

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 16th December, 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.

Dated this 3rd day of December 2016

Jeff Hughes
Head of Democratic and
Legal Support Services

Note: Prayers will be said before the meeting commences. Those Members who do not wish to participate will be invited to enter the Chamber at their conclusion

AGENDA

1. Chairman's Announcements

To receive any announcements.

2. Minutes (Pages 7 - 20)

To approve as a correct record and authorise the Chairman to sign the Minutes of the Council meeting held on 28 October 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.

7. Executive Report - 3 November 2015 (Pages 21 - 26)

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

- (A) West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA), September 2015

Minute 372 refers

- (B) Economic Evidence to Support the Development of the OAHN for West Essex and East Herts, September 2015

Minute 373 refers

- (C) District Plan Transportation – A414, Hertford

Minute 374 refers

- (D) Delivery Study, September 2015

Minute 375 refers

8. Executive Report - 1 December 2015

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

- (A) Council Tax Support Scheme

Minute 433 refers

- (B) Charrington's House, Bishop's Stortford Capital Bid

Minute 434 refers

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

9. Environment Scrutiny Committee: Minutes - 10 November 2015 (Pages 27 - 34)

Chairman: Councillor J Wyllie

10. Development Management Committee: Minutes - 11 November 2015 (Pages 35 - 42)

Chairman: Councillor D Andrews

11. Community Scrutiny Committee: Minutes - 17 November 2015 (Pages 43 - 52)

Chairman: Councillor Mrs D Hollebon

12. Licensing Committee: Minutes - 19 November 2015 (Pages 53 - 56)

Chairman: Councillor Mrs R Cheswright

(A) Draft Gambling Policy 2016-19

Minute 409 refers

13. Corporate Business Scrutiny Committee: Minutes - 24 November 2015 (Pages 57 - 62)

Chairman: Councillor P Phillips

14. Audit Committee: Minutes - 25 November 2015 (Pages 63 - 70)

Chairman: Councillor W Mortimer

15. Health and Wellbeing Scrutiny Committee: Minutes - 8 December 2015

*Chairman: Councillor N Symonds
(to follow)*

16. Development Management Committee: Minutes - 9 December 2015

*Chairman: Councillor D Andrews
(to follow)*

17. Community Governance Review Request – Bishop’s Stortford Town Council (Pages 71 - 78)

To consider a report of the Head of Democratic and Legal Support Services

18. Statutory Officer Appointments (Pages 79 - 84)

To consider a report of the Leader of the Council

19. Calculation of Council Tax Base 2016/17 (Pages 85 - 92)

To consider a report of the Executive Member for Finance and Support Services

20. Motions on Notice

To receive Motions on Notice.

DISCLOSABLE PECUNIARY INTERESTS

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
 - must not participate in any discussion of the matter at the meeting;
 - must not participate in any vote taken on the matter at the meeting;
 - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
 - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
 - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.

4. It is a criminal offence to:

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

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

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.

MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 28 OCTOBER 2015, AT 7.00
PM

PRESENT: Councillor P Moore (Chairman).
Councillors D Abbott, A Alder, M Allen,
D Andrews, P Ballam, R Brunton, K Brush,
E Buckmaster, S Bull, J Cartwright, M Casey,
Mrs R Cheswright, S Cousins, K Crofton,
G Cutting, B Deering, I Devonshire, H Drake,
M Freeman, J Goodeve, B Harris-Quinney,
L Haysey, R Henson, Mrs D Hollebon,
A Jackson, G Jones, J Jones, J Kaye,
G McAndrew, M McMullen, A McNeece,
W Mortimer, D Oldridge, T Page, P Phillips,
M Pope, S Reed, P Ruffles, S Rutland-
Barsby, S Stainsby, R Standley, N Symonds,
J Taylor, 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
Liz Watts	- Chief Executive

344 CHAIRMAN'S ANNOUNCEMENTS

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

On behalf of all Members, the Chairman welcomed Liz Watts, Chief Executive, to her first Council meeting.

The Chairman referred to the sad news that, since the last meeting, two former Members had passed away. Edward Carter had represented Hunsdon ward from 1987 – 2003. Janet Mayes had represented Great Amwell ward from June 2006 until retiring in May 2015. As a mark of respect, Members stood and observed a minute's silence in memory of both former Members.

