which was set out in report now submitted.

The Chairman thanked the SIAS for the clarity of their report and their recommendations for improvement.

Members noted the report.

RESOLVED – that the report be noted.

173 EXTERNAL AUDIT - ACCOUNTS AUDIT APPROACH MEMORANDUM

The External Auditor (Grant Thornton) submitted a report concerning the ongoing approach to audit, which was set out within their Audit Plan 2011/12. The report also updated

Members on the key risks arising from the results of the interim audit work carried out so far.

Members were advised that there were no issues of significance to report, but raised the issue of IT controls and the need to ensure that previous recommendations were put in place. It was noted that a further report would be submitted to Audit Committee in September 2012.

Members noted the report.

RESOLVED – that the report be noted.

174 SHARED INTERNAL AUDIT SERVICE - UPDATE
(POSITION AGAINST THE 2012 - 2013 AUDIT PLAN)

The Head of Assurance for the Shared Internal Audit Service (SIAS) submitted a progress report on the delivery of the Audit Plan for 2012/13. The SIAS recommended the removal of implemented high priority recommendations, the detail of which was set out in the report now submitted. The report also updated Members on performance management information as at 15 June 2012. No amendments were proposed to the 2012/13 Audit Plan.

The SIAS confirmed that they had made good progress in achieving objectives in the Audit Plan, which, as at 11 July 2012, was 12% complete. The appendix to the report now submitted, provided an update on each individual project within the Audit Plan.

The Chairman thanked the SIAS for their detailed report.

Members noted the report and agreed to the removal of implemented high priority recommendations.

RESOLVED – that (A) the Internal Audit Progress Report be noted; and

(B) implemented, high priority recommendations be removed from the Audit Plan.

175 ANNUAL SHARED INTERNAL AUDIT SERVICE BOARD
REPORT 2011 -2012

The Head of Assurance for the Shared Internal Audit Services (SIAS) submitted the Internal Audit Services' first Annual Report. The report highlighted some key areas of success, the SIAS's audit approach in taking best practice from each Authority, applying industry standards and the use of risk based methodologies. The report provided a summary of the business performance of the SIAS and its partnership of six Hertfordshire Authorities, the detail of which was set out in the report, now submitted.

The Head of Assurance referred to the use of PriceWaterhouseCooper's services in terms of how their expertise enabled the SIAS to build resilience into the service and further knowledge of best practice.

Councillor M Pope sought and was provided with clarification on the projected savings of £300,000, extending the client base and the SIAS's long term aspirations. The Director of Internal Services referred to the need to control the daily costs of the service and explained that if other Authorities within Hertfordshire joined the partnership, daily costs could be reduced.

The Chairman suggested that encouraging school academies to become partners within the SIAS might be a means of reducing costs. The Head of Assurance confirmed that the team was looking at this possibility.

The Chairman thanked the SIAS for their positive report.

Members received the report.

RESOLVED – that the report be received.

176 UPDATE ON IMPLEMENTATION OF ANNUAL GOVERNANCE STATEMENT ACTION PLAN

The Director of Internal Services submitted a report on the progress made in implementing actions contained within the 2010/11 Annual Governance Statement during 2011/12, the detail of which was set out in Essential Reference Paper "B" of the report now submitted. Of particular concern, were the frustrations caused by third party IT failure.

The Director of Internal Services explained that a meeting had taken place with the supplier company, the Chief Executive and Director of Customer and Community Services and himself to express concerns at their lack of ability to maintain a link between Wallfields and Bishop's Stortford. The company had stated that the failures cited were as a result of issues "beyond their control". In summary, he stated that the Council was not being provided with the level of expertise which the company had been contracted to provide.

Councillor M Tindale stated that there were some short term arrangements in place to help build up IT resilience. Councillor D Andrews queried why there was not a supplementary link to the site to act as a backup in such circumstances. The Director of Internal Services stated that the company had explained why a second link could not be installed.

The Director of Internal Services requested that the target date for "Risk of failure to deliver an effective, efficient and economic IT Service" as detailed in Essential Reference Paper "B" of the report now submitted, be amended to December 2012. This was supported.

