

# Public Document Pack

## **EAST HERTFORDSHIRE DISTRICT COUNCIL**

NOTICE IS HEREBY GIVEN that a meeting of East Hertfordshire District Council will be held in the Council Chamber, Wallfields, Hertford on Wednesday 28th October, 2015 at 7.00 pm, for the purpose of transacting the business set out in the Agenda below, and you are hereby summoned to attend.

*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 - 20)

*To approve as a correct record and authorise the Chairman to sign the Minutes of the Council meeting held on 29 July 2015 and the Extraordinary meetings held on 29 July and 1 September 2015.*

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 (to follow).*

7. Executive Report - 28 July 2015 (Pages 21 - 23)

8. Executive Report - 4 August 2015 (Pages 24 - 27)

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

(A) Medium Term Financial Strategy (2016/17 to 2019/20)

*Minute 213 refers*

9. Executive Report - 10 August 2015 (Pages 28 - 29)

10. Executive Report - 1 September 2015 (Pages 30 - 35)

11. Executive Report - 6 October 2015 (Pages 36 - 45)

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

(A) Deregulation Act 2015 - Duration of Licences

*Minute 294 refers*

(B) East Herts Green Belt Review August 2015

*Minute 295 refers*

(C) Village Hierarchy Study Stage 1 August 2015

*Minute 296 refers*

(D) Duty to Co-operate Update Report

*Minute 297 refers*

(E) Buntingford Transport Model Report August 2015

*Minute 298 refers*

(F) Affordable Housing – Amendment to Policy

*Minute 299 refers*

*Note – Members are asked to bring their copy of the Executive agendas to the meeting.*

12. Development Management Committee: Minutes - 18 August 2015  
(Pages 46 - 51)

*Chairman: Councillor D Andrews*

13. Development Management Committee: Minutes - 19 August 2015  
(Pages 52 - 62)

*Chairman: Councillor D Andrews*

14. Corporate Business Scrutiny Committee: Minutes - 25 August 2015  
(Pages 63 - 69)

*Chairman: Councillor P Phillips*

15. Environment Scrutiny Committee: Minutes - 8 September 2015 (Pages  
70 - 79)

*Chairman: Councillor J Wyllie*

16. Development Management Committee: Minutes - 16 September 2015  
(Pages 80 - 94)

*Chairman: Councillor D Andrews*

17. Community Scrutiny Committee: Minutes - 22 September 2015 (Pages  
95 - 104)

*Chairman: Councillor Mrs D Hollebon*

18. Audit Committee: Minutes - 23 September 2015 (Pages 105 - 112)

*Chairman: Councillor W Mortimer*

19. Health and Wellbeing Scrutiny Committee: Minutes - 13 October 2015

*Chairman: Councillor N Symonds  
(To follow)*

20. Development Management Committee: Minutes - 14 October 2015

*Chairman: Councillor D Andrews  
(To follow)*

21. Human Resources Committee: Minutes - 21 October 2015

*Chairman: Councillor C Woodward  
(To follow)*

22. Scheme of Substitution (Pages 113 - 115)

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

23. Motion on Notice - Religious Worship (Page 116)

*To receive Motions on Notice.*

### **Disclosable Pecuniary Interests**

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:

## **Public Attendance**

### **Audio/Visual Recording of meetings**

Everyone is welcome to record meetings of the Council and its Committees using whatever, non-disruptive, methods you think are suitable, which may include social media of any kind, such as tweeting, blogging or Facebook. However, oral reporting or commentary is prohibited. If you have any questions about this please contact Democratic Services (members of the press should contact the Press Office). Please note that the Chairman of the meeting has the discretion to halt any recording for a number of reasons, including disruption caused by the filming or the nature of the business being conducted. Anyone filming a meeting should focus only on those actively participating and be sensitive to the rights of minors, vulnerable adults and those members of the public who have not consented to being filmed.

## **Public Attendance**

East Herts Council welcomes public attendance at its meetings and meetings will continue to be live streamed and

MINUTES OF AN EXTRAORDINARY  
MEETING OF THE COUNCIL HELD IN THE  
COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON WEDNESDAY 29 JULY  
2015, AT 7.00 PM

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PRESENT: Councillor P Moore (Chairman).  
Councillors D Abbott, A Alder, M Allen,  
D Andrews, P Ballam, R Brunton, K Brush,  
S Bull, J Cartwright, M Casey,  
Mrs R Cheswright, S Cousins, K Crofton,  
G Cutting, I Devonshire, H Drake,  
M Freeman, J Goodeve, L Haysey,  
R Henson, Mrs D Hollebbon, A Jackson,  
G Jones, J Jones, J Kaye, G McAndrew,  
W Mortimer, D Oldridge, T Page, M Pope,  
S Reed, P Ruffles, S Rutland-Barsby,  
S Stainsby, R Standley, M Stevenson,  
N Symonds, J Taylor, K Warnell,  
G Williamson, 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
Adele Taylor	- Director of Finance and Support Services

181 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the Honorary Aldermen, Keith

Barnes, Ralph Gilbert, Mione Goldspink, Bob Parker, John Reynolds and John Sartin and their guests to the meeting. She reminded everyone present that the meeting was being webcast.

182 HONORARY ALDERMEN

Councillor L Haysey moved and Councillor S Rutland-Barsby seconded a motion that, pursuant to the provisions of Section 249 of the Local Government Act 1972, the title of Honorary Alderman be conferred on the following former members of East Hertfordshire District Council:

- A Burlton
- M Carver
- J Ranger
- J Wing
- M Wood

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

Council also noted the long service of Mr J Ranger as an East Hertfordshire District Councillor for 43 years.

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

- A Burlton
- M Carver
- J Ranger
- J Wing
- M Wood

After a few brief words by Councillor J Wyllie, Mr A Burlton received a framed certificate and a civic badge of office from the Chairman.



After a few brief words by Councillor L Haysey, Mr M Carver received a framed certificate and a civic badge of office from the Chairman.

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

After a few brief words by Councillor P Ruffles, Mr J Wing received a framed certificate and a civic badge of office from the Chairman.

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

After a few brief words by Councillor A Jackson, Mr J Ranger received a gold badge in recognition of his long service from the Chairman.

The meeting closed at 7.27 pm

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

MINUTES OF A MEETING OF THE  
COUNCIL HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 29 JULY 2015, AT 7.15 PM

PRESENT: Councillor P Moore (Chairman).  
Councillors D Abbott, A Alder, M Allen,  
D Andrews, P Ballam, R Brunton, K Brush,  
S Bull, J Cartwright, M Casey,  
Mrs R Cheswright, S Cousins, K Crofton,  
G Cutting, I Devonshire, H Drake,  
M Freeman, J Goodeve, L Haysey,  
R Henson, Mrs D Hollebon, A Jackson,  
G Jones, J Jones, J Kaye, G McAndrew,  
W Mortimer, D Oldridge, T Page, M Pope,  
S Reed, P Ruffles, S Rutland-Barsby,  
S Stainsby, R Standley, M Stevenson,  
N Symonds, J Taylor, K Warnell,  
G Williamson, C Woodward and J Wyllie.

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Director of Neighbourhood Services
Martin Ibrahim	- Democratic Services Team Leader
Jeff Hughes	- Head of Democratic and Legal Support Services
Adele Taylor	- Director of Finance and Support Services

183 CHAIRMAN'S ANNOUNCEMENTS

The Chairman gave an overview of the varied events she had attended over the past month. She also looked forward to her

big fundraising event, which would be held at Hertford Theatre on 1 May 2016. She hoped that this would be aided by two sponsors from each of the main towns in East Herts and advised on Members who had offered to assist in this regard.

The Chairman also referred to the leaflets in the chamber detailing the East Herts Community Chest. She advised on the range of successful applicants to the fund and asked Members to organise fundraising activities, however small, to support the fund.

184 MINUTES

RESOLVED – that the Minutes of the Annual Council meeting held on 20 May 2015, be approved as a correct record and signed by the Chairman.

185 PETITIONS

(A) Chantry Area B7 Resident Permit Parking

Richard Owen, a resident of Chantry Road, Bishop's Stortford, presented a petition comprising 253 signatures in respect of the Chantry Area B7 resident permit parking. The petition read:

*“We the undersigned call upon East Herts Council to move the boundary of the parking bay at the Hadham Road end of Chantry Road to allow traffic to negotiate this junction more safely.”*

Mr Owen referred to the concerns of residents and the need to improve safety for road users and pedestrians. He reminded Members of the outcome of the Mott MacDonald post-implementation review, which had highlighted the access problems caused by the layout of the parking bays and had not been addressed by the Council.

Mr Owen outlined the perceived benefits of relocating the parking bays, namely, improved safety, easier access and the removal of potential obstruction in the evenings at the bottom

of Chantry Road caused by visitors to the restaurant on the corner. Although meeting the petitioners' request might result in the loss of up to six parking bays, Mr Owen drew attention to Mott MacDonald's assessment that there was "abundant available on-street parking".

In response, the Executive Member for Economic Development accepted that there was poor visibility and limited queueing space at the junction in question. Having received the petition, Officers had visited the site with a representative of Hertfordshire Highways and they were satisfied with the layout. The Executive Member advised that any changes to the scheme would require a new traffic regulation order at a cost of approximately £5k. He was aware that some residents at the lower end of Chantry Road had a slightly different view.

Notwithstanding these issues, the Executive Member expressed sympathy for the petition and undertook to address the concerns raised within the next review of the Chantry scheme. He also commented that the Council's Resident Permit Parking policy would be reviewed in the Autumn 2015 and that the new policy would provide an opportunity to address the changes sought by the petitioners.

#### (B) Save the Southern Maltings – Arts for All

Darren Bender, a resident of Thundridge, had submitted a petition hosted on the change.org website, which had reached over 1000 signatures. The petition read:

*"There is a desperate need for an Arts For All facility in the East Herts area and this unique building in the centre of Ware (a) is perfect for the purpose as it already holds an overwhelmed existing arts centre, (b) has unique historical features that preserve the story of Ware's 400 year malting industry, (c) was bought by the old urban council who were folded into the East Herts District Council who are now trying to sell the building to developers, and (d) has previously had permission from EHDC to be converted into an arts*

*centre going back to the 70s.*

*We need more homes in the wider Ware area but we also need community assets like this to provide much needed activities and access to all the arts in the East Herts area. Artists' studios, workshops, classes, galleries and performance space will all be within one building.*

*We have Melvyn Bragg's support and local people are pledging money, skills and labour so please sign the petition and help spread the word. We only have a short period of time to make this a reality. Let's put Ware at the heart of East Herts cultural life and make it an amazing place to live!"*

Mr Bender referred to the need for expanding the arts space at the Southern Maltings to reach out to the surrounding area and to inspire young people with the learning opportunities that would be available. He outlined their business plan, the modest costs and the proposed governance arrangements. There was huge support from local residents and organisations, the local MPs and Ware Town Council with a provisional grant allocated. He urged the Council to grant a long lease.

In the absence of the Executive Member for Health and Wellbeing, the Leader acknowledged the enthusiasm of the petitioners and reminded Members of the Council's support for the arts as exemplified by Hertford Theatre. She assured the petitioner that the Council would consider their request seriously but that the Council had to take heed of its Asset Management Plan. She had asked Officers to consider the issues raised and a response would be forthcoming.

Councillor P Ballam, as a local Member, commended the petition and spoke of the important role the Arts centre played within Ware. She also provided the historical background to the maltings in Ware and the fact that this was the last remaining one still standing. She believed that this should be protected and that the Arts Centre's expansion was

necessary.

186 PUBLIC QUESTIONS

Mione Goldspink, a resident of Bishop's Stortford, asked the Leader of the Council what steps the Council had taken to remedy the shortfall in numbers of sports pitches across the District, and especially in Bishop's Stortford. This shortfall had been identified by the Council's own survey which she believed had been conducted in 2009.

In response, the Leader outlined the active relationship the Council enjoyed with sporting partners. She referred to the support given for upgrading artificial pitches and acknowledged the growing demand for football pitches in particular. The Leader commented on the development of the District Plan and the funding obtained from the Bishop's Stortford North development. She also referred to the use and availability of schools' facilities and urged Members who were governors to encourage greater use by the wider community.

187 MEMBERS' QUESTIONS

Councillor R Henson commented that fuel poverty affected many of his residents in Hertford Sele and across East Herts. 7.5% of households were judged to be fuel poor, meaning that the residents of those households, who were usually on low incomes, could not keep their homes heated at a reasonable cost. He asked the Executive Member for Environment and the Public Space what measures was the Council taking to combat fuel poverty, and would the Council commit to investing in tackling it through the provision of grants and loans to insulate poorer homes for the long term across the District, to help some of the most vulnerable residents

In response, the Executive Member for Environment and the Public Space detailed the active role the Council was taking in attempting to alleviate fuel poverty, as outlined in various reports to Environment Scrutiny Committee over the past two years. He referred to various activities which included:

- looking into fuel oil buying clubs;
- seeking external funding for household energy efficiency measures;
- general advice on a range of energy efficiency information;
- providing home insulation grants; and
- partnership working within Herts Healthy Homes.

Finally, the Executive Member referred to promotional work via Link magazine, presentations to community groups and the use of the Christmas Wheelie Bin Hanger.

188 EXECUTIVE REPORT - 8 JUNE 2015

RESOLVED – that the Minutes of the Executive meeting held on 8 June 2015 be received.

(see also Minutes 189 – 191)

189 ADOPTION OF THE BISHOP'S STORTFORD  
NEIGHBOURHOOD PLAN FOR SILVERLEYS AND MEADS  
WARDS

RESOLVED – that the Bishop's Stortford Neighbourhood Plan for Silverleys and Meads Wards, as detailed at Essential Reference Paper 'B' to the report submitted, be formally 'made' and used as part of the Development Plan.

(see also Minute 188)

190 RISK MANAGEMENT STRATEGY

RESOLVED – that (A) the comments of Audit Committee be received; and

(B) the updated Risk Management Strategy be approved.

(see also Minute 188)

191 DELIVERY STUDY UPDATE REPORT

RESOLVED – that the Update Report, including the slow progress with Local Plans across England, and the risks of proceeding without sufficient evidence to meet the requirements of the National Planning Policy Framework and Planning Practice Guidance, be noted.

(see also Minute 188)

192 EXECUTIVE REPORT - 7 JULY 2015

RESOLVED – that the Minutes of the Executive meeting held on 7 July 2015 be received.

(see also Minute 193)

193 TEWIN CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

RESOLVED – that (A) the responses to the public consultations be noted and the Officer responses and proposed changes to the Tewin Conservation Area Appraisal be approved; and

(B) the Tewin Conservation Area Appraisal be adopted.

(see also Minute 192)

194 OVERVIEW AND SCRUTINY ANNUAL REPORT 2014-15

Councillor Mrs D Hollebon, on behalf of the 2014/15 Scrutiny Chairmen, presented the Scrutiny Annual report 2014/15. She wished to place on record her thanks and appreciation to all the Officers for their support, and in particular, Marian Langley, the Scrutiny Officer, for her skilful guidance.

RESOLVED – that the Annual Report on the work of the East Herts Scrutiny Committees (and Health and



Wellbeing Panel) during 2014/15 be received and approved for publication.

195 APPOINTMENT OF CHIEF EXECUTIVE

The Leader of the Council submitted a report recommending the appointment of Liz Watts as Chief Executive (Head of Paid Service).

RESOLVED – that (A) Liz Watts be appointed as Chief Executive (Head of Paid Services);

(B) in accordance with the Council's Pay Policy Statement 2015/16, the salary of £90,000 basic pay, plus £10,000 payment for the designated post of Head of Paid Service increasing to £100,000 basic pay plus £10,000 payment for Head of Service following successful completion of a six month probation period, be approved; and

(C) the Council's Pay Policy statement 2015/16 July 2015 be approved.