The Chairman referred to the events she had attended recently and highlighted a visit to the World Canoe Slalom Championships at Lee Valley White Water Centre where she had been awestruck in meeting Baroness Grey-Thompson.

Finally, she drew Members' attention to the launch of the East Herts Got Talent competition.

345 MINUTES

RESOLVED – that the Minutes of the Council meeting held on 29 July 2015 and the Extraordinary Council meetings held on 29 July and 1 September 2015, be approved as correct records and signed by the Chairman.

346 PUBLIC QUESTIONS

Katharine Seaton, a resident of Hertford, stated that she was on the steering group of the community network, Herts Welcomes Syrian Families, which had formed to encourage Hertfordshire councils to participate in the government's Vulnerable Persons Relocation scheme for Syrian nationals. On behalf of her network, she asked the Leader of the

Council how East Herts Council intended to implement the scheme locally, what was the most optimistic timescale possible for bringing the first family here, and what could her network do to support the Council practically to achieve this.

In reply, the Leader of the Council agreed that the deplorable plight of many Syrian people deserved support. She referred to the Prime Minister's statement of 7 September 2015, in which the process, nationally, for accepting up to 20,000 people over the next five years had been outlined. The Council was participating fully with neighbouring councils and other agencies to provide a coordinated strategy that would assist in helping Syrian families arriving in the coming weeks and months. The position was changing on an almost daily basis and although the Leader was unable to confirm the timescale for the first arrivals in Hertfordshire, she provided assurance that the Council would play its full part.

In response to a supplementary question, the Leader undertook for the Council to keep Herts Welcomes Syrian Families informed of progress.

347 MEMBERS' QUESTIONS

Question 1

Councillor R Henson asked the Executive Member for Environment and the Public Space if he could set out the measures the Council was taking to work with the police and other partners, both to combat illegal drug use in East Hertfordshire, and to promote the safety and wellbeing of residents.

In response, the Executive Member for Environment and the Public Space detailed the work of the East Herts Community Safety Partnership. The Council played a lead role in this multi-agency partnership and the Executive Member highlighted some of its activities. In particular, he referred to the Anti-Social Behaviour group which organised a highly successful diversionary activities programme. The Council enjoyed a close working relationship with the police, which

included regular weekly meetings, at which crimes under investigation were discussed.

Question 2

Councillor N Symonds stated that, whilst acknowledging the excellent work that the Benefits team did, it concerned her that over two thousand people were taken to court which added court fines of £80 to debts they already had with the Benefits section. She was also concerned that some of these people might have mental health issues which Benefits were not aware of, or other disabilities. She knew that court was the absolute last resort, but asked the Executive Member for Health and Wellbeing what could be done by the Authority to help the most vulnerable residents.

In reply, the Executive Member for Health and Wellbeing agreed that the Benefits team did an excellent job. However, he believed the question related to the Revenues team who managed a council tax base of approximately 60,000, of which about 3% received a summons. He also agreed that the legal process was always a last resort and that discussions with clients often prevented the need for a summons to be issued.

The Executive Member also detailed the various training undertaken by Officers, for instance in dealing with vulnerable clients, perhaps with dementia and mental health issues. Officers also provided advice sessions and there was also the referral service to the Citizens Advice Bureau. Finally, he undertook to provide detailed statistics in writing.

Question 3

Councillor T Page asked the Executive Member for Development Management and Council Support if she was satisfied that section 106 agreements, under the Council's control, were properly formulated, monitored, and directed to local need. Bearing in mind that significant sums were reserved for major community infrastructure projects beyond its immediate responsibility, he asked if the Council could

demonstrate that it was successful in working with partners to ensure that there was no irrecoverable loss of earmarked funds.

In reply, the Executive Member for Development Management and Council Support reminded Members of the current policy position and the framework within which the Council operated. She referred to the National Planning Policy Framework and the Community Infrastructure Levy which had enabled provision to be extended to other services, e.g. health. However, there were also constraints in terms of scheme viability.

The Executive Member referred to the regular monitoring undertaken by Officers working in partnership, in particular, with Hertfordshire County Council. Outstanding schemes were reported to the Corporate Management Team and Internal Audit to ensure delivery of projects. She recommended that a quarterly schedule be produced and reported to Members and drew attention to a forthcoming training event for Members.

