



MEETING : EXECUTIVE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : TUESDAY 6 MAY 2014
TIME : 7.00 PM

MEMBERS OF THE EXECUTIVE

- | | |
|-----------------------------------|---|
| Councillor Tony Jackson | - Leader of the Council |
| Councillor Malcolm Alexander | - Deputy Leader and Executive Member for Community Safety and Environment |
| Councillor Mike Carver | - Executive Member for Strategic Planning and Transport |
| Councillor Linda Haysey | - Executive Member for Health, Housing and Community Support |
| Councillor Paul Phillips | - Executive Member for Economic Development |
| Councillor Suzanne Rutland-Barsby | - Executive Member for Community & Partnership Liaison |
| Councillor Michael Tindale | - Executive Member for Finance |

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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.)

AGENDA

1. Apologies

To receive apologies for absence.

2. Leader's Announcements

3. Minutes (Pages 7 - 12)

To approve the Minutes of the meeting held on 8 April 2014.

4. Declarations of Interest

To receive any Member(s) declaration(s) of interest.

5. East Herts Fund for the Future (Pages 13 - 22)

6. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

7. Exclusion of Press and Public

To move that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the discussion of items 8 - 10 on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act of the following description:

“Information relating to the financial or business affairs of any particular person (including the authority holding that information)”

8. Plot 6, Watermill Industrial Estate, Buntingford - Unconditional Sale (Pages 23 - 30)

9. Old River Lane, Bishop's Stortford - Compulsory Purchase Order

Report to follow

10. Surrender of Lease at Bircherley Green, Hertford

Report to follow

11. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

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MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 8 APRIL 2014, AT 7.00 PM

PRESENT: Councillor A Jackson (Chairman/Leader)
Councillors M Alexander, M Carver,
P Phillips, S Rutland-Barsby and M Tindale.

ALSO PRESENT:

Councillors M McMullen and P Moore.

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Director of Neighbourhood Services
Martin Ibrahim	- Democratic Services Team Leader
George A Robertson	- Chief Executive and Director of Customer and Community Services
Adele Taylor	- Director of Finance and Support Services

643 **GREEN TYE CONSERVATION AREA APPRAISAL AND
MANAGEMENT PLAN**

The Executive Member for Strategic Planning and Transport submitted a report on the Green Tye Conservation Area Appraisal following public consultation. He detailed the outcome of the public consultation in the report now submitted.

The Appraisal identified the special character of the

Conservation Area together with the elements that should be retained or enhanced and those which detracted from the identified character. Once adopted by the Council, the Appraisal would become a 'material consideration' in the process of determining planning applications. It would also link into the development of neighbourhood planning.

The Executive supported the recommendations as now detailed.

RECOMMENDED – that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Green Tye Conservation Area Appraisal be agreed;

(B) authority be delegated to the Head of Planning and Building Control, in consultation with the Executive Member for Strategic Planning and Transport, to make any further minor and consequential changes to the Appraisal which may be necessary;

(C) the Green Tye Conservation Area Appraisal be adopted.

644 **MUCH HADHAM CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN**

The Executive Member for Strategic Planning and Transport submitted a report on the Much Hadham Conservation Area Appraisal following public consultation. He detailed the outcome of the public consultation in the report now submitted, highlighting the changes made relating to Moor Place, as suggested in the consultation.

The Appraisal identified the special character of the Conservation Area together with the elements that should be retained or enhanced and those which detracted from the identified character. Once adopted by the Council,

the Appraisal would become a 'material consideration' in the process of determining planning applications. It would also link into the development of neighbourhood planning.

The Executive supported the recommendations as now detailed.

RECOMMENDED – that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Much Hadham Conservation Area Appraisal be agreed;

(B) authority be delegated to the Head of Planning and Building Control, in consultation with the Executive Member for Strategic Planning and Transport, to make any further minor and consequential changes to the Appraisal which may be necessary;

(C) the Much Hadham Conservation Area Appraisal be adopted.

645 APOLOGIES

An apology for absence was submitted on behalf of Councillor L Haysey.

646 MINUTES

RESOLVED – that the Minutes of the Executive meeting held on 4 March 2014, be approved as a correct record and signed by the Chairman.

647 DISCRETIONARY RATE RELIEF POLICY

The Executive Member for Finance submitted a report seeking to update the Discretionary Rates Relief Policy. He referred to recent changes in the way that Business Rates and Business Rates relief were determined, thus necessitating an update to the Policy.