196 COUNCILLOR APOLOGY

Standards Sub-Committee, at its meeting held on 30 June 2015, had considered a complaint against Councillor J Jones alleging that he had breached the Authority's Code of Conduct. The Sub-Committee agreed to request the Monitoring Officer to secure an informal resolution by requesting Councillor J Jones to apologise formally to Council in writing.

Council noted the apology.

RESOLVED – that the formal apology received from Councillor J Jones now detailed be noted.

197 JOINT MEETING OF EXECUTIVE, COMMITTEES, ETC:  
MINUTES - 20 MAY 2015

RESOLVED – that the Minutes of the joint meeting of Executive, Committees, etc, held on 20 May 2015, be received.

198 CORPORATE BUSINESS SCRUTINY COMMITTEE:  
MINUTES - 26 MAY 2015

RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 26 May 2015, be received.

199 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES -  
27 MAY 2015

RESOLVED – that the Minutes of the Development Management Committee meeting held on 27 May 2015, be received.

200 CHIEF OFFICER RECRUITMENT COMMITTEE: MINUTES -  
3 JUNE 2015

RESOLVED – that the Minutes of the Chief Officer Recruitment Committee meeting held on 3 June 2015, be received.

201 ENVIRONMENT SCRUTINY COMMITTEE: MINUTES - 9  
JUNE 2015

In respect of Minute 71 – Resident Permit Parking Policy Scheme Review, Councillor C Woodward believed there was an error which he would take up at the next Environment Scrutiny Committee meeting.

Councillor A Alder asked Council to note that her attendance at this meeting had not been recorded.

RESOLVED – that the Minutes of the Environment Scrutiny Committee meeting held on 9 June 2015, be

received.

202 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES -  
10 JUNE 2015

RESOLVED – that the Minutes of the Development Management Committee meeting held on 10 June 2015, be received.

203 COMMUNITY SCRUTINY COMMITTEE: MINUTES - 16  
JUNE 2015

RESOLVED – that the Minutes of the Community Scrutiny Committee meeting held on 16 June 2015, be received.

204 CHIEF OFFICER RECRUITMENT COMMITTEE: MINUTES -  
17 JUNE 2015

RESOLVED – that the Minutes of the Chief Officer Recruitment Committee meeting held on 17 June 2015, be received.

205 HEALTH AND WELLBEING SCRUTINY COMMITTEE:  
MINUTES - 23 JUNE 2015

RESOLVED – that the Minutes of the Health and Wellbeing Scrutiny Committee meeting held on 23 June 2015, be received.

206 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES -  
24 JUNE 2015

RESOLVED – that the Minutes of the Development Management Committee meeting held on 24 June 2015, be received.

207 CHIEF OFFICER RECRUITMENT COMMITTEE: MINUTES -  
29 JUNE 2015

RESOLVED – that the Minutes of the Chief Officer

Recruitment Committee meeting held on 29 June 2015, be received.

208 HUMAN RESOURCES COMMITTEE: MINUTES - 8 JULY 2015

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In respect of Minute 131 – Human Resources Management Statistics, Councillor C Woodward asked Council to note the additional information that would be included within the Minutes submitted for approval at the next Human Resources Committee meeting.

RESOLVED – that the Minutes of the Human Resources Committee meeting held on 8 July 2015, be received.

209 LICENSING COMMITTEE: MINUTES - 9 JULY 2015

RESOLVED – that the Minutes of the Licensing Committee meeting held on 9 July 2015, be received.

210 CORPORATE BUSINESS SCRUTINY COMMITTEE: MINUTES - 14 JULY 2015

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RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 14 July 2015, be received.

211 AUDIT COMMITTEE: MINUTES - 15 JULY 2015

RESOLVED – that the Minutes of the Audit Committee meeting held on 15 July 2015, be received.

212 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES - 22 JULY 2015

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RESOLVED – that the Minutes of the Development Management Committee meeting held on 22 July 2015, be received.

The meeting closed at 8.13 pm

MINUTES OF A MEETING OF THE  
EXECUTIVE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
TUESDAY 28 JULY 2015, AT 7.00 PM

PRESENT: Councillor L Haysey (Chairman/Leader)  
Councillors A Jackson, G Jones,  
G McAndrew, S Rutland-Barsby and  
G Williamson.

ALSO PRESENT:

Councillors A Alder, M Allen, R Brunton,  
J Cartwright, M Casey, M Freeman,  
J Goodeve, Mrs D Hollebbon, M McMullen,  
P Moore, T Page, M Pope, P Ruffles,  
S Stainsby, K Warnell and J Wyllie.

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Director of Neighbourhood Services
Philip Gregory	- Head of Strategic Finance
Martin Ibrahim	- Democratic Services Team Leader
Adele Taylor	- Director of Finance and Support Services

ALSO IN ATTENDANCE:

Nick Brammer	- Lambert Smith Hampton
Nigel Palmer	- Lambert Smith Hampton

178 APOLOGIES

An apology for absence was submitted on behalf of Councillor E Buckmaster.

179 EXCLUSION OF PRESS AND PUBLIC

RESOLVED – 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 Minute 180 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act.

180 BISHOP'S STORTFORD TOWN CENTRE

The Executive considered a proposal to seek to acquire a site in Bishop's Stortford Town Centre as detailed in the report submitted. The Leader provided background information regarding the circumstances of the site and welcomed Nick Brammer and Nigel Palmer of Lambert Smith Hampton (LSH) to the meeting.

A wide ranging discussion ensued and a number of Members made comments and asked questions of LSH and Officers. Members considered the potential investment returns and the risks associated with purchasing the site in question. There was also a discussion around the potential regeneration of the site and the Council's role in influencing its future for the benefit of the residents of Bishop's Stortford.

In general, Members expressed support for a bid to be made on the basis of the perceived investment returns and for the ability to influence any future regeneration opportunities on the site. Members also considered the level at which any bid should be submitted in order to be considered.

The LSH representatives explained the rationale for the market value of the site as detailed in the report submitted. They also provided an update in terms of the guide price for the site, comprising the market (base) value and a

consideration of the added value, in terms of redevelopment prospects. LSH also advised that, in their professional view, a competitive bid at a level above the guide price would need to be submitted for any realistic offer to be successful.

At 9.04 pm, it was agreed to adjourn the meeting for 15 minutes to enable Officers and LSH to clarify some of the figures. The meeting reconvened at 9.19 pm.

Officers gave advice on a number of issues for Members to consider, including:

- the Council's Investment Strategy in general and current property fund yields;
- the risks associated with different types of investments;
- the associated costs of any purchase, which would include due diligence, legal fees, stamp duty, etc;
- the need to justify the level of any bid and the wider interests of council taxpayers; and
- the need for a Red Book valuation prior to purchase, should the Council's bid be successful.

The Executive considered the advice of Officers, LSH and the views of other Members present. It was agreed that a bid to reacquire the site described in the report be approved and that Officers be authorised to submit a bid to the level of the competitive bid and upper ceiling as advised at the meeting

RESOLVED - that (A) a bid be submitted to reacquire the site described in the report, and if the Council is successful in its bid to reacquire the site then Pinsent Masons proceed with a detailed review of the title and contract documentation and report any further issues to the Council prior to completion; and

(B) Officers be authorised to submit the bid in (A) above to the level of the competitive bid and upper ceiling as advised at the meeting.

The meeting closed at 9.28 pm

# Agenda Item 8

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MINUTES OF A MEETING OF THE  
EXECUTIVE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
TUESDAY 4 AUGUST 2015, AT 7.00 PM

PRESENT: Councillor L Haysey (Chairman/Leader)  
Councillors E Buckmaster, A Jackson,  
G Jones, G McAndrew, S Rutland-Barsby  
and G Williamson.

ALSO PRESENT:

Councillors D Andrews, S Bull, M Casey,  
M Freeman, J Goodeve and P Ruffles.

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Director of Neighbourhood Services
Philip Gregory	- Head of Strategic Finance
Martin Ibrahim	- Democratic Services Team Leader
Adele Taylor	- Director of Finance and Support Services

213 **FINANCIAL STRATEGY AND MEDIUM TERM FINANCIAL  
PLAN 2015/16 - 2019/20**

**The Executive Member of Finance and Support Services submitted a report proposing revisions to the Financial Strategy 2015/16 - 2019/20, which included the policy on reserves and the proposed planning assumptions to be used to update the Medium Term Financial Plan in preparation for annual budget setting.**

**The Executive Member outlined the underlying**



assumptions within the Medium Term Financial Plan (MTFP) and addressed the following key areas:

- Funding changes
- Financial Strategy
- Review of Reserves
- Underlying assumptions
- MTFP development; and
- Budget-setting Risk Management

The Corporate Business Scrutiny Committee, at its meeting held on 14 July 2015, had supported the revisions.

The Executive supported the recommendations as now detailed.

**RECOMMENDED** – that (A) the comments of Corporate Business Scrutiny Committee be received;

(B) the proposed Financial Strategy, as now detailed, be adopted; and

(C) the planning assumptions set out in the report submitted, be adopted as the basis for framing the 2016/17 budget and Medium Term Financial Plan to 2019/20.

## 214 LEADER'S ANNOUNCEMENTS

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

## 215 MINUTES

**RESOLVED** – that the Minutes of the Executive meeting held on 7 July 2015 be approved as a correct record and signed by the Leader.

## 216 ISSUES ARISING FROM SCRUTINY

The Executive received a report detailing those issues referred to it by the Scrutiny Committees, which were noted. 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.

## 217 CORPORATE STRATEGIC PLAN 2016/17 – 2019/20 – THE PROCESS

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The Executive Member for Finance and Support Services submitted a report setting out the drivers for change in reviewing the way in which the financial and business planning process will be delivered. He outlined a new integrated process to determine the Council's priorities and deliver a balanced budget for the next 4 years.

He proposed a new, integrated finance and business planning process which would support the development of a new Corporate Plan. This would set realistic service delivery objectives based on an understanding of service pressures, customer demand, workforce capacity and financial drivers. This new integrated approach would enable joint discussion and alignment of the formal budget setting process with the setting of service priorities earlier in the financial year than had previously been the case. Members would be able to agree the Council's strategic direction and the underpinning investment requirements based on needs and priorities as opposed to incrementally changing budgets on an annual basis.

The Corporate Business Scrutiny Committee, at its meeting held on 14 July 2015, had supported the redesign as now detailed.

The Executive approved the recommendation as now detailed.

RESOLVED - that the redesign of the council's finance and business planning process to support the development of the Corporate Strategic Plan be approved.

218 IMPLEMENTING THE CUSTOMER SERVICE STRATEGY

The Executive Member for Development Management and Council Support submitted a report setting out how the Council will implement the Customer Service Strategy, approved by Council on 4 March 2015. Members had requested an outline plan of how the Council intended to deliver the approved Strategy, recognising that it was critical for the Council's continued success in delivering successful outcomes and services. The plan was detailed at Essential Reference Paper 'C' of the report submitted.

The Corporate Business Scrutiny Committee, at its meeting held on 14 July 2015, had supported the approach now detailed.

The Executive approved the recommendations now detailed.

RESOLVED - that (A) the recommendations of Corporate Business Scrutiny Committee be received; and

(B) the outline plan to implement the Council's Customer Service Strategy as now submitted, be approved.

The meeting closed at 7.09 pm

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

# Agenda Item 9

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MINUTES OF A MEETING OF THE  
EXECUTIVE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
MONDAY 10 AUGUST 2015, AT 9.30 AM

PRESENT: Councillor L Haysey (Chairman/Leader)  
Councillors E Buckmaster, A Jackson,  
G McAndrew, S Rutland-Barsby and  
G Williamson.

ALSO PRESENT:

Councillors A Alder, M Freeman, T Page,  
C Woodward and J Wyllie.

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Acting Chief Executive/Director of Neighbourhood Services
Philip Gregory	- Head of Strategic Finance
Jeff Hughes	- Head of Democratic and Legal Support Services
Adele Taylor	- Director of Finance and Support Services

219 APOLOGIES

An apology for absence was submitted on behalf of Councillor G Jones.

220 EXCLUSION OF PRESS AND PUBLIC

RESOLVED – 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 Minute 221 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act.

## 221 BISHOP'S STORTFORD TOWN CENTRE

The Leader submitted a report reminding the Executive that, at its meeting held on 28 July 2015, it had agreed that a bid be made to reacquire the site detailed in the report now submitted (Minute 180 refers).

The bid authorised was subject to an upper ceiling as advised at the meeting held on 28 July 2015. The Executive noted the outcome of the bidding process and the seller's position with regard to the bids received. For this reason, the meeting had been convened as a matter of urgency, in order that further consideration could be given to the issue.

In response to Members' questions, the Director of Finance and Support Services confirmed the basis of the offer now detailed from the seller. The Director also explained the intended funding methodology.

The Executive noted the timeline for completing the purchase of the site.

The Executive agreed to increase the offer price for the site by £50,000. It also agreed to authorise the (Acting) Chief Executive/Director of Neighbourhood Services to negotiate and agree the form of contract and completion of the purchase.

RESOLVED – that the offer price to purchase the site be increased by £50,000 and authority be delegated to the (Acting) Chief Executive/Director of Neighbourhood Services to negotiate and agree the form of contract and completion of the purchase.

The meeting closed at 9.50 am

222

# Agenda Item 10

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MINUTES OF A MEETING OF THE  
EXECUTIVE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
TUESDAY 1 SEPTEMBER 2015, AT 7.30  
PM

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PRESENT: Councillor L Haysey (Chairman/Leader)  
Councillors E Buckmaster, A Jackson,  
G Jones, G McAndrew, S Rutland-Barsby  
and G Williamson.

ALSO PRESENT:

Councillors A Alder, R Brunton, J Cartwright,  
Mrs R Cheswright, K Crofton, I Devonshire,  
M Freeman, J Jones, M McMullen, P Moore,  
S Reed and M Stevenson.

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Acting Chief Executive/Director of Neighbourhood Services
Philip Gregory	- Head of Strategic Finance
Martin Ibrahim	- Democratic Services Team Leader
Adele Taylor	- Director of Finance and Support Services

247 MINUTES

RESOLVED – that the Minutes of the Executive meetings held on 28 July, 4 August and 10 August 2015, be approved as correct records and signed by the Leader.

248 ISSUES ARISING FROM SCRUTINY

The Executive received a report detailing those issues referred to it by the Scrutiny Committees, which were noted. 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.

249 EASTWICK, GILSTON AND HUNSDON PARISHES - REQUEST FOR AREA DESIGNATION FOR NEIGHBOURHOOD PLANNING

The Executive gave consideration to a report detailing an application by Eastwick and Gilston and Hunsdon Parish Councils for the designation of a Neighbourhood Area, as detailed on the plan attached to the report submitted. The application comprised the Eastwick and Gilston and Hunsdon Parish Areas.

The Executive considered the application and the consultation undertaken. The report submitted detailed the main areas of consideration in determining the application in accordance with Schedule 9 of the Localism Act 2011.

Councillor R Brunton, as the local ward Member, expressed his support for the application and urged both parish councils to engage with interested groups in the process.

The Executive supported the application, as now detailed.

RESOLVED - that the application for the designation of a Neighbourhood Area, submitted co-jointly by Eastwick and Gilston and Hunsdon Parish Councils, be supported.

250 MUCH HADHAM PARISH - REQUEST FOR AREA DESIGNATION FOR NEIGHBOURHOOD PLANNING

The Executive gave consideration to a report detailing an

application by Much Hadham Parish Council for the designation of a Neighbourhood Area, as detailed on the plan attached to the report submitted. The application comprised the Much Hadham Parish Area.

The Executive considered the application and the consultation undertaken. The report submitted detailed the main areas of consideration in determining the application in accordance with Schedule 9 of the Localism Act 2011.

Councillor I Devonshire, as the local ward Member, expressed his support for the application.

The Executive supported the application.