Grant Thornton confirmed that there had been good progress in implementing the Annual Governance Action Plan, adding that IT had wider issues in terms of resilience, adding that this was also an issue across other Authorities.

Councillor D Andrews referred to home workers and their reliance on IT. The Director of Internal Services confirmed

that the telephone project had been given a high priority, as home workers could not work without telephones.

The Chairman stated that Corporate Business Scrutiny Committee would be establishing a Task and Finish Group to look at aspects of IT.

Members noted the progress made against the measures contained in the Action Plan for 2010/11 and looked forward to improvements with the IT system.

RESOLVED – that the progress made against the measures contained in the Action Plan for 2010/11 be noted.

177 DRAFT 2011/12 ANNUAL GOVERNANCE STATEMENT

The Director of Internal Services submitted a report outlining the process for progressing of the Annual Governance Statement 2011/12, the detail of which was set out in the report now submitted.

It was noted that the Council's approach to this issue had changed, partly as a result of the report by the Council's External Auditors, Grant Thornton in their Local Government Governance Review which detailed what the Council needed to do to add real value. These included clarity of information and communication, Member input and understanding and scrutiny.

The Director of Internal Services summarised the process to be adopted.

Members approved the process for taking forward the 2011/12 Annual Governance Statement.

RESOLVED - that the process for taking forward the 2011/12 Annual Governance Statement, the detail of which was set out in the report now submitted, be approved.

178 RISK MANAGEMENT MONITORING REPORT 1 FEBRUARY TO 30 APRIL 2012

The Leader of the Council submitted a report setting out what action had been taken to mitigate and control strategic risks during the period 1 February to 30 April 2012.

The Director of Internal Services stated that SR1 (Risk of a significant reduction in funding above that planned for) was a risk for the future based on information which the Council regularly received. The Director of Internal Services referred to the risk matrix in relation to SR2 (Risk of loss of capacity / capability and flexibility to deliver service levels we would like) and ongoing IT priorities.

Members noted the action taken to control and mitigate strategic risks.

RESOLVED – that the report be noted.

179 WORK PROGRAMME

The Manager of Corporate Risk submitted a report detailing the proposed work programme for Audit Committee. In considering the report, the Chairman suggested that training on Risk Management be provided as the first item of business at the next meeting of Audit Committee. This was supported.

RESOLVED – that the Work Programme, as amended, be approved.

The meeting closed at 8.40 pm

Chairman
Date

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 12 JULY 2012,
AT 4.30 PM

PRESENT: Councillor Mrs R Cheswright (Chairman).
Councillors W Ashley, P Ballam, E Bedford,
R Beeching, E Buckmaster, K Crofton,
J Demonti, Mrs D Hone, M McMullen,
P Moore, N Poulton, P Ruffles and J Taylor.

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Paul Newman	- Interim Licensing Manager

180 APPOINTMENT OF VICE-CHAIRMAN

It was moved by Councillor P Ruffles and seconded by Councillor M McMullen that Councillor N Poulton be appointed Vice–Chairman of the Licensing Committee for the 2012/13 civic year.

After being put to the meeting and a vote taken, Councillor N Poulton was appointed Vice–Chairman of the Licensing Committee for the 2012/13 civic year.

RESOLVED – that Councillor N Poulton be appointed Vice–Chairman of the Licensing Committee for the 2012/13 civic year.

181 APOLOGY

An apology for absence was submitted on behalf of Councillor P Phillips. It was noted that Councillor P Ruffles was in attendance as substitute for Councillor P Phillips.

182 CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked Councillor M McMullen for his hard work as Chairman of the Licensing Committee since October 2001 and also for Chairing meetings of the Licensing Sub-Committee since May 2001. The Interim Licensing Manager also thanked Councillor M McMullen on behalf of Licensing Officers.

The Chairman welcomed the new Members of the Committee to the first meeting of the civic year, including Councillor Mrs D Hone, who had previously been a Member of the Licensing Committee.