In response to a supplementary question on influencing partners, in particular Hertfordshire County Council, the Executive Member commented that the Head of Communications, Engagement and Culture was in constant dialogue with partners and that she was unaware of any funds ever being lost.

Question 4

Councillor P Phillips referred to David Cameron's announcement at Conservative Party Conference earlier this month to incentivise developers to deliver truly affordable housing for first time buyers. He asked the Executive Member for Health and Wellbeing if, the recent change in the Council's Affordable Housing Policy, needed an urgent review to allow the Council to take a lead with developers in moving this proactive policy forward, particularly in light of the difficulties this Council had had delivering social housing numbers in recent years with the existing policy.

In reply, Executive Member for Health and Wellbeing reminded Members with the background to the Council's Affordable Housing policies and the necessary changes that had arisen due to legal rulings. Indeed, the latest change, a reversion back to the Council's original policy, was proposed for Members to consider later in the agenda (Minute 359 refers). As the Bill had yet to be passed into law, he did not agree that there was a need for an urgent review as the District Planning Executive Panel was progressing many issues for Council to determine. He expressed his confidence that an appropriate policy would emerge. Finally, he undertook to provide statistics on affordable housing provision in writing.

348 EXECUTIVE REPORT - 28 JULY 2015

The Leader of the Council welcomed Liz Watts and referred to the exciting times that lay ahead for the Council. In respect of Minute 180 – Bishop's Stortford Town Centre, she advised that the purchase of the Bishop's Quarter had now been completed and this would provide an important revenue stream for the Council in the coming years.

The Leader also advised that Councillor G Jones would be taking over from Councillor S Rutland-Barsby as Deputy Leader from 1 November 2015. She reminded Members that Councillor S Rutland-Barsby had agreed to fulfil the Deputy Leader's duties on a temporary basis for six months only, which had now come to an end. She thanked her for her support and expressed her confidence in Councillor G Jones undertaking the role.

Councillor S Rutland-Barsby expressed her thanks for the Leader's support during the previous six months.

RESOLVED – that the Minutes of the Executive meeting held on 28 July 2015 be received.

349 EXECUTIVE REPORT - 4 AUGUST 2015

RESOLVED – that the Minutes of the Executive meeting held on 4 August 2015 be received.

(see also Minute 350)

350 MEDIUM TERM FINANCIAL STRATEGY (2016/17 TO 2019/20)

RESOLVED – 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.

(see also Minute 349)

351 EXECUTIVE REPORT - 10 AUGUST 2015

RESOLVED – that the Minutes of the Executive meeting held on 10 August 2015 be received.

352 EXECUTIVE REPORT - 1 SEPTEMBER 2015

RESOLVED – that the Minutes of the Executive meeting held on 1 September 2015 be received.

353 EXECUTIVE REPORT - 6 OCTOBER 2015

RESOLVED – that the Minutes of the Executive meeting held on 6 October 2015 be received.

(see also Minutes 354 – 359)

354 DEREGULATION ACT 2015 - DURATION OF LICENCES

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

(see also Minute 353)

355 EAST HERTS GREEN BELT REVIEW AUGUST 2015

RESOLVED – 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 353)

356 VILLAGE HIERARCHY STUDY STAGE 1 AUGUST 2015

RESOLVED – 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 353)

357 DUTY TO CO-OPERATE UPDATE REPORT

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

(see also Minute 353)

358 BUNTINGFORD TRANSPORT MODEL REPORT AUGUST 2015

RESOLVED – 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 353)

359 AFFORDABLE HOUSING – AMENDMENT TO POLICY

RESOLVED – 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 353)

360 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES - 18 AUGUST 2015

RESOLVED – that the Minutes of the Development Management Committee meeting held on 18 August 2015, be received.

361 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES - 19 AUGUST 2015

RESOLVED – that the Minutes of the Development

Management Committee meeting held on 19 August 2015, be received.

362 CORPORATE BUSINESS SCRUTINY COMMITTEE:
MINUTES - 25 AUGUST 2015

RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 25 August 2015, be received.

363 ENVIRONMENT SCRUTINY COMMITTEE: MINUTES - 8
SEPTEMBER 2015

RESOLVED – that the Minutes of the Environment Scrutiny Committee meeting held on 8 September 2015, be received.

364 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES -
16 SEPTEMBER 2015

RESOLVED – that the Minutes of the Development Management Committee meeting held on 16 September 2015, be received.