RESOLVED - that the application for the designation of a Neighbourhood Area, submitted by Much Hadham Parish Council, be supported.

## 251 ANNUAL GOVERNANCE STATEMENT

The Executive considered the 2014/15 Annual Governance Statement and the 2015/16 Action Plan. The Audit Committee, at its meeting to be held on 23 September 2015, would be asked to approve these documents and the Executive was invited to comment.

The Executive noted the comments of the Corporate Business Scrutiny Committee, at its meeting held on 25 August 2015, in relation to the Action Plan being more detailed and SMART as set out in the best practice list quoted in the report.

The Executive supported these comments and the documents going forward to the Audit Committee.

RESOLVED – that (A) the comments of Corporate Business Scrutiny Committee be received and supported; and

(B) the Audit Committee be advised that the Executive supports the 2014/15 Annual Governance



Statement and the 2015/16 Action Plan, as now detailed.

252 ANNUAL REPORT 2014/15

The Executive considered the 2014/15 Corporate Annual Report, documenting the Council's key achievements for each of the corporate priorities over the last financial year. The report also provided an overview of the Council's financial position and performance and a statement on contracts.

The Corporate Business Scrutiny Committee, at its meeting held on 26 August 2015, supported the recommendations and commented in respect of the pie charts within the financial information by suggesting that the segment shown as "other" needed more detail as it represented a significant portion of the whole. Also, the Committee suggested that the "what we have not done" examples for each priority could be more constructive in their title and tone and not blame others for any lack of progress.

The Director of Finance and Support Services accepted these comments and advised that they would be considered before the final version was published to the website.

The Executive approved the 2014/15 Corporate Annual Report as now submitted.

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

(B) the Corporate Annual Report 2014/15 be approved.

253 QUARTERLY CORPORATE HEALTHCHECK – APRIL - JUNE 2015

The Executive considered a quarterly report on performance, finance and risk monitoring for the Council as at June 2015.

The Corporate Business Scrutiny Committee commented that

extra detail to explain staffing increases would be helpful in understanding why it was happening. Also, the Committee requested that further details on the actions being taken to regularise over/underspends would also be helpful.

The Executive Member for Finance and Support Services reminded the Executive of the ongoing implementation of the new, integrated finance and business planning process which might change how some information was provided.

The Executive approved the recommendations now detailed.

RESOLVED - that (A) the comments of the Corporate Business Scrutiny Committee on the Quarterly Corporate Healthcheck, be received;

(B) the revenue budget forecast overspend of £144k be noted;

(C) the proposed slippage on capital schemes of £90k be noted;

(D) additional funding of £17k for the Grange Paddocks heat exchanger capital scheme be approved:

(E) the carry forward requests from 2014/15 to 2015/16 of £139k be approved;

(F) the current explanation for long term trends for:

- EHPI 181 – Time taken to process Housing Benefit new claims and change events, and
- EHPI 192 – Percentage of household waste sent for reuse, recycling and composting,

be noted;

(G) action taken to address performance for EHPI

2.6 – Percentage of residual waste (refuse) sent for disposal, be noted; and

(H) the risk controls be approved.

The meeting closed at 7.44 pm

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

# Agenda Item 11

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MINUTES OF A MEETING OF THE  
EXECUTIVE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
TUESDAY 6 OCTOBER 2015, AT 7.00 PM

PRESENT: Councillor L Haysey (Chairman/Leader)  
Councillors E Buckmaster, G Jones,  
G McAndrew and S Rutland-Barsby.

ALSO PRESENT:

Councillors A Alder, M Allen, D Andrews,  
P Ballam, S Bull, J Cartwright, M Freeman,  
J Goodeve, J Jones, M McMullen, T Page,  
M Pope, P Ruffles and R Standley.

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Acting Chief Executive/Director of Neighbourhood Services
Martin Ibrahim	- Democratic Services Team Leader
Jane O'Brien	- Empty Homes Officer
Kevin Steptoe	- Head of Planning and Building Control Services
Adele Taylor	- Director of Finance and Support Services
Sheila Winterburn	- Environmental Health Manager - Housing

294 **DEREGULATION ACT 2015 - DURATION OF LICENCES**

**The Executive Member for Environment and the Public Space submitted a report detailing the need to approve a**

**new fee structure for various licences as a result of the Deregulation Act 2015. These related to licences for Hackney Carriage Drivers, Private Hire Drivers, Private Hire Operators and Dual Drivers.**

**The Executive noted that the Council currently issued such licences on an annual basis. The new legislation required Dual Driver and Private Hire Driver licences to be issued for a minimum of three years and for a Private Hire Operator's licence to be issued for a minimum of five years. The proposed fees were set out in the report now submitted.**

**The Executive supported the proposal now detailed.**

**RECOMMENDED - that the proposed licence fee levels, as set out at Essential Reference Paper B of the report submitted, be approved.**

**295 EAST HERTS GREEN BELT REVIEW AUGUST 2015**

**The Executive considered and supported the recommendations of the District Planning Executive Panel meeting held on 10 September 2015, on the Green Belt Review 2015.**

**RECOMMENDED – that the Green Belt Review 2015 be approved as part of the evidence base to inform and support preparation of the East Herts District Plan.**

**(see also Minute 307)**

**296 VILLAGE HIERARCHY STUDY STAGE 1 AUGUST 2015**

**The Executive considered and supported the recommendations of the District Planning Executive Panel meeting held on 10 September 2015, on the Village Hierarchy Study Stage 1.**

**RECOMMENDED – that the Village Hierarchy Study Stage 1 August 2015, be approved as part of the**

evidence base to inform and support preparation of the East Herts District Plan.

(see also Minute 307)

297 **DUTY TO CO-OPERATE UPDATE REPORT**

The Executive considered and supported the recommendations of the District Planning Executive Panel meeting held on 10 September 2015, on the Duty to Co-operate Update.

**RECOMMENDED** – that the notes of the Member-level meetings held with neighbouring local authorities be received.

(see also Minute 307)

298 **BUNTINGFORD TRANSPORT MODEL REPORT AUGUST 2015**

The Executive considered and supported the recommendations of the District Planning Executive Panel meeting held on 10 September 2015, on the Buntingford Transport Model Report 2015.

**RECOMMENDED** – that (A) the Buntingford Transport Model Report 2015 be approved as part of the evidence base to inform and support preparation of the East Herts District Plan;

(B) the Buntingford Transport Model Report 2015 be approved to inform Development Management decisions; and

(C) the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to make non-material amendments to the final Buntingford Transport Model Report 2015, prior to publication.

(see also Minute 307)

299 **AFFORDABLE HOUSING – AMENDMENT TO POLICY**

The Executive considered and supported the recommendations of the District Planning Executive Panel meeting held on 10 September 2015, on Affordable Housing – Amendment to Policy.

**RECOMMENDED** – that (A) the change in national planning policy through the removal of paragraphs in planning policy guidance related to affordable housing thresholds be noted;

(B) the affordable housing thresholds as amended in 2012 under the 2007 Local Plan HSG3 Affordable Housing policy be re-introduced; and

(C) the Starter Homes exemption policy, as introduced by Central Government in March 2015, be included as part of the amended 2012 HSG3 policy, as set out in this report.

(see also Minute 307)

300 **APOLOGIES**

Apologies for absence were submitted on behalf of Councillors A Jackson and G Williamson.

301 **LEADER'S ANNOUNCEMENTS**

The Leader reminded all present that the meeting was being webcast. She also expressed her thanks and appreciation to Simon Drinkwater and Adele Taylor for their efforts in covering for the vacant Chief Executive post.

302 **MINUTES**

**RESOLVED** – that the Minutes of the Executive meeting held on 1 September 2015, be approved as a correct record and signed by the Chairman.

### 303 ISSUES ARISING FROM SCRUTINY

The Executive received a report detailing those issues referred to it by the Scrutiny Committees, which were noted. 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.

### 304 ANTI-SOCIAL BEHAVIOUR, CRIME & POLICING ACT 2014 - ENVIRONMENTAL CRIME ENFORCEMENT IMPLICATIONS

The Executive Member for Community Safety and Environment submitted a report detailing the implications of the Anti-Social Behaviour, Crime and Policing Act 2014 for the Council's Environmental Crime Policy.

The Executive Member referred to the impact of the new legislation on:

- littering from cars;
- clearing litter and waste on land;
- graffiti and other defacement; and
- controlling dogs.

He proposed a consultation exercise on the consolidation of existing dog control powers within a Public Space Protection Order, which would include three new offences:

- failing to pick up after your dog;
- failing to have the means to pick up after your dog; and
- failing to put a dog on a lead when directed to by an Officer.

The Environment Scrutiny Committee, at its meeting held on 8 September 2015, had supported these proposals. The Executive noted that a further report on the outcome of the consultation would be submitted.

The Executive approved the proposals as now detailed.



RESOLVED - that (A) the Draft Environmental Crime Enforcement Policy, as set out in Essential Reference Paper 'B' of the report submitted, be approved, subject to public consultation;

(B) a consultation process be undertaken on the replacement of the three existing dog control orders with one consolidated Public Space Protection Order; and

(C) a consultation process be undertaken to consult on three potential new offences to be included in the order, namely, making it an offence to fail to pick up after your dog, making it an offence to fail to have the means to pick up after a dog, and to fail to put a dog on a lead when directed to so by one of our officers.

#### 305 RESIDENT PERMIT PARKING POLICY REVIEW

The Executive Member for Economic Development submitted a report seeking approval for a new Resident Permit Parking Scheme Policy and operational guidance.

He reminded the Executive of its previous decision on 3 February 2015, to request the Environment Scrutiny Committee to consider the criteria against which requests for new schemes could be assessed. The Environment Scrutiny Committee, at its meeting held on 9 June 2015, confirmed its support for the guidelines.

The Executive Member outlined a proposed new policy and operational guidance. He also detailed the current schemes and the requests for new schemes. In particular, the Executive Member sought confirmation for actions relating to "shared use" parking, a full review of existing schemes and the re-evaluation of current requests under the new policy.

The Executive approved the recommendations as now detailed.

RESOLVED - that (A) the new policy and operational guidance for future resident permit parking schemes as

now submitted, be adopted, and

(B) the actions proposed in paragraphs 2.7, 2.9 and 2.13 of the report submitted, in respect of shared use parking, a full review of existing schemes and the re-evaluation of current requests under the new policy, be approved.

### 306 HERTFORDSHIRE BUILDING CONTROL PROJECT

The Executive considered an update on the progress of the Hertfordshire Building Control project. Members were reminded that, at its meeting held on 5 August 2014, the Executive had approved the continuation of the project in principle, subject to a full business case being submitted.

The Executive considered the proposed corporate structure, the delegation of functions and the contractual position, as detailed in the report now submitted. The Executive also considered the financial implications, key assumptions and associated risks with the project. It was suggested that an additional recommendation appointing the Director of Neighbourhood Services as the Council's shareholder representative to the new board, be approved.

In response to Members' questions, Officers advised on other options that had been previously considered and rejected. Officers also reminded Members of recruitment problems in East Herts and neighbouring Authorities generally. It was clarified that the proposed corporate structure would be ringfenced from the rest of the Council.

The Executive approved the proposals now detailed.

RESOLVED - that (A) the full business case and the joint arrangements for the provision of Building Control functions, as now submitted, be approved;

(B) authority be delegated to the Director of Neighbourhood Services, in consultation with the Portfolio Holder, to take all necessary steps to proceed with (A) above;

(C) the Director of Neighbourhood Services be appointed as the Council's shareholder representative on the new board; and

(D) the start-up funding arrangements, as detailed in paragraphs 5.13 to 5.16 of the report submitted, be approved.

307 DISTRICT PLANNING EXECUTIVE PANEL: MINUTES - 10 SEPTEMBER 2015

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The Leader advised Members that a number of significant matters would be coming forward to the next meetings of the District Planning Executive Panel in the coming weeks. She urged all Members to attend and participate.

RESOLVED – that the Minutes of the District Planning Executive Panel held on 10 September 2015 be received.

(see also Minutes 295 – 299)

308 AUTHORISATION TO MAKE A COMPULSORY PURCHASE ORDER ON AN EMPTY HOME

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In respect of this item, the Leader advised that two Essential Reference Papers contained exempt information as defined in paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972. She expressed her desire for the matter to be considered in public, but that if any Member wished to refer to or discuss a specific element of the Essential Reference Papers, then the Executive would need to exclude the press and public from the meeting.

The Executive Member for Health and Wellbeing submitted a report seeking authority for the acquisition of an empty property either voluntarily or by the use of compulsory purchase powers.

He detailed the history of the property in question and the complaints received from neighbours and the public

expressing concern for the derelict condition and its negative impact on the surrounding area. He also drew attention to the repeated attempts by Officers to engage with the owner.

The Executive noted the problem of empty properties in general and the potential for nuisance. The Empty Homes Strategy would be reviewed by the Executive in December 2015.

In response to Members' comments and questions, Officers clarified the process and reiterated that compulsory purchase powers would only be used as a last resort. Members were invited to advise Officers of any empty properties they were aware of.

The Executive approved the recommendations as now detailed.

RESOLVED - that (A) authority be given for the acquisition of the land comprising the property identified in the report submitted, either voluntarily or through a compulsory purchase process;

(B) the Director of Neighbourhood Services be authorised to make a compulsory purchase order to be known as the District Council of East Hertfordshire (*Property X*, Hertford) Compulsory Purchase Order, under Section 17 of the Housing Act 1985, in respect of the land and property indicated on a map marked with the name of the Compulsory Purchase Order, where the words "Property X" will be replaced with the full address of the property;

(C) the Director of Neighbourhood Services be authorised to fix the common seal of the Council to the necessary documents and make an application to the Secretary of State for confirmation of the Order;

(D) the Director of Neighbourhood Services be authorised to confirm the Order following the passing of this responsibility from the Secretary of State;

(E) the Director of Neighbourhood Services be authorised to acquire the necessary interests in the land and property included in the confirmed compulsory purchase order by means of a general vesting declaration, on terms to be agreed by the Director of Neighbourhood Services or on terms ordered by the Lands Tribunal;

(F) the Director of Neighbourhood Services be authorised to determine and to follow the most appropriate course of action for the property following the options appraisal undertaken as set out in the revised Empty Homes Strategy 2016 to 2020, which may include an appropriate amount of works to be carried out to the property while it is in the Council's possession to deal with issues of safety and security, to abate environmental nuisances and to prepare the property for marketing, the costs incurred in carrying out these works to be recovered from the rental income or resale price;

(G) subject to the results of the options appraisal in (F) above, the Director of Neighbourhood Services be authorised to dispose of the freehold interest in the property, on the open market, by what he considers the most suitable method and otherwise on terms and conditions to be agreed by the Director of Neighbourhood Services; and

(H) a budget based on the financial information in Essential Reference Paper 'C' of the report submitted, be set for undertaking this Compulsory Purchase Order.

The meeting closed at 7.40 pm

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

# Agenda Item 12

DM

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MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT  
COMMITTEE HELD IN THE CEDAR ROOM,  
THE RHODES ARTS COMPLEX, 1-3  
SOUTH ROAD, BISHOP'S STORTFORD  
ON TUESDAY 18 AUGUST 2015, AT 7.00  
PM

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PRESENT: Councillor D Andrews (Chairman).  
Councillors M Allen, J Cartwright,  
M Freeman, J Jones, A McNeece,  
D Oldridge, T Page, P Ruffles and K Warnell.

ALSO PRESENT:

Councillors R Brunton, G Cutting,  
G McAndrew, N Symonds and C Woodward.

OFFICERS IN ATTENDANCE:

Liz Aston	- Development Team Manager (East)
Simon Drinkwater	- Acting Chief Executive/Director of Neighbourhood Services
Peter Mannings	- Democratic Services Officer
Alasdair McWilliams	- Information and Digital Media Manager
Martin Plummer	- Senior Planning Officer
Kevin Steptoe	- Head of Planning and Building Control Services

222 APOLOGIES

Apologies for absence were submitted on behalf of

Councillors K Brush, M Casey and J Kaye. It was noted that Councillor J Cartwright was in attendance as substitute for Councillor Kaye.