183 MINUTES - 8 MARCH 2012

RESOLVED – that the Minutes of the meeting held on 8 March 2012 be approved as a correct record and signed by the Chairman.

184 LICENSING SUB-COMMITTEE

RESOLVED – that the Minutes of the Licensing Sub-Committee meetings held on 22 February, 11 April and 14 May 2012 be received.

185 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 16 May 2012.

The Committee received the report.

RESOLVED – that the report be received.

186 AMENDMENTS TO LICENSING ACT 2003; UPDATE ON EARLY MORNING RESTRICTION ORDERS

The Director of Neighbourhood Services submitted a report in respect of the consideration of a draft response

to Home Office consultation on Early Morning Restriction Orders (EMROs) and the Late Night Levy.

The Interim Licensing Manager advised that, following debate and amendment by Members, Officers had responded to Home Office consultation in respect of EMROs and the Late Night Levy, which should come into force on 1 October 2012.

Members were advised that secondary legislation might now exempt certain types of premises from EMROs. Venues that generally operated responsibly and did not contribute to alcohol related problems would be exempt, e.g. theatres, hotels or bingo halls.

The Interim Licensing Manager detailed the likely amounts that could be paid by premises in respect of a late night levy. He stressed that the amount paid would vary depending on how long a premises remained open after midnight. 70% of the levied funds would go to the police whilst the remaining 30% would go to the Local Authority.

Members were advised that the police were in favour of EMROs, whereby a venue was not permitted to be open during certain times, for example between midnight and 3 am. EMROs could be in force as early as March 2013. The Interim Licensing Manager stated however, that EMROs and the Late Night Levy were mutually exclusive so it was likely that only one of these options would be implemented.

Councillor R Beeching commented on whether the costs associated with collecting the Late Night Levy might prove to be more than the amount that could be retrieved. In response to queries from Councillors E Buckmaster and P Moore, Members were advised that the Late Night Levy would apply to retailers and would ultimately apply to anyone selling alcohol.

The Committee received the report.

RESOLVED – that the report be received.

187 GAMBLING ACT 2005: STATEMENT OF LICENSING PRINCIPLES

The Director of Neighbourhood Services submitted a report in respect of the 12 week consultation process during July to October 2012 relating to draft changes to the Statement of Licensing Principles under the Gambling Act 2005.

Members were advised that East Herts Council was responsible for issuing premises licences, permits and registrations across the District. As the Licensing Authority, East Herts Council was also required to prepare, consult and then publish a Statement of Principles that it proposed to apply in exercising its functions under The Gambling Act 2005. The Statement must be reviewed every three years and was now due for republication by 31 January 2013.

The Interim Licensing Manager reminded Members that the Authority had passed a 'no casino' policy under Section 166 of the Gambling Act on 24 February 2010. This resolution would remain in effect for three years unless revoked by Full Council.

Members were advised that the Authority would consider renewal of the 'no casino' resolution at the appropriate time. The Interim Licensing Manager referred Members to the Statement of Licensing Principles detailed in the report for the reasons why a 'no casino' policy had been approved in 2010.

In response to a query from Councillor N Poulton, the Interim Licensing Manager confirmed that references in the Statement of Licensing Principles to 'tracks' meant any venue where football, rugby or athletics and motor racing took place, such as the activities available at Rye House near Hoddesdon.

Councillor J Taylor proposed and Councillor E Buckmaster seconded, a motion that the wording in respect of Casinos on page 74 of the report now submitted be deleted from the Statement of Licensing Principles.

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

The Committee received the report.

RESOLVED – that the draft statement as detailed in Essential Reference Paper ‘B’ of the report submitted be supported for the purposes of consultation.

188 REPORT ON LICENSING ACTIVITY QUARTER 1 OF 2012

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

Members were advised that Officers had been noticeably busier in terms of the numbers of applications that had been received. Officers were processing these applications with the same or reduced resources.

The Interim Licensing Manager stated that, although there had only been 3 Sub-Committee hearings in the first quarter of 2012, Officers had processed significant volumes of paperwork. Members were advised that 53 licence holders had amassed a total of 122 East Herts Penalty Points, mainly due to missed appointments and a number of minor infractions.