The Executive noted that the Government was now asking Councils to use their discretionary powers to enact new reliefs that had been recently announced, to support certain types and classes of business over a short period of time. This included targeting flood relief to businesses which met certain criteria, and from April 2014, a number of initiatives to encourage reuse of empty retail property, support for empty new builds, and £1000 relief to occupied retail properties.

The Executive approved the Policy as now submitted.

RESOLVED - that the Discretionary Rates Relief Policy as now submitted, be approved.

648 MONTHLY CORPORATE HEALTHCHECK - FEBRUARY 2014

The Leader of the Council submitted an exception report on performance and finance monitoring for East Herts Council for February 2014.

The Executive approved the recommendations as now detailed.

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

(B) the following capital programme changes identified at paragraph 2.21 be approved:

- Hartham Swimming Pool - request that £11,340 for emergency repairs be brought back from the schemes 2014/15 budget.
- Hertford Theatre Seating refurbishment now scheduled for August 2014 - Request for scheme slippage of £109,400 to 2014/15.
- Pishiobury Park Wetland Habitat – land swap delayed – request for slippage of £12,180 to 2014/15.
- Town centre Environmental Enhancements –

Slippage in schemes due to enable other projects to progress - £66,250 to 2014/15.

- Various ICT works to be slipped to 2014/15 as agreed by ITSG - £252,960.
- Bircherley Green MSCP – Major refurbishment – Slippage to 2014/15 pending agreement to transfer car park.

The meeting closed at 7.10 pm

Chairman
Date

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EAST HERTS COUNCIL

EXECUTIVE – 6 MAY 2014

REPORT BY EXECUTIVE MEMBER FOR HEALTH, HOUSING AND
COMMUNITY SUPPORT

EAST HERTS FUND FOR THE FUTURE

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- To endorse a new working relationship between East Herts Council, East Herts Fund for the Future (EHF4F) and the Hertfordshire Community Foundation (HCF).

<u>RECOMMENDATION FOR COUNCIL:</u> That:	
(A)	the proposal related to East Herts Fund for the Future (EHF4F) recommending a new operating partnership between East Herts Council and the Hertfordshire Community Foundation (HCF) be agreed.

1.0 Background

1.1 A proposal detailing closer Member involvement with the EHF4F has been discussed at Community Scrutiny Committee twice over the past year. In November 2013, it was recommended that senior officers explore the financial, legal and audit implications of this.

1.2 Senior officers considered these implications and the proposal and agreed there was no risk to the Council. Additionally, Officers were satisfied that EHF4F's eligibility criteria and proposed grants assessment process was sufficiently robust to ensure effective use of any Council funds directed toward fundraising events.

1.3 Since this meeting in December 2013, the proposal was discussed at a pre executive meeting in February 2014. At this time, it was agreed that a closer working relationship between the EHF4F and the Council's civic leaders was a good idea in

principle but that it was not appropriate for the Executive to take a decision on the current proposal.

- 1.4 Officers were asked to meet with the Executive Member for Health, Housing and Community Support, the EHF4F Fund Holder, the HCF Grants Manager and the Council's current Vice Chairman to discuss an alternative way forward.
- 1.5 The Executive agreed in principle to place the EHF4F on the Council's list of external charitable bodies. This means that the Chairman and Vice Chairman of the Council would serve on the Fund's Advisory Committee and assess grant applications during their term of office.

2.0 Report

- 2.1 Members are now asked to consider and agree a new proposal detailed in **Essential Reference Paper B**. This proposal has been endorsed by the incoming Chairman of the Council and other stake holders.
- 2.2 The proposal details a new operating approach and partnership that will ensure a closer working relationship between Members and this independent endowment fund.
- 2.3 Incoming Chairman and Vice Chairman of the Council will be invited to choose how they would like to get involved with the Fund. One of the options is that all of the funds raised through the Chairman's core fundraising events (Civic Dinner, Civic Service, Chairman's Drinks, Pantomime) are paid to EHF4F as the Chairman's nominated charity for the year. These events are paid for through the Chairman's Fundraising Expenses budget.
- 2.4 If this is not the chosen option, the Fund will still serve as a "holding account" for any income raised. This will be paid out at the end of the year to either EHF4F or another charity benefitting the residents of East Herts. Interest earned during the year will remain with the Fund.
- 2.5 It is hoped that this closer working relationship will revitalise the Fund and ensure that the legacy continues. Another benefit of adopting this approach is that future Chairmen would be able to show their support for a range of small, local organisations, helping to address the diverse needs of the District.