223 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting.

224 MINUTES – 22 JULY 2015

RESOLVED – that the Minutes of the meeting held on 22 July 2015 be confirmed as a correct record and signed by the Chairman.

225 3/13/0886/OP – AN URBAN EXTENSION COMPRISING 329 NEW DWELLINGS (OF A RANGE OF SIZES, TYPES AND TENURES, INCLUDING AFFORDABLE HOUSING) INCLUDING A SITE FOR A ONE-FORM ENTRY PRIMARY SCHOOL; PUBLIC OPEN AND AMENITY SPACE; ASSOCIATED LANDSCAPING; ACCESS, HIGHWAYS (INCLUDING FOOTPATHS AND CYCLEWAYS), PARKING; AND DRAINAGE (INCLUDING A FOUL WATER PUMPING STATION), UTILITIES AND SERVICE INFRASTRUCTURE WORKS (ALL MATTERS RESERVED EXCEPT VEHICULAR ACCESS) AT HAZELEND ROAD AND FARNHAM ROAD, BISHOPS STORTFORD, HERTS FOR COUNTRYSIDE PROPERTIES

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The following people addressed the Committee in objection to the application:

- John Rhodes (Bishop's Stortford Civic Federation)
- Peter Hough (Chantry Community Association)
- David Royle
- Andy White

The following people addressed the Committee in support of the application:

- Mike Lambert (Countryside Properties)

In respect of application 3/13/0886/OP, the Director of Neighbourhood Services recommended that:

- (A) in consultation with the Chairman of the Development Management Committee and the Head of Planning and Building Control, the Head of Democratic and Legal Services completes a Section 106 Agreement between the Council, landowner, developer and other parties as appropriate in accordance with the heads of terms detailed in Essential Reference Paper A;
- (B) in consultation with the Chairman of the Development Management Committee plus the Executive Member for Development Management and Council Support as well as any two Members who represent Bishop's Stortford wards and who are members of this Committee and the Head of Democratic and Legal Support Services, the Head of Planning and Building Control be authorised to make amendments to the heads of terms, the scale of financial contributions to be assigned to the various service areas referred to in the heads of terms and the service areas to which financial contributions should be assigned and the Head of Democratic and Legal Support Services be authorised to complete a Section 106 Agreement as maybe amended, in all cases to ensure a satisfactory development;
- (C) on completion of the approved Section 106 Agreement, planning permission be granted subject to the conditions detailed in Essential reference Paper B; and
- (D) in consultation with the Chairman of the Development Management Committee, the Head of Planning and Building Control be authorised, in advance of the issuing of the planning permission, to add or remove conditions and directives and make such changes to the wording of them as might be necessary to ensure clarity and enforceability



and to ensure a satisfactory development.

The Director introduced the application and reminded the Committee that the outline application for ASR sites 1 – 4 had been approved and a previous hybrid scheme for ASR5 had been refused in March 2015. The Director detailed the papers Members should have in front of them and summarised the key details of this application.

Members were reminded that this was an outline application that had been with the Authority since May 2013 and all matters were reserved aside from the proposed access arrangements. The Director summarised the amendments that had been made to the application and advised that the application included 25% affordable housing provision.

The Director advised that Council policy was for up to 40% affordable housing. The Authority had supported schemes with less than 40% provision and appeal decisions had also reached this conclusion. Members were advised that all sites had their own set of circumstances and the National Planning Policy Framework (NPPF) stipulated that Authorities should not seek full affordable housing provision where the cost to a development might prevent it from coming forward.

The Director concluded by referring to the County Council's preferred options for education delivery for ASR sites 1 – 4 and ASR5. He reminded Members that this application would contribute towards the housing needs of the District. He referred to the need to demonstrate a 5 year supply of housing land.

Councillor K Warnell stated that although the site had been earmarked for development since the 1980s, he was not happy with development at any cost. He expressed concerns regarding the isolation of this site in terms of the inconvenient location of facilities and subsequent trip generation. He welcomed the changes to the shared ownership percentages but was concerned that the additional educational needs would not be met by

the developments at Bishop's Stortford North.

Councillor Warnell stated that the application contravened a number of Neighbourhood Plan policies that were fundamental to Bishop's Stortford North and these should not be discarded. Councillor A McNeece also referred to the key issue of primary school provision. He stated that traffic and congestion were issues that would be mitigated to some extent by the Section 106 contributions.

The Director detailed the ways that the Committee might consider the issue of primary school provision and that whilst it was appropriate for Members to consider the wider perspective, the proposal provided adequate capacity for its own need. In that respect the Committee was reminded that this application delivered a site for a 1FE Primary School.

Members were referred to Essential Reference Paper 'B' for the proposed conditions as well as the extensive Section 106 agreement at Essential Reference Paper 'A'. The Director emphasised that the site delivered in terms of mitigating the additional infrastructure demands resulting from this application.

In response to comments from Councillors T Page, D Oldridge and J Cartwright, the Director advised that the Development Management Committee had concluded in March 2015 that all matters were satisfactory apart from primary education provision and affordable housing. He stated that unless significant new evidence had emerged in the interim, the Council might be seen to be acting unreasonably in rejecting the application on the basis that other matters now made the development unsustainable.

The Director emphasised that it was entirely appropriate to carefully consider the primary education and affordable housing issues as the proposals had been revised in respect of these. He provided further explanation to assist Members in their decision making. He set out the steps that Hertfordshire County Council had taken to bring forward education provision.

Councillor M Allen referred to the issue of traffic modelling and the Director responded on the basis that the modelling carried out to date was robust and would be unreasonable to seek further work or to refuse the application on that basis.

Councillor Warnell was assured by the Director that Section 106 funding was in place to accommodate the additional infrastructure demands in terms of pre-school provision. Officers were satisfied that Hertfordshire County Council had an appropriate delivery program in place for the provision of education infrastructure associated with the occupation of the proposed residential dwellings. In terms of Healthcare, the Director confirmed that the relevant authorities do seek funding through new development proposals to go towards future provision on a sum per home basis.

Councillor K Warnell proposed and Councillor T Page seconded a motion that application 3/13/0886/OP be refused on the grounds that the proposals did not provide sufficient primary school provision and the application was contrary to policy EP3 of the Bishop's Stortford Silverleys and Meads Neighbourhood Plan.

After being put to the meeting and a vote taken, this motion was declared LOST. After being put to the meeting and votes taken, the Committee accepted the recommendations of the Director of Neighbourhood Services as now detailed.

RESOLVED – that in respect of application 3/13/0886/OP, the recommendations of the Director of Neighbourhood Services as now detailed be approved.

The meeting closed at 9.00 pm

# Agenda Item 13

DM

DM

MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT  
COMMITTEE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 19 AUGUST 2015, AT 7.00  
PM

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PRESENT: Councillor D Andrews (Chairman).  
Councillors M Allen, M Casey, M Freeman,  
J Jones, J Kaye, A McNeece, D Oldridge,  
T Page, P Ruffles and K Warnell.

ALSO PRESENT:

Councillors S Bull, K Crofton and S Rutland-  
Barsby.

OFFICERS IN ATTENDANCE:

Liz Aston	- Development Team Manager (East)
Paul Dean	- Principal Planning Enforcement Officer
Simon Drinkwater	- Acting Chief Executive/Director of Neighbourhood Services
Tim Hagyard	- Development Team Manager (West)
Peter Mannings	- Democratic Services Officer
Kevin Steptoe	- Head of Planning and Building Control Services

226 APOLOGY

An apology for absence was submitted on behalf of Councillor K Brush.

227 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the press and public to the meeting.

The Chairman advised that Officers from Hertfordshire County Council Highways would be giving a presentation in respect of Highways Assessment of Development Proposals at 7 pm in the Council Chamber, Wallfields on Wednesday 2 September 2015.

228 3/14/2200/OP – RESIDENTIAL DEVELOPMENT FOR UP TO 85 HOUSES INCLUDING SITE ACCESS, PUBLIC OPEN SPACE AND LANDSCAPING. LAND SOUTH OF FROGHALL LANE, WALKERN, STEVENAGE, HERTS, SG2 7PH

Mr Jenner addressed the Committee in objection to the application.

The Director of Neighbourhood Services recommended that had East Herts Council been in a position to determine application 3/14/2200/OP, it would have refused planning permission for the proposed development for the reasons detailed in the report now submitted.

The Director also recommended that Members consider the planning appeal procedure currently confirmed by the Planning Inspectorate as Written Representations, and given the level of public interest in the application proposal, whether this was appropriate or whether the Council should seek that the matter be processed through the Informal Hearing procedure.

The Director further recommended that authority be delegated to the Head of Planning and Building Control to

formulate the case to be submitted on behalf of the Council to the forthcoming appeal, including dealing with all matters as might be required in relation to a potential planning legal agreement and conditions which may be applied, were the proposals to be approved.

The Director detailed the nature of this outline application where all matters were reserved apart from access. The application was contrary to rural area policy GBC3 as Walkern was a category 1 village. The applicant had lodged an appeal against non-determination and Members were being asked to indicate what their decision would have been had they determined the application.

Members were advised that the applicant had referred to the lack of a 5 year housing land supply and they had also referred to the presumption in favour of sustainable development. The Director referred to the overwhelming local objection to the application and the comments and points detailed in the late representations summary.

Councillor K Crofton, as the local ward Member, addressed the Committee in objection to the application. He urged the Committee to support the Officer's recommendations.

Various Members expressed concerns on the scale of the proposed developed, its impact on Walkern, parking and access.

The Director confirmed to Councillor P Ruffles that all of the written representations would be forwarded onto the Planning Inspectorate. After being put to the meeting and votes taken, the Committee accepted the recommendations of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/14/2200/OP, the recommendations of the Director of Neighbourhood Services to have refused planning permission had the application

been determined, be approved as now submitted.

229 3/15/1114/VAR –VARIATION OF CONDITION 2 (APPROVED PLANS OF PLANNING PERMISSION 3/14/1048/FO) – MINOR AMENDMENTS TO THE POSITION AND ORIENTATION OF PLOTS 85 – 88 AND CHANGE OF HOUSE TYPE FOR PLOT 87 TO INCLUDE FRONT DORMER WINDOWS AT LAND NORTH OF HARE STREET ROAD, BUNTINGFORD FOR TAYLOR WIMPEY (UK) LTD

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The Director of Neighbourhood Services recommended that subject to the applicant or successor in title entering into a Deed of Variation pursuant to Section 106 of the Town and Country Planning Act 1990 to make reference to amended application 3/15/1114/VAR, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director detailed the location of the site and set out the details of the application for minor variations relating to an approved plans condition. Members were referred to paragraph 7.2 of the report for the full details of the proposals.

The Director concluded that this scheme would, in effect, be a complete new planning permission for the site and this meant that the previous list of conditions had to be applied as detailed in the report.

Councillor J Jones commented on whether the application should be deferred as it affected the rerouting of a footpath and a report was expected from the Rights of Way Officer regarding 3 possible routes. He concluded that elements of this application would impact on the third route which was the preferred option of Buntingford Town Council and local residents.

The Director referred the Committee to a plan that had been circulated with the late representations summary that showed the layout of the site and the route of the footpath. Members were advised that this application did

not include any alteration to the footpath as diverting a footpath was a separate process.

The Director confirmed to Councillor J Jones that it was difficult to see how this application would impact on the location of the footpath as shown on the submitted plans. If however, the footpath was diverted or altered, then further applications might be required to address any impact that this might have on the layout of the development.

Councillor J Jones proposed and Councillor T Page seconded, a motion that application 3/15/1115/VAR be deferred pending the outcome of a report from the Rights of Way Officer regarding the diversion of footpath 21.

After being put to the meeting and a vote taken, this motion was declared LOST. After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/15/1114/VAR, subject to the applicant or successor in title entering into a Deed of Variation pursuant to Section 106 of the Town and Country Planning Act 1990 to make reference to this amended application, planning permission be granted, subject to the conditions detailed in the report now submitted.

230 3/15/1363/VAR – VARIATION OF CONDITION 2 (APPROVED PLANS OF PLANNING PERMISSION 3/14/1860/FP) – VARIATION TO ALLOTMENT LANDSCAPING PROPOSALS – POSITION OF FOOTPATH AND BOUNDARY TREATMENTS AT LAND NORTH OF HARE STREET ROAD, BUNTINGFORD SG9 9HN, FOR TAYLOR WIMPEY (NORTH THAMES)

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The Director of Neighbourhood Services recommended that subject to the applicant or successor in title entering



into a Deed of Variation pursuant to Section 106 of the Town and Country Planning Act 1990 to make reference to amended application 3/15/1363/VAR, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director set out the nature of this relatively minor application and explained that the site was allotment land related to land north of Hare Street Road, Buntingford. Members were advised that a previous application had provided a cycle link towards The Causeway.

The Director stated that this cycle link was no longer possible due to issues with connecting with the Causeway and common land. The applicant was seeking to amend the proposed development to remove the link.

Councillor J Jones commented that he was surprised there was no access to the Causeway from the allotment. He stated that he had no objections to what was a minor variation. After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/15/1363/VAR, subject to the applicant or successor in title entering into a Deed of Variation pursuant to Section 106 of the Town and Country Planning Act 1990, planning permission be granted subject to the conditions detailed in the report now submitted.

231 3/15/0986/HH – CONSTRUCTION OF A DETACHED GARAGE BLOCK AT THE LODGE, MANOR OF GROVES, HIGH WYCH LANE, HIGH WYCH, SAWBRIDGEWORTH, CM21 OJL

The Director of Neighbourhood Services recommended that in respect of application 3/15/0986/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director detailed the nature of the application and set out the extensive planning history of the site. Members were reminded that the Council's policy was not supportive of disproportionate extensions in the Green Belt, unless there were other issues that outweighed the harm.

Councillor T Page sought and was given clarification as to the judgements that Members should be making when determining this application. Councillor M Casey expressed concerns regarding the incremental nature of this application and believed that the enforcement notice should be enforced before planning permission was approved for a replacement building.

The Director detailed the location of the existing dwelling on the site as well as the outbuilding. The appeal Inspector had made the point that further planning applications coming forward might negate the need for the total demolition of the outbuilding so Enforcement Officers were currently awaiting the outcome of this planning application before any further action was taken.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/15/0986/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

232 3/15/0863/HH – DEMOLITION OF EXISTING OUTBUILDING, SINGLE STOREY EXTENSIONS AND RAISING OF ROOF AT THREE LILLIES LODGE, HIGH WYCH ROAD, HIGH WYCH, CM21 OJE

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The Director of Neighbourhood Services recommended that in respect of application 3/15/0863/HH, planning permission be granted subject to the conditions detailed

in the report now submitted.

The Director detailed the history of the site and set out the planning merits of the application. Members were reminded that as the site was located in the Green Belt the Committee should consider whether this application constituted inappropriate development.

The Director concluded that due to the very limited impact of the proposed development Officers did not feel that the proposed development would result in significant harm to the Green Belt in this case. Members were referred to the additional information contained in the additional representations summary.

Councillor M Casey expressed concerns regarding the incremental nature of the proposed development that had resulted in a residential dwelling where an application for such a dwelling would not have been approved in the Green Belt.

Councillor J Jones stated that he was supportive in that the application would result in an attractive property in the Green Belt. He emphasised that the existing outbuilding was currently an eyesore and this application did not constitute overdevelopment on what was a very large plot.

The Director advised that a breach of planning control was not, initially in itself, illegal. Members were reminded that development can become lawful over the passage of time.