The Committee was advised of case law that had found against a Local Authority in Cardiff whereby Taxi Driver licences had been automatically suspended or revoked

following the accumulation of penalty points. The Interim Licensing Manager advised that East Herts Council was acting lawfully in that any such cases would be brought before a Sub-Committee for a decision as to whether a Taxi Driver was a fit and proper person to hold a licence.

The Committee received the report.

RESOLVED – that the report be received.

189 AMENDMENT TO LICENSING ACT 2003;
IMPLEMENTATION OF THE LIVE MUSIC ACT 2012 AND
PROPOSALS FROM THE DCMS TO DE-REGULATE
SCHEDULE 1 LICENSING ACT 2003 (REGULATED
ENTERTAINMENT)

The Director of Neighbourhood Services submitted a report updating Members regarding the Live Music Act 2012 (a Private Members Bill with Government support), which had received Royal Assent on 23 March 2012, and was likely to be implemented on 1 October 2012, to allow time for the Section 182 Guidance to be amended.

Members were reminded that Officers had reported to Licensing Committee in March 2012 that the Department for Culture, Media and Sport (DCMS) was considering the responses received regarding the proposals to remove licensing requirements for the provision of entertainment facilities.

The Interim Licensing Manager stressed that this proposal would widen the licensing exemption for live music integral to a performance of Morris dancing or dancing of a similar type, so that the exemption applied to live or recorded music instead of unamplified live music. The DCMS was still considering the consultation responses that had been received to date.

The Interim Licensing Manager summarised the licensing requirements that would be removed when the Live Music Act came into effect. Members would be able to reapply

conditions should there be an application for a review.

The Committee received the report.

RESOLVED – that the report be received.

190 EXPRESSION OF INTEREST FROM TAXI VEHICLE
CONDITION GARAGE

The Director of Neighbourhood Services submitted a report in respect of expressions of interest from an MOT testing station to provide taxi vehicle condition certificate testing facilities.

Members were advised that an expression of interest had been received from an MOT testing station that wished to provide vehicle condition certificate testing to drivers and operators in Bishop's Stortford.

The Interim Licensing Manager stressed that approving this application should be conditional on an existing garage surrendering its approved status, thereby keeping the number of approved testers at 10. Members were reminded that applications from operators outside of East Herts had previously only been approved where such facilities were not reasonably available elsewhere within the District.

In response to a query from Councillor N Poulton, the Interim Licensing Manager stated that Smithers Garages, 50 London Road, Bishop's Stortford would be prepared to surrender its approved status should this application be approved, on the grounds that there was not a significant taxi clientele in that area.

In response to a query from Councillor K Crofton, Members were advised that Officers regularly visited the approved garages to ensure standards were being maintained. In response to a comment from Councillor E Buckmaster, the Interim Licensing Manager confirmed that the existing garage in Bishop's Stortford and the new

garage had been in discussions regarding the current situation.

The Committee agreed that the inclusion of an additional taxi vehicle condition garage be refused on the basis that the number of approved testers in East Herts remained at 10.

RESOLVED – that the inclusion of an additional taxi vehicle condition garage be refused for the reason now detailed.

191 FEEDBACK ON CONSULTATION WITH TRADE – TAXI LICENSING POLICY – NEGATIVE RESPONSES RECEIVED TO PROPOSAL TO LIMIT TO 250,000 MILES

The Director of Neighbourhood Services submitted a report in respect of the consultation responses regarding proposals to apply an appropriate mileage restriction beyond which vehicles would not be re-licensed as taxis.

Members were advised that, in response to a consultation suggesting a limit of 250,000 miles for private hire vehicles, Officers had been contacted by a number of taxi drivers who were opposed to such a limit. The Interim Licensing Manager summarised the responses that had been received.

The Interim Licensing Manager explained that private hire vehicles tended to experience greater wear and tear from stop start driving whereas Hackney Carriages on similar mileages suffered less when used on longer journeys involving continuous movement.