3.0 Implications/Consultations

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

Background Papers

None

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Contact Officer: Will O'Neill, Head of Communications, Community Engagement and Cultural Services
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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i>	<p>People This priority focuses on delivering strong services and seeking to enhance the quality of life, health and wellbeing, particularly for those who are vulnerable.</p> <p>Place This priority focuses sustainability, the built environment and ensuring our towns and villages are safe and clean.</p> <p>Prosperity This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic opportunities and delivering cost effective services.</p>
Consultation:	<i>Key stakeholders have been consulted, including current and former Chairmen of the Council.</i>
Legal:	<i>No issues of concern.</i>
Financial:	<i>All finances will be kept separately from the Council.</i>
Human Resource:	<i>No issues.</i>
Risk Management:	<i>No risks.</i>

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ESSENTIAL REFERENCE PAPER 'B'

East Herts Council and East Herts Fund for the Future Proposed Operating Arrangements

East Herts Council supports the proposal that the independent endowment fund, East Herts Fund for the Future, adopts a new operating approach which would mean a closer working relationship with the Chairman of the Council.

The new approach invites each incoming Chairman of the Council to adopt the Fund while he or she is in office and aim to increase the Fund's capital, thus increasing its grant-making capacity in the long-term. The Chairman and Vice Chairman are invited to raise money for the Fund, choosing one or more of the following options:

- 1) All funds raised through the Chairman's core fundraising activities (Civic Dinner, Civic Service, Chairman's Drinks, Pantomime) are paid to the East Herts Fund for the Future
- 2) A proportion of all funds raised is paid to East Herts Fund for the Future. This amount will be determined at the start of each individual term of office.
- 3) Organising an extra fund raising event – outside core Council events – and involving other Councillors. All funds raised paid to East Herts Fund for the Future
- 4) Another option identified by the Chairman

All funds raised by the Chairman will be awarded into the Fund which will serve as a "holding account" until the monies are paid out at the end of the year. Interest raised during the year will remain with the Fund.

The Council will put the Fund on its list of outside charitable bodies and appoint the Chairman and Vice Chairman to serve on the Fund's Advisory Panel.

The proposed Terms of Reference for Members' closer involvement in this Fund are listed. It is expected that the administrator, Hertfordshire Community Foundation (HCF), would implement these.

1. Set up a formal Grant Making Advisory Panel of up to 5 members including East Herts Chairman, Vice Chairman and a representative from the Mayes family. Other appointees to be current or past East Herts Councillors and Aldermen. Panel to meet at least once a year to assess applications and make recommendations to HCF board.
2. Move from a donor-advised Fund to one that is more transparent and open to unsolicited applications and is promoted to the wider community. A formal application process and annual deadline that corresponds to the civic year will be expected.
3. Award small grants to voluntary and community groups that are addressing the most pressing needs of the district.
4. Any advised grants must be to charities that clearly benefit East Herts residents.
5. Promote eligibility criteria based on HCF main criteria but with any additional aspects agreed by Advisory Panel.
6. Young people up to age 25 will continue to be eligible for personal endeavours and personal development.
7. Annual priorities (perhaps a preference to fund groups with no paid staff) based on evidence of need in the East Herts district area to be published as well as an application deadline. The Fund will strive for a balanced and diverse range of awards across the district
8. HCF to be the main contact for administration, promotion and monitoring of the grant giving. The HCF will provide the Council Chairman information that will help promote fund raising.
9. Require, as a condition of their grant, that successful applicants be required to provide information on how the grant was of benefit and what was achieved. If requested, successful applicants will be expected to make themselves available to attend fund raising events.
10. HCF to provide the Council with a revised Fund Agreement detailing the new approach and Plan for 14/15. Plan must be signed by the Fund Holder or members of the Advisory Panel. Trustees to meet each year to discuss way forward. A governing document also to be prepared.
11. East Herts Council and HCF to raise the profile of the Fund through their websites and social media – promoting both fundraising events and grant giving. HCF will ensure there is a facility to donate online.

12. Organise/promote a campaign to encourage individuals to leave bequests in their will to the Fund

13. HCF to acknowledge support of civic leadership of the Council in all grants publicity.

It is anticipated that these steps will reinvigorate the Fund and enable it to operate more effectively for the benefit of the local community of East Herts and ensure this valuable legacy continues.

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