The Director concluded that a complete new residential dwelling would be inappropriate development in the Green Belt. The reuse of an existing building would however, not constitute inappropriate development and would therefore comply with Green Belt policy. After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/15/0863/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

233 3/15/1226/HH – ERECTION OF DETACHED CAR PORT, GARAGE BLOCK, CONVERSION OF GARAGE TO HABITABLE ACCOMMODATION AND SINGLE STOREY FRONT EXTENSION AT AULDEBYRE, CLAPGATE, ALBURY, SG11 2JL

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Mr Osborne addressed the Committee in objection to the application.

The Director of Neighbourhood Services recommended that in respect of application 3/15/1226/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director detailed the nature of the application on a site that was located in the rural area beyond the Green Belt. Officers felt that the extensions were disproportionate, but consideration also needed to be given to the impact of the proposed development on the site and the surrounding area. Members were advised that the level of test was lower due to the site not being a Green Belt location.

The Director highlighted the narrow access on the plans and stated that the relationship between the properties was not unusual in terms of the vehicular access and the separation distance between the buildings. He stated that replacement tree planting might not be possible due to the proximity of the proposed development to the neighbouring dwelling.

Members were advised that the activity via the single access between the properties was limited and Officers considered that the visual impact of the application would not be unacceptable in terms of Council policy. The

Director reminded Members that conditions restricting further development were not necessary as further planning applications would be required to allow further development.

Councillor M Casey expressed concerns regarding the access arrangements linked to this application. He queried the practicality of the proposed detached car port with an access from the public highway. Councillor M Allen stated that he had observed a small car parked in the entrance and there was barely enough room to open car doors to exit the vehicle.

The Director confirmed to Councillor J Jones that there was no standard width for vehicular access to residential dwellings. The Chairman commented on the issue of tree screening and security lighting impacting on the neighbouring property. The Director confirmed that it would be entirely reasonable to apply a condition requiring the details of lighting to be submitted and agreed prior to commencement of the development. The Director referred to the garage in terms of whether it would be used for that purpose as garages were often used for storage. Members were advised to focus on whether the proposed development was of an acceptable scale in this location.

Councillor D Andrews proposed and Councillor D Oldridge seconded, a motion that a condition be applied to control the lighting. After being put to the meeting and a vote taken, this motion was declared CARRIED. After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/15/1226/HH, planning permission be granted subject to the conditions detailed in the report now submitted and subject to the following additional condition:

5. Lighting Details (2E27).

234 ITEMS FOR REPORTING AND NOTING

RESOLVED – that the following reports be noted:

- (A) Appeals against refusal of planning permission / non-determination;
- (B) Planning Appeals lodged;
- (C) Planning Appeals: Inquiry and Informal Hearing dates; and
- (D) Planning Statistics.

The meeting closed at 8.30 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 25 AUGUST 2015, AT 7.00 PM

PRESENT: Councillor P Phillips (Chairman).  
Councillors M Allen, R Brunton, S Bull,  
J Cartwright, M Casey, R Henson and  
M Stevenson.

ALSO PRESENT:

Councillors A Alder, P Ballam, E Buckmaster,  
M Freeman, J Goodeve and G Williamson.

OFFICERS IN ATTENDANCE:

Ryan Brock	- NGDP Graduate Trainee
Philip Gregory	- Head of Strategic Finance
Marian Langley	- Scrutiny Officer
Peter Mannings	- Democratic Services Officer
Ceri Pettit	- Corporate Planning and Performance Manager
Adele Taylor	- Director of Finance and Support Services

235 APOLOGY

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

236 MINUTES – 14 JULY 2015

RESOLVED – that the Minutes of the meeting held

on 14 July 2015 be confirmed as a correct record and signed by the Chairman.

237 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the public present to the meeting. He apologised to Members for missing the meeting held on 14 July 2015 and reminded the Committee that the meeting scheduled for 20 October 2015 had been cancelled in favour of a budget and service planning training event.

238 MEMBER TRAINING – FINANCE AND DECISION MAKING: QUESTIONS TO ASK WHEN MAKING THE 'BUSINESS CASE'

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The Head of Strategic Finance gave a presentation in respect of the questions and issues Members should consider when assessing a business case. He responded to a number of questions from Members. Members were advised that the presentation would be uploaded to the Members' web pages.

RESOLVED – that the presentation be received.

239 WORK PROGRAMME

The Chairman submitted a report setting out the Committee's future work programme for 2015/16. The Scrutiny Officer advised that the results of the residents' survey would be reported to the first meeting of the Committee in the 2016/17 civic year as the results would not be available until March 2016.

Members were advised that the survey would go out later than usual as a result of the elections and the subsequent new Executive. The Committee approved the 2015/16 work programme, as now detailed.

RESOLVED – that the work programme, as now detailed, be approved.



240 QUARTERLY CORPORATE HEALTHCHECK – QUARTER 1  
– JUNE 2015

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The Director of Finance and Support Services submitted a report in respect of the finance and performance monitoring for East Herts Council for 2015/16 as at June 2015. Members were advised that the new version healthcheck report gave a lot more detail and a more complete suite of information.

The Head of Strategic Finance set out a number of minor non-material amendments to the report and referred to the supporting Essential Reference Papers. He provided a detailed breakdown of the revenue position of the Authority and referred to the new format of the recommendations that were more relevant to the body that was considering them.

The Director and the Head of Strategic Finance responded to a number of queries and comments from Members regarding salaries and earmarked reserves. Members were advised that monthly reports were received by the Corporate Management Team (CMT).

In response to a request for background information from Councillor M Stevenson, the Director confirmed that the budget for Police Community Support Officers (PCSOs) would be overspent by £19k as 4 posts were being funded rather than the budgeted 3 and this was being managed as a pressure within the service.

The Corporate Planning and Performance Manager and the Director responded to a number of Members' queries regarding East Herts Performance Indicators (EHPIs). The Director undertook to review if it was possible to further breakdown the information regarding the time taken to process housing benefit new claims and change events, following a request by Councillor M Stevenson.

The Committee commented that extra detail to explain staffing increases would be helpful in understanding why

it was happening. Also, the Committee requested that further details on the actions being taken to regularise over/underspends would also be helpful. These comments would be forwarded to the Executive.

Members received the report and supported the recommendations now detailed.

RESOLVED – that the Executive be advised that Corporate Business Scrutiny Committee (A) has no comments to make in respect of the following:

- (1) the revenue budget forecast overspend of £144k;
  - (2) proposed slippage on the following capital schemes:
    - ICT Funding for Applications, £40k ;
    - Disabled Facilities Grant £50k;
  - (3) the current explanation for long term trends:
    - EHPI 181 – Time taken to process Housing Benefit new claims and change events;
    - EHPI 9.5 - Percentage of ICT Calls Resolved at First Point of Contact; and
- (B) supports the approval of the following:
- (1) additional capital funding of £17k for the Grange Paddocks heat exchanger, and;
  - (2) carry forward requests from 2014/15 to 2015/16 of £139k; and
- (C) the comments now detailed be forwarded to the Executive.

introduced a draft of the Corporate Annual Report, and documented the key achievements of the Council in relation to the corporate priorities and challenges over the financial year.

The Graduate Management Trainee advised that this was a public facing report that provided a helpful tool for Members. He explained that the report was a live working document and he detailed the key sections of the report.

Councillor J Cartwright queried whether the 'Other' section in the pie chart on page 99 of the report could be more detailed given that it was such a significant proportion of the whole. The Director of Finance and Support Services confirmed that more detail would be included.

Following a brief debate, Members agreed that the wording of the 'what we have not done' example for each priority should be retained for transparency and the wording should be more constructive in its tone so as not to blame others for a lack of progress and to give a more realistic record.

The Committee supported the report and the comments now submitted to the Executive.

RESOLVED – that the Executive be advised that,  
(A) the 2014/15 Corporate Annual Report be supported;

(B) the 'Other' section in the pie chart on page 99 of the report be more detailed in respect of what it covers given that it was such a significant proportion of the whole; and

(C) the wording of the 'what we have not done' example for each priority should be retained for transparency, and to give a more realistic record, should be more constructive in its tone so as not to

blame others for a lack of progress.

242 REVIEW OF FEES AND CHARGES CALCULATIONS AND LEVELS

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The Executive Member for Finance and Support Services submitted a report that provided Corporate Business Scrutiny Committee the opportunity to review the current structure of fees and charges within the remit of the Committee. The views and comments of Members would be taken forward during the process to set next year's budget.

The Head of Strategic Finance confirmed to Councillor M Allen that some fees and charges were statutory and were set nationally. He suggested that Members should consider the position at neighbouring authorities and reminded the Committee that amending fees and charges was a Member decision. The Director of Finance and Support Services reminded Members that every Local Authority had to publish its fees and charges.

The Director and the Head of Strategic Finance responded to a number of questions and comments from Members regarding fees and charges. The Committee supported the fees and charges within its remit and asked for more detail in respect of usage data against the fees and charges where the Authority had discretion (e.g. hire of rooms).

Members also requested information to give them a better understanding of the full cost of the service for these items.

The Committee supported the recommendations now detailed.

RESOLVED – that (A) the fees and charges within the remit of Corporate Business Scrutiny Committee be supported;

(B) Members be given more detail in respect of usage data against the fees and charges where the Authority had discretion (e.g. hire of rooms); and

(C) Members be given information to give them a better understanding of the full service delivery costs of the fees and charges in (B) above.

243 ANNUAL GOVERNANCE STATEMENT

The Leader of the Council submitted a report that presented the 2014/15 Annual Governance Statement and the 2015/16 Annual Governance Statement Action Plan as detailed in the report submitted.

Councillor M Casey sought and was given clarification as to the general nature of the enhancements to internal control arrangements. The Committee supported the Statement but suggested that the Action Plan be more detailed and SMART as set out in the best practice list quoted in the report.

RESOLVED – that the Executive and Audit Committee be advised that, (A) the 2014/15 Annual Governance Statement be supported; and

(B) the Action Plan be more detailed and SMART as set out in the best practice list quoted in the report.

The meeting closed at 9.05 pm

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

# Agenda Item 15

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MINUTES OF A MEETING OF THE  
ENVIRONMENT SCRUTINY COMMITTEE  
HELD IN THE COUNCIL CHAMBER,  
WALLFIELDS, HERTFORD ON TUESDAY 8  
SEPTEMBER 2015, AT 7.00 PM

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PRESENT: Councillor J Wyllie (Chairman)  
Councillors K Brush, K Crofton, H Drake,  
T Page, P Phillips and S Reed.

ALSO PRESENT:

Councillors D Andrews, L Haysey, G Jones,  
G McAndrew, P Ruffles and G Williamson.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Cliff Cardoza	- Head of Environmental Services
Karl Chui	- Performance Monitoring Officer
Simon Drinkwater	- Acting Chief Executive/Director of Neighbourhood Services
Philip Gregory	- Head of Strategic Finance
Nick Kirby	- Environmental Inspection Team Manager
Marian Langley	- Scrutiny Officer
Andrew Pulham	- Parking Manager
Chris Roberts	- Graduate Finance Officer
Neil Sloper	- Head of Information, Customer and Parking Services

Ben Wood

- Head of Business  
Development

254 APOLOGIES

Apologies for absence were submitted from Councillors P Ballam and M Freeman.

255 MINUTES - 9 JUNE 2015

The Chairman commented that Councillor C Woodward had stated that Minute 71 (Resident Permit Parking Scheme Policy Review) should have referred to a lack of “worker business parking” and in doing so, cited Chantry Road, Bishop’s Stortford as an example. As such, Councillor Woodward had queried by email, the accuracy of the Minutes in terms of this item.

RESOLVED - that the Minutes of the meeting held on 9 June 2015 as amended by the inclusion of the wording “a lack of worker business parking”, be confirmed as a correct record and signed by the Chairman.

256 ENVIRONMENT SCRUTINY HEALTHCHECK - APRIL TO JUNE 2015

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The Director of Finance and Support Services submitted a report on the performance of key indicators for the period April to June 2015. The Performance Monitoring Officer provided a breakdown of the information by each corporate priority. Overall, 9 of the 15 Environment Scrutiny Performance Indicators (PIs) were either on target or exceeding their targets for Quarter 1. One indicator did not have any performance data available to analyse and five PIs showed their position as a “trend”. An update of the table in paragraph 2.3 was tabled at the meeting which included the missing performance of EHPI 2.23 (Planning decisions delegated to Officers).

In response to a query from Councillor T Page regarding a

potential future move of some PIs to “Amber” or “Red”, the Performance Monitoring Officer explained the criteria applied in the assessment and confirmed that it was not indicating an issue regarding a lack of resources. The Head of Business Development confirmed that it was shown as an early warning “flag” to alert Members and Officers to keep an eye on.

Councillor K Crofton queried the EHPI 157c (Processing of Planning applications, other applications), and the fact that the 90% target was barely reached and whether the 8 week determination period should be reduced. The Acting Chief Executive and Director of Neighbourhood Services explained that the 8 week determination figure was a statutory government guidance figure which the Council observed. He stated that the achievement of a 90% target was one of the highest being achieved by local authorities. The Acting Chief Executive and Director confirmed that the 8 week consultation period needed to remain as it stood, as a reduction of this figure would not allow the statutory consultation processes to be fitted in.

The Acting Chief Executive and Director confirmed that the Council regularly reviewed its resources and validation processes, adding that there had also been a recent change in software which staff had to learn.

The Committee received the report.

RESOLVED – that the Executive be advised that Environment Scrutiny Committee had considered the reported performance for the period April to June 2015 and supported its approval

## 257 PROCUREMENT OF CAR PARK MANAGEMENT SYSTEM

The Executive Member for Economic Development submitted a report on the procurement of a new car park management system(s) for its car parks. He explained that “Pay and Display” was nearing the end of its life and that the Council was looking at options adding that most of the Council’s car parks were too small to support an alternative system, but that



the larger ones could possibly be converted to “Pay on Exit”. The Executive Member for Economic Development explained why the Council had initially chosen to use “Pay and Display” and the options currently under review, including “Pay on Exit”, the advantages of this type of system at larger car parks and how this might affect traffic issues at, for example, Jackson Square in Bishop’s Stortford.

In response to a query from Councillor K Brush regarding current systems, the Head of Information, Customer and Parking Services explained that “Pay on Display” had been used for 11.5 years and that the age on the capital rate outturn was 10 years of use. At the moment machines were being “cannibalised” for replacement parts and that the costs of repair and maintenance were increasing as more machines failed. He also explained that the current machines could not be retro-fitted with new debit and credit card technology.

In response to a query from Councillor K Brush, the Parking Manager explained the advantages of “Pay on Exit”. Councillor Brush queried whether outsourcing car parks or lease hiring the equipment had been considered, adding that committing £1million of capital could be premature given the pace of new technology and suggested that the Council consider outsourcing or a lease arrangement.

Councillor P Phillips sought assurances that “Pay and Display” could confidently be promoted to residents when the feedback he had from previous discussions with residents and businesses strongly favoured ‘Pay on Exit’. The Parking Manager referred Members to the report in terms of those car parks which were suitable or unsuitable to a “Pay on Exit” arrangement and why.

Councillor K Crofton stated that users must be provided with the best possible service which needed to be as flexible as possible using the best scheme possible. He assured Members that this was not a “rushed” or “knee-jerk” decision but a thoroughly considered report. He urged Members to include Jackson Square in Bishop’s Stortford as a “Pay on Exit” scheme. This was supported.

Councillor P Phillips queried whether the Council should still operate car parks. The Head of Information, Customer and Parking Services Parking explained the advantages of the Council retaining control over its car parks and the commercial view taken by private operators. He stated that many of the Council's smaller car parks were subsidised and these might not be commercially viable to a private operator.

Councillor D Andrews suggested that an "arm's length" company be established to control car parks. The Executive Member for Economic Development stated that such an approach would not fit with current legislation on the permitted operation of Council car parks.