Members were advised that a mileage limit of 250,000 miles would result in 16 vehicles no longer being available as private hire vehicles in East Herts. The Committee had a general discussion regarding the merits of a mileage limit for private hire vehicles.

Councillor E Bedford commented that a visual inspection

of a vehicle was more relevant than the mileage of that vehicle. Councillor K Crofton stated that there should no limit and Members should let the inspection regime maintain standards of the private hire vehicle fleet in East Herts.

The Interim Licensing Manager stated that the vehicle condition test was a visual inspection regime and provided an objective standard over which there could be no dispute. Members were advised that the key issue was the comfort and safety of the public being protected by high standards within the private hire vehicle fleet.

Councillor N Poulton proposed and Councillor J Taylor seconded, a motion that there should be no mileage limit for private hire vehicles in East Herts and the situation be reviewed in 1 year.

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

The Committee agreed that there would be no mileage limit for private hire vehicles in East Herts and the situation be reviewed after 1 year.

RESOLVED – that there would be no mileage limit for private hire vehicles in East Herts and the situation be reviewed after 1 year.

The meeting closed at 5.45 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
CORPORATE BUSINESS SCRUTINY
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 17 JULY 2012, AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors E Bedford, S Bull, J Mayes,
W Mortimer, T Page, J Ranger, G Williamson
and J Wing.

ALSO PRESENT:

Councillors K Crofton and P Ruffles.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Marian Langley	- Scrutiny Officer
Alan Madin	- Director of Internal Services

192 APOLOGY

An apology for absence was submitted from Councillor G Jones. It was noted that Councillor S Bull was substituting for Councillor G Jones.

193 MINUTES - 29 MAY 2012

In respect of Minute 57 - Review of comments, compliments and complaints April to 2011 to March 2012, the Chairman referred to the comments made at the last Council meeting held on 4 July 2012. The Chairman stated that he was satisfied that the Minutes were a correct representation of what had occurred at the meeting on 29 May 2012. Councillor J Wing agreed that the Minutes were a correct representation of what was said. He stated that in view of the comments and emails

which had subsequently been exchanged, these would be reviewed and a response circulated.

RESOLVED – that the Minutes of the meeting held on 29 May 2012 be confirmed as a correct record and signed by the Chairman.

194 CHAIRMAN'S ANNOUNCEMENTS

The Chairman stated that the report on the Annual Governance Statement had been delayed and would be submitted to Members in August 2012 as the public consultation period had been extended.

195 TERMS OF REFERENCE FOR A TASK AND FINISH GROUP ON ICT

The Director of Internal Services submitted a report proposing the terms of reference for a Task and Finish Group in respect of ICT. He urged Members to focus on a particular aspect of ICT for the terms of reference.

In response to a query from Councillor J Mayes, the Director provided an overview of “cloud based technology”. Councillor T Page queried whether “cloud based technology” should be investigated carefully in terms of risk to privacy and security and suggested that the whole structure of ICT should be reviewed.

Councillor J Ranger outlined the role, structure, function and reporting lines of a Task and Finish Group. He suggested that the Task and Finish Group should have a more finite and narrower focus for it to achieve something useful and add value. He suggested that the focus could be the public’s use of the Council’s website, i.e. making it easier for them to use and provide efficient ways of interacting with the Council.

Councillor G Williamson supported the suggestion, adding that the Council should be exploring technology which made residents’ use of the website easier. Councillor J Ranger also referred to the difficulties of software used in

different sections of the Council and of their integration.

The Chairman referred to shared services and how this would impact on the Council's ICT. He supported the suggestion that the focus should be on making the Council's systems easier to use for its customers. Councillor J Wing agreed that customer focus and customer interaction was fundamental to the remit of the Task and Finish Group.

The Director of Internal Services reminded Members that staffing and other resource demands would mean that a Task and Finish Group could not be established until later in the year. As a way forward, he suggested that a training event for Members could be organised to provide a focus on what other customer focused issues the Task and Finish Group could eventually review. This was supported.