The Parking Manager referred to the legal complexities associated with how the Council currently enforced breaches, the legislation it used and the use of contract law if the car parks were outsourced.

The Head of Information, Customer and Parking Services reiterated the choices available to the Council at this time in terms of its legal commitments.

In response to a query from Councillor H Drake regarding tariff controls if car parking was outsourced, the Parking Manager explained that he expected that any level of control relating to tariff charges, would be the subject of a prior arrangement.

The Chairman stated that in his view, "Pay on Exit" should be the preferred option but appreciated that some car parks might present obstacles, such as size, layout and traffic tail backs at certain times.

The Head of Strategic Finance summarised the Council's options and Government's current stance on the use of ANPR enforcement affecting the Council's operation of its car parks and range of options.

In response to a query from Councillor S Reed regarding Blue

Badge holders and “Pay on Exit” arrangements, the Parking Manager explained the pre-registration arrangement in use at the newly independent Bircherley Green Car Park in Hertford and how a similar scheme might be used for any East Herts car park if it became ‘Pay on Exit’. He also stated that 6% of “Blue Badge” spaces should be made available in car parks and that only Jackson Square currently met this criterion. The Parking Manager added that in effect, Blue Badge holders could actually park in any bay within an East Herts car park with the display of a Blue Badge.

It was moved by Councillor K Brush and seconded by Councillor P Philips that Officers investigate outsourcing the Council’s car parks or lease hire arrangements. On being put to the vote, this proposal was rejected.

The Committee supported the recommendations now detailed.

RESOLVED – that the Executive be advised that Environment Scrutiny Committee recommends (A) with the exception of the car parks named in (B) below, that the Council procures a new car park management system based on a “pay and display” platform; and

(B) on the basis of the information provided in the report now submitted a move to a “Pay on Exit” approach to the management of Gascoyne Way, Hertford and Jackson Square, Bishop’s Stortford multi-storey car parks.

## 258 REVIEW OF FEES AND CHARGES CALCULATIONS AND LEVELS

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The Executive Member for Finance and Support Services submitted a report offering the opportunity to review the current structure of fees and charges within the remit of Environment Scrutiny Committee.

The Head of Strategic Finance summarised the key principles on which fees and charges were set and the types of charges.

He also sought Members' views on whether there were any fees and charges which required review, adding that many of the charges within Environment Committee's remit were statutory. The Head of Strategic Finance told the Committee that in a previous meeting with Corporate Business Scrutiny Committee, Members had asked that information regarding usage figures be included alongside the fees/charges so that the impact of any suggested changes could be better understood. This idea was supported by Environment Scrutiny Committee.

The Head of Strategic Finance reminded Members that the MTFP had been set based on an increase of 2.5% but this figure was an overall percentage, not necessarily levied on every fee/charge. Heads of Service were currently drafting their budgets and any comments would be fed back to relevant Officers for further review by the joint meeting of Scrutiny Committees in 2016.

The Committee supported the recommendations now detailed.

RESOLVED – that the Executive be advised that usage figures be included by Officers when revising the fees and charges structure for 2016/17 for services under the remit of Environment Scrutiny Committee.

259 ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014 - ENVIRONMENTAL CRIME ENFORCEMENT IMPLICATIONS

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The Executive Member for Community Safety and Environment submitted a report setting out the implications of the changes resulting from the Anti-Social Behaviour, Crime and Policing Act 2014 on the Council's Environmental Crime Policy. The report also sought approval to consult on the consolidation of existing dog control powers within a Public Space Protection Order.

The Environmental Inspection Team Manager provided a summary of the new legislation and the Council's approach to

those changes.

In response to a query from Councillor P Philips regarding arrangements around car littering and enforcement, the Environmental Inspection Team Manager explained the importance of partnership working, especially with the Police, local intelligence and the use of publicity to achieve successful enforcement.

In response to a query from Councillor K Brush regarding the number of Fixed Penalty Charges imposed, the Environmental Inspection Team Manager confirmed that 86 had been issued.

In response to a query from Councillor K Crofton regarding anti-social behaviour in housing and public open spaces, the Environmental Inspection Team Manager stated that these environmental nuisances were enforced via a Community Protection Notice. The Head of Environmental Services provided a summary of the Council's policy on environmental crime adding that the new legislation emphasised a partnership approach. By way of example, he cited working with registered social housing providers to apply for a combined notice where seriously detrimental behaviour was occurring.

In response to a query from Councillor T Page, regarding timescales between allegations of anti-social behaviour and action taken, the Environmental Inspection Team Manager stated that it depended on the incident, adding that noise nuisance might be dealt with quite simply. However, other behaviours might require informal warnings followed by a formal warning process and time to collect evidence to show the problem was 'persistent and substantial' under the legislation.

The Environmental Inspection Team Manager referred to the issue of dog fouling and the important role to be played by Parish Councils and local intelligence in securing successful enforcement.

The Committee supported the recommendations now

detailed.

RESOLVED – that the Executive be advised that (A) the Draft Environment Crime Enforcement Policy, as now submitted, be approved subject to public consultation;

(B) consultation be undertaken on the replacement of the three existing dog control orders with one consolidation Public Space Protection Order; and

(C) consultation be undertaken on three potential new offences for inclusion in the order, namely, making it an offence to fail to pick up after a dog, to fail to have the means to pick up after a dog and failing to put a dog on a lead when directed to do so by an Officer.

## 260 ENVIRONMENT SCRUTINY WORK PROGRAMME 2015-16

The Chairman submitted a report setting out the future work programme for Environment Scrutiny Committee for 2015/16.

The Scrutiny Officer explained that following on from the meeting on 9 June 2015, where there was agreement to review the Performance Indicators (PIs) relating to Planning Enforcement, it had become clear that there was a wider need to review the Planning Enforcement policy itself. With time, this policy had become out of date and it would be short-sighted to update the PIs in isolation.

The Scrutiny Officer suggested that a Task and Finish Group be set up to undertake a more extensive review of planning enforcement policy. She explained that the group's composition would be approved in consultation with the Leader and that Members of Development Management Committee might also be interested in being involved on the Task and Finish Group.

The Scrutiny Officer outlined the proposed reporting timetable of the Task and Finish Group, reporting eventually to the joint meeting of Scrutiny Committees in February 2016.

Councillors P Philips and T Page indicated their willingness to serve on the Task and Finish Group.

The Committee supported the recommendations as now detailed.

RESOLVED – that (A) the work programme, as now detailed, be approved; and

(B) a Task and Finish Group be set up to undertake a review of the Planning Enforcement Policy in conjunction with the review of that service’s Performance Indicators already commissioned.

The meeting closed at 8.40 pm

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

# Agenda Item 16

DM

DM

MINUTES OF A MEETING OF THE  
DEVELOPMENT MANAGEMENT  
COMMITTEE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 16 SEPTEMBER 2015, AT  
7.00 PM

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PRESENT: Councillor D Andrews (Chairman).  
Councillors M Allen, K Brush, S Bull,  
J Cartwright, M Casey, M Freeman, J Kaye,  
D Oldridge, T Page, P Ruffles and K Warnell.

ALSO PRESENT:

Councillors P Ballam, R Brunton, J Goodeve,  
L Haysey, G Jones, P Moore, M Pope,  
S Reed, S Rutland-Barsby, R Standley and  
M Stevenson.

OFFICERS IN ATTENDANCE:

Liz Aston	- Development Team Manager (East)
Paul Dean	- Principal Planning Enforcement Officer
Simon Drinkwater	- Acting Chief Executive/Director of Neighbourhood Services
Tim Hagyard	- Development Team Manager (West)
Peter Mannings	- Democratic Services Officer
Kevin Steptoe	- Head of Planning and Building Control Services
Stephen Tapper	- Senior Planning Officer



Alison Young - Development  
Manager

261 APOLOGIES

Apologies for absence were submitted on behalf of Councillors J Jones and A McNeece. It was noted that Councillors S Bull and J Cartwright were in attendance as substitutes for Councillors J Jones and A McNeece respectively.

262 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that application 3/15/0149/FP – Part demolition and refurbishment of existing garden centre with café extension; erection of foodstore (approx. 2,047 sqm net sales) with café and external seating, extended service road, new roundabout from Amwell Hill and other associated highways, servicing and landscaping works, Van Hages Garden Centre, Amwell Hill, Great Amwell, Ware, Hertfordshire, SG12 9RP for Van Hage Garden Company Ltd, had been withdrawn.

263 DECLARATIONS OF INTEREST

Councillors D Andrews and P Ruffles declared disclosable pecuniary interests in application 3/14/2144/OP, in that they were elected Members of the Local Authority that was the applicant. They left the room whilst this matter was considered.

264 MINUTES – 18 AND 19 AUGUST 2015

RESOLVED – that the Minutes of the meetings held on 18 and 19 August 2015, be confirmed as correct records and signed by the Chairman.

265 3/14/2144/OP – RESIDENTIAL DEVELOPMENT (163 DWELLINGS), ALTERATIONS TO PATMORE CLOSE, INTERNAL ACCESS AND PARKING, LANDSCAPING, OPEN SPACE AND RELATED WORKS; ALL MATTERS RESERVED FOR LATER APPROVAL APART FROM ACCESS (APPLICATION B) FOR LAND AT PATMORE CLOSE, HADHAM ROAD, BISHOP'S STORTFORD FOR HERTFORDSHIRE COUNTY COUNCIL

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In the absence of the Chairman and Vice–Chairman, it was proposed by Councillor M Allen and seconded by Councillor J Cartwright that Councillor M Freeman be appointed Chairman for this item. After being put to the meeting and a vote taken, Councillor M Freeman was appointed Chairman for this item.

Mr Rhodes and Mr Francis addressed the Committee in objection to the application. Mr Lewis spoke for the application.

In respect of application 3/13/0886/OP, the Director of Neighbourhood Services recommended that upon completion of the Section 106 agreement, planning permission be granted as detailed in the report now submitted.

The Director summarised the detailed information contained in the additional representations summary. He referred in particular to the clause restricting the implementation of this application until an alternative school site had been secured.

The Director advised that, as the applicant was Hertfordshire County Council, the powers of enforcement would pass to East Herts as the County Council could not enforce against itself. He referred to conditions regarding noise attenuation and the maintenance of access for emergency services. Members were advised that the application delivered in terms of the funding sought for highways mitigation by the Highway Authority.

Councillor G Jones, as the local ward Member, stated that the key issue was whether there was sufficient secondary school provision elsewhere in Bishop's Stortford and policy BIS7 of the East Herts Local Plan Second Review April 2007 was the only relevant policy. He argued that there would not be sufficient provision elsewhere in the town and now was not the time to take the risk of releasing this site for housing. Councillor G Jones concluded that he would like to see improved footpath links to the town centre and provision for open recreational space with walkways and cycle ways.

The Director reminded the Committee that there was the potential for another school site and Hertfordshire County Council was taking the necessary steps to secure this with a land swap agreement. The County Council had also approved a planning application for a new secondary school. The Director advised that controls were proposed to prevent development from taking place on this site unless alternative school provision had been secured.

Councillor K Warnell stated that most of the Bishop's Stortford Silverleys and Meads Neighbourhood Plan policies had been met aside from policies HDP1 and HDP4. He stressed that the traffic modelling had not taken account of all the relevant roundabouts and the proposed development would result in more traffic than was apparent from the Officer's report.

The Director advised that modelling clearly showed that the amount of traffic using Patmore Close was very small in the context of the overall traffic volume on Hadham Road. Members were reminded that the National Planning Policy Framework (NPPF) was very clear that an objection on traffic grounds could not be sustained unless the traffic impact was going to be severe. The Director emphasised that the emergency services were satisfied so long as there was active traffic management during construction.

In reply to a query from Councillor J Kaye, the Director

confirmed that the NHS had a recent policy of seeking Section 106 contributions from developers. A new strategy for the release of new capacity for Bishop's Stortford was being developed and an analysis of the current situation had revealed that existing surgeries had some, albeit limited, spare capacity and were not turning patients away.

In response to a query from Councillor T Page, the Director advised that the highway authority was content with the proposed access arrangements as were the emergency services. Councillor J Cartwright commented that this site was much better suited to housing than a school use and the traffic impact of a school would be significantly more severe.

After being put to the meeting and a vote taken, the Committee accepted the recommendations of the Director of Neighbourhood Services as now detailed and as further amended by the details set out in the additional representations summary.

RESOLVED – that in respect of application 3/14/2144/OP, the recommendations of the Director of Neighbourhood Services as now detailed be approved and as further amended by the details set out in the additional representations summary.

266 3/15/1012/VAR – VARIATION OF CONDITION 8 (APPROVED PLANS) OF PLANNING PERMISSION 3/13/0804/OP (ERECTION OF 2,200 DWELLINGS) TO UPDATE THE APPROVED HOUSE TYPES TO ADDRESS CHANGES TO THE BUILDING REGULATIONS AT AREA B1, LAND AT BISHOP'S STORTFORD NORTH, HADHAM ROAD, BISHOP'S STORTFORD FOR PERSIMMON HOMES

Mr Smith addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended

that in respect of application 3/15/1012/VAR, planning permission be granted as detailed in the report now submitted.

Councillor G Jones, as the local ward Member, addressed the Committee regarding the relevance of two Neighbourhood Plan policies. He referred to policy HDP3 and design standards and policy HDP4 and the housing mix strategy as being of particular relevance. He expressed concerns that only two Neighbourhood Plan policies had been considered.

The Director advised that this application would be one of a number the Authority would have to determine following changes to building regulation standards that would be implemented via the building regulations process.

Members were advised that as of 1 October 2015, a new national set of construction standards would be in place. This would mean that the Council could not apply local standards unless an appropriate local plan policy was in place to justify the local standards. The weight that could be given to neighbourhood Plan policies had to take into account these new circumstances.

Councillor T Page proposed and Councillor K Warnell seconded, a motion that application 3/15/1012/VAR be deferred to allow Officers to consider the linkages between this application, the East Herts Local Plan Second Review April 2007 and the Bishop's Stortford Silverleys and Meads Neighbourhood Plan.

After being put to the meeting and a vote taken, this motion was declared LOST. After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/15/1222/HH, planning permission be granted as detailed in the report now submitted.

267 3/14/2132/OP – OUTLINE CONSENT FOR THE ERECTION OF A LOW CARBON CONTINUING CARE RETIREMENT COMMUNITY COMPRISING OF: 80 BED CARE HOME AND UP TO 96 C2 FLEXI CARE / ASSISTED LIVING UNITS. SHARED COMMUNAL FACILITIES INCLUDING SWIMMING POOL, GYMNASIUM, DAY CENTRE, THERAPY ROOMS, RESTAURANT, STORE/POST OFFICE, TENNIS COURTS, BOWLING GREEN, ALLOTMENTS/GARDENING AREAS AND PUBLIC WOODLAND WALKING AREAS AT FORMER BRICKFIELDS, OFF COLE GREEN WAY, HERTFORD, SG14 2LF FOR MR L J ELMERMANN

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Mr Woroniecki addressed the Committee in objection to the application. Mr Trigg spoke for the application.

The Director of Neighbourhood Services recommended that in respect of application 3/14/2132/OP, planning permission be refused for the reasons now detailed.

Councillor S Rutland-Barsby, as the local ward Member, stated that as regards Green Belt policy, she was surprised that this application placed this large development even further out into the Green Belt. She referred to the importance of preserving village integrity in East Herts and this application would join Hertingfordbury and Hertford in a ribbon of development.

Councillor Rutland-Barsby referred to the issues of access and flood risk and she stressed that it was the Council's responsibility to ensure safe access for residents. She commented that this application did not demonstrate a safe access at all times. She urged the Committee to accept the Officer's recommendation and refuse the application.

The Director stated this this was the fourth application for a retirement community on this site. He detailed the nature of the application and reminded Members that all matters were reserved. He detailed the location of the site and advised that this latest application moved the

proposed development outside of the protected woodland into open land.

The Director set out a number of issues that were relevant to the application and Members were referred to the narrative detailed in the additional representation summary. Councillor J Kaye referred to the isolated location of the site and he made the point that many elderly people preferred to have access to a high street. He concluded that this development was being proposed in entirely the wrong location.

Councillor P Ruffles stated that this outline application had been recommended for refusal on absolutely clear policy grounds. He agreed that this was the wrong place for a retirement community and he would be supporting the Officer's recommendation.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/14/2132/OP, planning permission be refused for the reasons now detailed.

268 3/15/1019/REM – RESIDENTIAL DEVELOPMENT OF 26 DWELLINGS – APPROVAL OF DETAILS IN RESPECT OF LANDSCAPING FOLLOWING OUTLINE APPROVAL OF LPA REFERENCE 3/10/2040/OP AT LAND OFF LONGMEAD, BUNTINGFORD, SG9 9EF FOR MATTHEW HOMES

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The Director of Neighbourhood Services recommended that in respect of application 3/15/1015/REM, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director detailed the site history and stated that the Landscape Officer had no objections to the application. In response to a query from Councillor S Bull regarding planning enforcement, the Director confirmed that Officers

were reliant on local ward Members and the public for notification of any breaches of planning control.

The Director assured the Committee that Officers had the power to take enforcement action if required to ensure compliance with the conditions and in particular the maintenance of landscaping for a period of 5 years. After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/15/1019/REM, planning permission be granted subject to the conditions detailed in the report now submitted.

269 3/14/1299/FP – CHANGE OF USE OF LAND FROM AGRICULTURAL TO CAR PARKING FOR 92 VEHICLES TOGETHER WITH COACH PARKING AND TURNING, AND UPGRADED VEHICULAR ACCESS AT FIELD ADJACENT TO HERTFORD RUGBY CLUB, HOE LANE, WARE, HERTS, SG12 9NZ FOR HERTFORD RUGBY FOOTBALL CLUB

Mr Marley addressed the Committee in objection to the application. Mr Roat spoke for the application.

The Director of Neighbourhood Services recommended that in respect of application 3/14/1299/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor M Pope, as the local ward Member, stated that although he supported the activity of Hertford Rugby Club, he was concerned over the concreting of part of the District's Green Belt for a car park. He referred to the role of the Green Belt in preventing the coalescing of land between towns.

Councillor Pope agreed that the vehicular access to the Rugby Club needed to be improved. He supported the introduction of boundary fencing adjacent to 60 Hoe Lane



but was not supportive of speed humps due to increased engine noise.

Councillor J Cartwright stated that any coalescence of the Green Belt would be modest and the benefits of the proposed development would be outweighed by the minimal encroachment into the Green Belt. He commented that he had found the current access to be extremely challenging.

Councillor J Kaye stated that he felt that the suggestion of the local ward Member regarding boundary fencing should be taken up. He was also concerned regarding the loss of Green Belt for a concrete car park even though Officers had referred to the openness of the proposed development. Councillor K Brush also expressed concerns regarding the encroachment of the proposed development into the Green Belt.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/14/1299/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

270 3/14/2013/FP – PROPOSED RETENTION OF MEADOW BARN AND ASSOCIATED POLE BARN AS A PERMANENT FUNCTION FACILITY AND CHANGE OF USE OF THE APPROVED FUNCTION BARN (REF: 3/10/1200/FP) TO PROVIDE A SPA FOR HOTEL GUESTS AND VISITORS, WITH THE INSERTION OF A FIRST FLOOR TO PROVIDED TWO RESIDENTIAL FAMILY UNITS FOR RECUPERATIVE NEUTROPENIC CHILDREN AT TEWIN BURY FARM HOTEL, HERTFORD ROAD TEWIN AL6 0JB FOR MR V WILLIAMS

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Mr Williams addressed the Committee in support of the application.

The Director of Neighbourhood Services recommended that in respect of application 3/14/2013/FP, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director detailed the nature of the application and referred to the site history. He stated that very special circumstances had to be demonstrated to justify development in the Metropolitan Green Belt. Officers were satisfied that very special circumstances had been demonstrated in this case and the application had policy support in terms of the support and encouragement of rural businesses.

Members were referred to the information detailed in the additional representations summary. After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted and as further amended by the details set out in the additional representations summary.

RESOLVED – that in respect of application 3/14/2013/FP, planning permission be granted subject to the conditions detailed in the report now submitted and as further amended by the details set out in the additional representations summary.

271 3/15/1011/FUL – ERECTION OF 2NO 2 BEDROOMED DWELLINGS AND 5NO 4 BEDROOMED DWELLINGS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING AT LAND AT WALNUT CLOSE, MUCH HADHAM, SG10 6AJ FOR MARDEN HOMES

Mr Morgan addressed the Committee in objection to the application. Mr Firth spoke for the application.

The Director of Neighbourhood Services recommended that in respect of application 3/15/1011/FUL, subject to the applicant or successor in title entering into a legal

obligation pursuant to Section 106 of the Town and Country Planning Act 1990, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director set out the details of the application and stated that due to the location of the site there was no in principle objection to the application. Members were advised that there were no concerns regarding traffic generation or highways safety and appropriate visibility splays could be achieved.

The Director set out a number of other issues that were relevant to the application and which had led Officers to recommend to Members that the scheme should be approved.

In response to a query from Councillor S Bull, the Director confirmed that following a query from the Council's Solicitor that the proposed tenancy arrangements for the affordable housing were set out in the recommendation, this had been amended to 1 unit being provided as rented and 1 unit as shared ownership.

In reply to a query from Councillor J Kaye, the Director confirmed that the site was formerly part of the garden of Yewtree House. The Director advised that the Conservation Officer was satisfied that the relationship between the proposed development and heritage assets was acceptable.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted and as further amended by the details set out in the additional representations summary.

RESOLVED – that in respect of application 3/15/1011/FUL, subject to the applicant or successor in title entering into a legal obligation pursuant to Section 106 of the Town and Country

Planning Act 1990, planning permission be granted subject to the conditions detailed in the report now submitted and as further amended by the details set out in the additional representations summary.

272 3/15/1269/FUL – ERECTION OF 1 NO. 4 BEDROOMED DETACHED HOUSE AT LAND TO THE REAR OF 26 CHANTRY ROAD, BISHOP'S STORTFORD, CM23 2SF FOR MR JOSEPH MCKENZIE

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At this point (9.48 pm), the Committee passed a resolution that the meeting should continue until the completion of the remaining business on the agenda.

Mr Paul addressed the Committee in objection to the application. Mrs Chambers spoke for the application.

The Director of Neighbourhood Services recommended that in respect of application 3/15/1269/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director detailed the history of the site and set out the planning merits of the application. Members were advised that there was no objection in principle to the application as the site was located in the built up area of Bishop's Stortford. The Director set out a number of other issues that were relevant to the application and concluded that the scheme would cause no harm to the character and appearance of the area.

Councillor K Warnell stated that he was the ward Member that had requested the application come before the Committee and he had been approached by both the applicant and objectors. After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/15/1269/FUL, planning permission be granted

subject to the conditions detailed in the report now submitted.

273 3/15/1222/HH – RETROSPECTIVE PLANNING PERMISSION FOR THE ERECTION OF TWO DETACHED CART-LODGES WITHIN THE FRONT GARDEN AT HIGH OAKS, MUCH HADHAM, SG10 6DQ FOR MR J CAREY

The Director of Neighbourhood Services recommended that in respect of application 3/15/1222/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

The Director detailed the history of the site and Members were advised that a limited extensions policy was in place as the site was located in the rural area beyond the Green Belt. Officers had reached the conclusion that the scale and impact of the application was appropriate and the overall impact of the application on the street scene was acceptable.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Director of Neighbourhood Services as now submitted.

RESOLVED – that in respect of application 3/15/1222/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

274 ITEMS FOR REPORTING AND NOTING

RESOLVED – that the following reports be noted:

- (A) Appeals against refusal of planning permission / non-determination;
- (B) Planning Appeals lodged;
- (C) Planning Appeals: Inquiry and Informal Hearing dates; and

(D) Planning Statistics.

The meeting closed at 10.05 pm

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

MINUTES OF A MEETING OF THE  
COMMUNITY SCRUTINY COMMITTEE  
HELD IN THE COUNCIL CHAMBER,  
WALLFIELDS, HERTFORD ON TUESDAY  
22 SEPTEMBER 2015, AT 7.00 PM

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PRESENT: Councillor Mrs D Hollebon (Chairman)  
Councillors G Cutting, R Henson, J Jones,  
A McNeece, D Oldridge, M Pope and  
R Standley

ALSO PRESENT:

Councillors A Alder, M Allen, D Andrews and  
P Ruffles

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Ben Cannell	- Front of House Manager
Simon Drinkwater	- Acting Chief Executive/Director of Neighbourhood Services
Philip Gregory	- Head of Strategic Finance
Marian Langley	- Scrutiny Officer
Will O'Neill	- Head of Communications, Engagement and Cultural Services
Ceri Pettit	- Corporate Planning and Performance Manager
Rhys Thomas	- Arts and Entertainment Programme Director

Ben Wood

- Head of Business  
Development

275 APOLOGIES

Apologies for absence were submitted from Councillors J Goodeve and K Warnell.

276 MINUTES

RESOLVED – that the Minutes of the meeting held on 16 June be confirmed as a correct record and signed by the Chairman.

277 ANNUAL PERFORMANCE REPORT FOR RIVERSMEAD AND CIRCLE AND SOUTH ANGLIA HOUSING ASSOCIATIONS 2014/15

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The Executive Member for Health and Wellbeing submitted a report on the progress made by the two large scale voluntary transfer housing associations on the three remaining undertakings which remained following the end of the Delivery of Promises Programme in 2007.

The Manager, Housing Services explained that there were three indicators which the Council continued to monitor, Nomination Percentages, spend on Aids and Adaptations and the number of Right to Buy sales under the Clawback Agreement. Of particular concern was the fact that Riversmead Housing Association had not met its target spend for Aids and Adaptations on their tenants' homes. They stated that this was a result of a re-structure and gave an assurance that this would be monitored much more closely in future by their Senior Management Team on a monthly basis. An update was provided on the low level of Right to Buy sales which had been affected negatively by the Government's cap on the discounts which could be applied.

In response to a query from Councillor M Pope regarding missed targets on aids and adaptations, the Manager, Housing Services explained the role of the County Council and



previous difficulties that had been experienced in making Occupational Therapist referrals, which could have impacted on the aids and adaptations target, although there was an element of self-referral in relation to smaller adaptations. Assurances had been given by Riversmead that no one had been refused an aid or adaptation. Members were reminded that over the past seven years Riversmead HA had consistently overspent on its aids and adaptations target.

In response to a query from Councillor D Oldridge, the Manager, Housing Services explained that no penalties or claw backs had been imposed within the contract.

In response to a query from Councillor D Andrews regarding references to “centralised” and loss of “key personnel”, Members were advised that both Housing Associations had centralised a lot of their key functions and this had needed time to “bed” in

Councillor A McNeece referred to his difficulties in contacting Riversmead HA by telephone, adding that this might be the reason targets were not being met as people could not get through. The Manager, Housing Services stated that this issue had been raised at a quarterly meeting with the Associations. They had advised that more staff had been employed but that this had taken time to be effective. She commented that both HAs were keen to promote “walkabouts” within their areas with local Councillors and they could provide dates when these were scheduled to take place.

Councillor D Andrews expressed his frustration at trying to engage with the Housing Associations. The Manager, Housing Services advised that quarterly meetings were held with both housing associations and that all Councillors were invited to attend (with the meetings chaired by Councillor Buckmaster).

In response to a query from Councillor M Pope regarding Right to Buy and the Government’s stance on capping and what the Council could do, the Manager, Housing Services explained that letter drops by the Government had taken

place and both the Council and Housing Associations had advertised, but that the central issue was high property values in the District.

In response to a query from Councillor A McNeece, the Manager, Housing Services provided a definition of “Affordable Housing” adding that this was an issue addressed in the Council’s Local Plan. The Chairman suggested that the Member might wish to discuss the issue further with the Officer, outside of the meeting.

In response to a query by Councillor D Andrews, the Manager, Housing Services explained that no “void” properties targets were included in the Stock Transfer Contract. The Chairman advised that she and the Acting Chief Executive and Director would be meeting with Housing Associations shortly and would discuss performance and report back to Members in November 2015.

Members supported a suggestion that the Executive Member for Health and Wellbeing be advised that both Housing Association targets should be monitored more closely and that communication links, allowing better access by the public be put in place. This was supported.

The Committee received the report.

RESOLVED – that (A) the performance of both Riversmead and Circle South Anglia Housing Associations on the three remaining stock transfer undertakings for the year 2014/15 be noted; and

(B) the Executive Member for Health and Wellbeing be advised that targets should be monitored more closely and that communication links, allowing better access by the public, be put in place.

278 HERTFORD THEATRE ANNUAL REPORT FOR THE FINANCIAL YEAR 2014/15

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The Executive Member for Health and Wellbeing submitted a

report detailing the fifth annual report for Hertford Theatre.

The Head of Communications, Engagement and Cultural Services explained the main elements of the report concluding that the figures showed that this was another successful story of continued business growth. He referred to the mid-term potential alternative governance options, the detail of which was set out in the report. It was noted that from April 2016, the theatre would be open on Sundays as well.

The Director of Hertford Theatre provided a summary of the report in terms of his vision to consolidate the Theatre's position as an arts venue both locally and further afield to expose the theatre's work and further increase audiences. He explained that the Arts Council had granted the Theatre a "Producers Fellowship" to develop a greater understanding of services to all audiences across the District. The Director commented on other challenges in terms of audience inclusivity and referred to a planned performance of "Welcome to Biscuit Land" by a performer living with Tourette's Syndrome and of proposals to introduce "relaxed" cinema performances for people suffering with autism and other challenging conditions.

Councillor J Jones congratulated both the Director of Hertford Theatre and the Head of Communications, Engagement and Cultural Services for the excellent figures achieved and of the growing popularity of the Theatre. He hoped that Buntingford could benefit from satellite links to the Theatre and to performances.

Councillor D Oldridge referred to the "patchy" figures achieved in the cinema and queried what could be done to maximise attendance. The Director stated that although there was a large choice of films, Members needed to have regard to the fact that the Theatre was one of the largest independent cinemas in the country with a 408 seat auditorium. He stated that the pricing policy was constantly reviewed and competitive and that the pricing for Saturday mornings had been reduced to appeal to a family audience.

Councillor M Pope thanked the Officers for the detailed report and asked whether benchmarking and comparative figures could be included in future reports. This was supported. In response to a further question in relation to negative feedback about the cooling systems and technical equipment, the Director provided an update on recent work undertaken to address this.

The Chairman praised the work of the volunteers. The Front of House Manager explained that the Theatre had a fantastic team of 70 at the moment which was sufficient to deliver the current programme.

Councillor D Oldridge referred to wheel chair access to the stage and back stage and queried what could be done to rectify this. The Director explained that the Theatre was fully wheel chair accessible for people coming to watch shows but back stage remained a problem. He summarised the difficulties and that an audit had revealed that the costs would be “astronomical” to reconfigure what was currently there in terms of the differing floor levels and the narrowness of the corridors.

In response to a query from Councillor M Pope regarding the marketing strategy, the Marketing Manager explained that the Theatre had a structured and collaborative approach to marketing to achieve good value for money and was making increasing use of online media.

The Chairman, on behalf of Members, thanked the Director and his team at Hertford Theatre for another successful update and looked forward to next year’s report.

The Committee received the report.

RESOLVED – that (A) the Annual Report for Hertford Theatre for the year 2014/15 be received;

(B) the cohort of volunteers be congratulated and thanked for their contribution to the success of the venue; and

(C) benchmarking and comparative data on discrete strands of the business be included in future reports.