Members supported the suggestion that a Task and Finish Group be established to review the customer experience of the Council's website with a view to encouraging greater usage. Members also supported the suggestion that a training event be arranged around the customer-focused experience of the website.

RESOLVED – that (A) a Task and Finish Group be established to review the customer experience of the Council's website; and

(B) a training event be arranged for the next meeting centred on the customer-focused experience of the website.

196 REPRESENTATION ON OUTSIDE BODIES

The Director of Internal Services submitted a report concerning the Council's representation on outside bodies. The Director reminded Members of the informality of the process, in that nominations on outside bodies were within the Leader's "gift", as set out within the Council's Constitution and that no formal nomination processes existed. The Chairman expressed concern that Members did not know what was expected of them and suggested that there should be a "generic expectation" to assist Members.

The Director of Internal Services explained the risk concerning a nominee acting as a Trustee on an outside body. The Director reminded Members that a list of representatives could be viewed on the Members' pages. He referred to the link in the report now submitted.

Members expressed a wish to introduce a level of formality and rationale, into the nomination making process and that those Members should be provided with guidance on what was expected of them on the external body. They also supported the need to formalise the reporting feedback procedures.

RESOLVED – that the Executive be advised that
(A) Council representation on outside bodies be maintained; and

(B) the Leader be invited to submit the list of his nominees to each Annual Council and provide Members with guidance on what was expected of them, with consideration being given to formalising the reporting feedback procedures.

197 SHARED SUPPORT SERVICE CONSULTATION ON DRAFT
DETAILED BUSINESS CASE

The Director of Internal Services submitted a report outlining the draft detailed business case in respect of shared services with North Herts District Council (NHDC) and Stevenage Borough Council (SBC), the detail of which was set out in the report now submitted. The Director stated that 850 representations had been received and that due to the overwhelming response, Corporate Management Team needed time to consider the content of those representations.

It was noted that the Executive had already agreed to the development of a detailed business case supporting a shared service with the two Councils on 8 November 2011. The business case showed an opportunity to achieve financial savings of about £0.8m per year shared equally across the three Councils. The Director of Internal Services explained how the baseline budgets of each Council had been reviewed and how this determined how the savings would be apportioned and shared equally.

The Director of Internal Services highlighted the need for all Councils to come together under a single infrastructure and that this would need to be managed and paced to mitigate risk. He stated that ICT proposals would be closely reviewed and that a peer review would be undertaken.

In response to a query from Councillor J Mayes concerning pension rights, the Director of Internal Services explained the protection arrangements under TUPE legislation.

The Director of Internal Services stated that a large core of staff were enthusiastic about the proposals, citing those employees in IT who saw it as an opportunity to “buy in” expertise. By way of example, the Director referred to Stevenage Borough Council’s resource of Business Improvement to manage change and the ability to “buy

into” that resource.

Councillor J Ranger supported the concept but was concerned at the speed at which the proposal could happen. He referred to “problems” which might need to be resolved before all Councils could come together. The Director of Internal Services explained the pace of the transitional arrangements and how these would be managed.

Members supported the draft business case for the shared service and agreed that the Executive be advised that measures be introduced to ensure that staff who were affected by the proposals, would be adequately resourced and that assurances be provided that the pace of change would not impact negatively on service delivery.

RESOLVED – that the Executive be advised that
(A) the draft business case for the shared service be supported; and

(B) measures be introduced to ensure that support for staff who were affected by the proposals, was adequately resourced and that assurances be provided that the pace of change would not impact negatively on service delivery.

198 SCRUTINY WORK PROGRAMME

The Chairman submitted a report setting out the Committee’s future work programme for 2012/13, the detail of which was set out in Essential Reference Paper “B” to the report now submitted.

The Scrutiny Officer reminded Members that the Annual Governance Statement would be reported back to Members on 21 August, 2012. She also advised that the biennial Data Sharing Protocol would now be subsumed within a wider Information Security Policy report which would be incorporated into the Work Programme at a future date.

Members approved the Work Programme, as amended.

RESOLVED – that the Work Programme as amended, be approved.

The meeting closed at 9.10 pm

Chairman
Date

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