279 REVIEW OF FEES AND CHARGES CALCULATIONS AND LEVELS

The Executive Member for Finance and Support Services submitted a report providing Members with an opportunity to review the current level of fees and charges within the remit of Community Scrutiny Committee. The Head of Strategic Finance explained the key principles on which fees and types of charges were set and of the three types of charges levied.

The Head of Strategic Finance reminded Members that the MTFP had been set based on an increase of 2.5% for fees and charges but this figure was an overall percentage, not necessarily levied on every fee/charge. Heads of Service were currently drafting their budgets and any comments would be fed back to relevant Officers for further review by the joint meeting of Scrutiny Committees in 2016. He stated that Corporate Business Scrutiny and Environment Scrutiny Committees had already reviewed their Fees and Charges and that Corporate Business Scrutiny Committee had requested more detail in respect of usage data against the fees and charges where the Authority had discretion.

In response to a query from Councillor R Standley regarding the costs associated with dispensations for builders and what was charged when parking outside of a home being worked on, the Head of Strategic Finance explained that this was within the remit of Environment Scrutiny Committee.

Councillor G Cutting referred to the need to include comparative data, e.g. listing the number of dog breeding establishments in order to make an informed judgement. The Head of Strategic Finance commented that Corporate Business Scrutiny had asked for information on volumes, whether a charge was statutory, full cost recovery or whether the Council had full discretion.

In response to a query by Councillor D Oldridge, the Head of Strategic Finance explained that customer satisfaction data would be included in future Service Plans.

The Committee agreed the report and supported the suggestion made at Corporate Business Scrutiny Committee regarding the inclusion of information about usage data (volumes) and comparative figures on fees and charges within the remit of Community Scrutiny Committee where the Authority had discretion.

RESOLVED – that the report be approved and that information about usage data (volumes) and comparative figures on fees and charges within the remit of Community Scrutiny Committee, be included in future reports where the Authority has discretion.

280 COMMUNITY SCRUTINY WORK PROGRAMME  
(SEPTEMBER 2015)

The Chairman submitted a report setting out the proposed work programme for the 2015-16 civic year.

The Scrutiny Officer commented that a request had been submitted regarding the development of a new Leisure Strategy for the Authority for consideration by Members at its meeting on 17 November 2015. She explained that this would be a large piece of work which would also encompass the Health and Wellbeing Strategy adding that the request was for an initial report to come to Members in November, which would request that a Task and Finish Group be established to work out the detail. This was supported.

The Scrutiny Officer referred to the need to identify a “Crime and Disorder” item for inclusion on the agenda for the meeting on 15 March 2016. “Rural Crime Trends in East Herts” had been identified as a suitable item for scrutiny given the changing pattern of rural crime discussed recently at a meeting of the Community Safety Partnership. This was supported.

In response to a query from Councillor A McNeece the Scrutiny Officer stated that the review would focus on rural crime, this would not include incidents such as cyber-crime as this was not location specific.

The Committee approved the report, as amended.

RESOLVED – that the work programme, as now detailed and amended, be approved.

281 COMMUNITY SCRUTINY CORPORATE HEALTHCHECK REPORT - APRIL TO JULY 2015

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The Director of Finance and Support Services submitted a report on the performance of key indicators for Community Scrutiny Committee for the period April to July 2015.

The Corporate Planning and Performance Manager provided a summary of the report highlighting those which were on target or exceeded their target (3); those which were off target (2) and why and including indicators (17) which identified trends.

The Corporate Planning and Performance Manager explained how Heads of Service would be managing declining trends. She explained that going forward, it was proposed that targets be profiled and why this was necessary in terms of recognising peaks in service demand.

In response to a query regarding EHPI 181 (Time taken to process Housing Benefit, new claims and change events) and meeting targets, the Corporate Planning and Performance Manager explained that new profiled targets would be introduced with immediate effect.

In response to a query from Councillor A Alder regarding the age group of cohorts presenting themselves as homeless, the Acting Chief Executive and Director of Neighbourhood Services undertook to provide a written response.

The Committee received the report.

RESOLVED – that the Executive be advised that Community Scrutiny Committee noted the performance for the period April to July 2015.

The meeting closed at 8.25 pm

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



MINUTES OF A MEETING OF THE  
AUDIT COMMITTEE HELD IN THE  
COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON WEDNESDAY 23  
SEPTEMBER 2015, AT 7.00 PM

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PRESENT: Councillor W Mortimer (Chairman).  
Councillors J Cartwright, I Devonshire,  
P Kenealy and S Stainsby.

ALSO PRESENT:

Councillors P Ruffles, M Stevenson and  
G Williamson.

OFFICERS IN ATTENDANCE:

Chris Gibson	- Head of Governance and Risk Management
Philip Gregory	- Head of Strategic Finance
Peter Mannings	- Democratic Services Officer
Adele Taylor	- Director of Finance and Support Services

ALSO IN ATTENDANCE:

Sarah Ironmonger	- Grant Thornton
Nick Jennings	- Shared Anti-Fraud Service
James Kidd	- Shared Anti-Fraud Service
Helen Maneuf	- Shared Internal Audit Service

282 TRAINING ITEM – THE SHARED INTERNAL AUDIT SERVICE (SIAS) AND THE SHARED ANTI-FRAUD SERVICE

Members were provided with a training presentation by the Shared Internal Audit Service (SIAS) and the Shared Anti-Fraud Service (SAFS). The Director of Finance and Support Services and representatives of SIAS and SAFS responded to a number of questions from the Committee in respect of the training.

The Chairman thanked the representatives of SIAS and SAFS for the informative presentation.

RESOLVED – that the presentation be received.

283 APOLOGIES

Apologies for absence were submitted on behalf of Councillors B Deering and P Phillips.

284 MINUTES – 15 JULY 2015

RESOLVED – that the Minutes of the meeting held on 15 July 2015 be confirmed as a correct record and signed by the Chairman.

285 EXTERNAL AUDIT – AUDIT FINDINGS REPORT

The External Auditor submitted a report setting out significant findings arising from the audit for the year ending 31 March 2015. The report also presented the External Auditor's findings to management and those charged with governance in accordance with the requirements of the International Standard on Auditing 260 (UISA UK and I).

The External Auditor advised that the audit was substantially complete subject to the finalisation of their work in areas as detailed in the report. A number of key messages had arisen from the audit, as detailed in the

report. Subject to the finalisation of the highlighted areas, the External Auditor anticipated providing an unqualified opinion on the Council's financial statements.

The External Auditor also anticipated providing an unqualified opinion in respect of the Value for Money (VfM) conclusion. Members were advised of three minor internal control issues as detailed in the report.

Officers in the Council's finance department were thanked for their support in the preparation of this report.

The Director of Finance and Support Services stated that future system capability of the Council's financial system would improve the internal control of the Authority. She assured the Committee that once the contract on the current non-bespoke system expired at the end of 2017, adjustments would be made to ensure the Council's financial system delivered what the Authority needed going forward.

The Committee received the report.

RESOLVED – that the report be received.

## 286 STATEMENT OF ACCOUNTS 2014/15

The Executive Member for Finance and Support Services submitted a report which set out the background to the 2014/15 Statement of Accounts and detailed the overall financial position on the balance sheet, revenue activities for the General Fund and the Collection Fund. The report summarised changes in reporting requirements from 2013/14 and supporting comments on the key financial statements.

The Director of Finance and Support Services responded to a comment from Councillor I Devonshire regarding the Council's increasing pension liabilities.

The Committee approved the report.

RESOLVED – that (A) the Council’s Statement of Accounts for 2014/15 be approved and that the Chairman of Audit Committee be authorised to sign the Statement at the conclusion of the meeting; and

(B) the Letter of Representation be approved for signature by the Chairman of Audit Committee and the Director of Finance and Support Services.

287 TREASURY MANAGEMENT STRATEGY STATEMENT  
2014-15 OUTTURN

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The Executive Member for Finance and Support Services submitted a report which reviewed the Council’s treasury management activity for 2014/15 and which identified the associated impact on the 2015/16 treasury management strategy.

Members were referred to Essential Reference Paper ‘C’ for the Prudential and Treasury Indicators as at 31 March 2015. The Committee approved the report.

RESOLVED – that the 2014/15 Treasury management activity and Prudential Indicators be approved.

288 ANNUAL GOVERNANCE STATEMENT 2014/15

The Leader of the Council submitted a report setting out the 2014/15 Annual Governance Statement and the 2015/16 Annual Governance Statement Action Plan as detailed within the supporting Essential Reference Papers.

The Head of Governance and Risk Management reminded Members that the Annual Governance Statement, under the Accounts and Audit Regulations 2011, required Authorities to conduct an annual review of the effectiveness of its system of internal control.

Members were advised that the static part of the Annual Governance Statement was detailed at Essential Reference Paper 'B' and this document showed tracked changes made to last year's statement. The Annual Governance Statement Action Plan 2015/2016 was detailed at Essential Reference Paper 'C' and identified three issues which would continue to be monitored through Corporate Management Team (CMT) and Audit Committee.

The Committee approved the report.

RESOLVED – that the 2014/15 Annual Governance Statement and 2015/16 Action Plan, as now detailed, be approved.

289 SHARED INTERNAL AUDIT SERVICE – ANNUAL REPORT 2014/15

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The Shared Internal Audit Service submitted their annual report on the activity of the Shared Internal Audit Service (SIAS) during the 2014/15 financial year. The SIAS Head of Assurance provided a summary of the highlights that had been achieved.

Members were reminded of the importance of harnessing the power of partnership working and the sharing of learning. The SIAS Head of Assurance referred the Committee to figure 4 in her report for the key observations from the Joint Review of Annual Governance Statements.

The Chairman commented on the importance of organised and disciplined audit work. The Director of Finance and Support Services reminded Members that Audit Plans now covered a 3 year period. The Director advised Councillor J Cartwright that she was a board Member of SIAS in her position as the Council's Section 151 Officer.

The Audit Committee was advised that if any issue arose and there was any concern regarding a conflict of interest in that matter then Members could approach the Council's Monitoring Officer or the Chief Executive.

The Committee received the report.

RESOLVED – that the report be received.

290 SHARED INTERNAL AUDIT SERVICE – AUDIT PLAN UPDATE

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The Shared Internal Audit Service submitted a report detailing the progress made in delivering the Council's Annual Audit Plan for 2015/16 and proposed amendments to the approved 2015/16 Audit Plan. Members were also provided with an update on the status of previously agreed high priority audit recommendations and an update on performance management information for the period up to 4 September 2015.

Councillor J Cartwright sought and was given clarification in terms of the definition of the Changing the Way We Work (C3W) programme and the benefits as regards business continuity. The Committee noted the progress made on the information as detailed by Internal Audit and the status of high priority recommendations.

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

(B) the status of high priority recommendations be noted.

291 SHARED ANTI-FRAUD SERVICE (SAFS) POSITION

The Shared Anti-Fraud Service (SAFS) submitted a report in respect of the progress made by the new SAFS since its launch on 1 April 2015. The report updated Members on the progress in respect of a proposed shared fraud strategy, the proposed countywide SAFS publicity

campaign and the proposed format of future half-yearly reports.

In response to a query from Councillor J Cartwright regarding governance and funding, the Director of Finance and Support Services agreed to circulate the original SAFS business case that had been approved by the Executive in December 2014.

The Director stated that the SAFS had been set up in a short space of time and that the initial set up costs had been covered by a grant from the Department of Communities and Local Government (DCLG). She advised that the SAFS would be at the forefront of anti-fraud work and was cutting edge. Members received the report.

RESOLVED – that (A) the Shared Anti-Fraud Service progress report be noted; and

(B) the proposed format for future half-yearly reports be supported.

292 RISK MANAGEMENT MONITORING REPORT 1 APRIL TO 30 JUNE 2015

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The Executive Member for Finance and Support Services submitted a report on the actions that had been taken to mitigate and control strategic risks during the period April to June 2015.

The Head of Governance and Risk Management advised that 9 risks had been updated and 4 had been removed from the strategic risk register. 5 new strategic risks had been added and the previous risk register had also been updated.

The Committee approved the report as now detailed.

RESOLVED – that the actions taken to mitigate and control strategic risks be approved.

293 WORK PROGRAMME

The Director of Finance and Support Services submitted a report setting out the proposed Audit Committee work programme. The Head of Governance and Risk Management stated that a revised date of the 16 March 2016 had now been set for the meeting originally scheduled for April 2016.

Members agreed that they would receive future training items in respect of treasury management and the local government pension scheme.

RESOLVED – that the work programme, as now detailed, be approved.

The meeting closed at 8.51 pm

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



## EAST HERTS COUNCIL

COUNCIL – 28 OCTOBER 2015

REPORT BY HEAD OF DEMOCRATIC AND LEGAL SUPPORT SERVICES

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### SCHEME OF SUBSTITUTION

WARD(S) AFFECTED:     None

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### Purpose/Summary of Report

- To amend the Council’s scheme for the appointment of substitute members on committees and sub-committees.

<b>RECOMMENDATION FOR DECISION: that</b>	
<b>(A)</b>	<b>paragraph 4.3(iii) of Part 4a (Council Procedural Rules) of the constitution be amended to read:</b>
	<b>“after notification has been given by the absent Member to the Head of Democratic and Legal Support Services at least 24 hours before the meeting of the intended substitution. This does not apply to the Development Management Committee where the required notification must be either to the Committee Chairman or the Deputy Leader who, in turn, will notify the Committee service at least 7 hours before commencement of the Development Management Committee meeting. The duration of the substitution shall form part of the notification.”</b>

#### 1.0 Background

1.1 Council’s constitution includes a scheme for the appointment of substitute members of committees and sub-committees.

1.2 A provision within the constitution details the mechanism for appointing substitute members.

1.3 Currently, substitute members may attend meetings in that capacity only “....after notification has been given by the absent Member to the Head of Democratic and Legal Support Services at

least 24 hours before the meeting of the intended substitution, or at least 7 hours before the meeting for Development Management meetings. The duration of the substitution shall be included in the notice.”

## 2.0 Report

2.1 The Leader of the Council, on the basis that it will strengthen the resilience of the decision-making process for planning matters, has requested that Council be invited to amend the requirement detailed in paragraph 1.3 above to the following:

“...after notification has been given by the absent Member to the Head of Democratic and Legal Support Services at least 24 hours before the meeting of the intended substitution. This does not apply to the Development Management Committee where the required notification must be either to the Committee Chairman or the Deputy Leader who, in turn, will notify the Committee service at least 7 hours before commencement of the Development Management Committee meeting. The duration of the substitution shall form part of the notification.”

## 3.0 Conclusion

3.1 Council is invited to approve the amendment to its constitution as detailed in the report.

### Background Papers

None

Contact Officer: Jeff Hughes – Head of Democratic and Legal Support Services – Extn: 2170  
[jeff.hughes@eastherts.gov.uk](mailto:jeff.hughes@eastherts.gov.uk)

Report Author: Jeff Hughes – Head of Democratic and Legal Support Services – Extn: 2170.

## ESSENTIAL REFERENCE PAPER 'A'

Contribution to the Council's Corporate Priorities/ Objectives:	<i>People</i> – Fair and accessible services for those that use them and opportunities for everyone to contribute
Consultation:	None
Legal:	None
Financial:	None
Human Resource:	None
Risk Management:	Failure to follow constitutional provisions regarding the operation of the Authority's substitution scheme could lead to challenges of decisions taken at meetings.
Health and Wellbeing - issues and impacts	None

# Agenda Item 23

COUNCIL – 28 OCTOBER 2015

NOTICE OF MOTION

*The meetings of East Herts District Council should be conducted in a manner equally welcoming to all attendees, regardless of their individual religious beliefs or lack of belief. Religious worship should therefore play no part in the formal or informal business of council meetings, on council premises.*

Proposed by Councillor A McNeece  
Seconded by Councillor P Phillips