365 COMMUNITY SCRUTINY COMMITTEE: MINUTES - 22
SEPTEMBER 2015

RESOLVED – that the Minutes of the Community Scrutiny Committee meeting held on 22 September 2015, be received.

366 AUDIT COMMITTEE: MINUTES - 23 SEPTEMBER 2015

RESOLVED – that the Minutes of the Audit Committee meeting held on 23 September 2015, be received.

367 HEALTH AND WELLBEING SCRUTINY COMMITTEE:
MINUTES - 13 OCTOBER 2015

RESOLVED – that the Minutes of the Health and Wellbeing Scrutiny Committee meeting held on 13

October 2015, be received.

368 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES -
14 OCTOBER 2015

RESOLVED – that the Minutes of the Development Management Committee meeting held on 14 October 2015, be received.

369 HUMAN RESOURCES COMMITTEE: MINUTES - 21
OCTOBER 2015

RESOLVED – that the Minutes of the Human Resources Committee meeting held on 21 October 2015, be received.

370 SCHEME OF SUBSTITUTION

Council considered a report proposing an amendment to the scheme of substitution for Development Management Committee meetings. This set out revised arrangements for notification of substitutes on this Committee only being given via the Committee Chairmen or the Executive Member for Development Management and Council Support.

The Head of Democratic and Legal Support Services advised that, given the Leader's earlier statement regarding the Deputy Leader position (Minute 348 refers), the recommendation should be amended with the Executive Member for Development Management and Council Support replacing the Deputy Leader in the notification process.

Councillor T Page questioned whether the proposed change could lead to a perception by the public that undue influence would be exercised on the Committee membership for any particular meeting. He clarified that he did not cast any negative aspersions on the integrity of the current Committee Chairman or Executive Member for Development Management and Council Support.

The Executive Member for Development Management and

Council Support expressed support for the proposal by referring to the high workload for each Committee Member and the difficulties each faced with attending every meeting. The proposed arrangements would enable greater sharing of the workload, enhanced succession planning and provide for a greater rotation of Members involved in decision-making.

Council approved the proposal as now detailed.

RESOLVED – that paragraph 4.3(iii) of Part 4a (Council Procedural Rules) of the Constitution be amended to read:

“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 Executive Member for Development Management and Council Support 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.”

371 MOTION ON NOTICE - RELIGIOUS WORSHIP

Councillor A McNeece proposed, and Councillor P Phillips seconded, a motion that:

“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.”

In moving the motion, Councillor A McNeece believed that the Council should not identify with a particular religion and should be more inclusive and representative. He contended

that religion should not have any role in functions of the state and in particular, at council meetings, as this was divisive.

He commented that, although the 2015 Act had legalised prayers at meetings, many councils had since voted against the practice with only 22% of Authorities including religious worship at meetings. He believed this had a negative impact for many Councillors and undermined their freedom. He concluded by suggesting that prayers could be held in private away from the chamber and not funded by the taxpayer.

Councillor P Phillips seconded the motion by referring to his experience as a councillor attending meetings. He believed he had been elected to represent his constituents and referred to the summons for Council meetings starting at 7.00pm, and yet, invariably, meetings started later whenever prayers finished. He concluded by asking for a secret ballot on the motion, to which more than five Members indicated their support.

Councillor G Jones spoke against the motion. He stated his own Christianity, which he did not flaunt, but neither did he leave it at the door of the chamber. He referred to the role of Christianity in society generally, and that the right to hold prayers at meetings had been confirmed by the Local Government (Religious etc, Observances) Act 2015.

Councillor P Ruffles also spoke against the motion. He challenged the suggestion that prayers were divisive and believed that they served an important time for quiet reflection before a Council meeting. He believed it was right for the Chairman to facilitate what was an inclusive activity which could also be led by a Muslim, Hindu, Humanist or poet.

Exercising his right of reply, Councillor A McNeece referred to an online poll running on the Herts and Essex Observer website, which indicated 75% support for his motion.

At 8.05 pm, the meeting was adjourned so that a secret ballot on the motion could be held. At 8.12 pm, the meeting was reconvened and the Chairman advised that the voting on the

motion was as follows:

For: 5

Against: 42

Therefore, the motion was declared LOST.

The meeting closed at 8.13 pm

Chairman

Date

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 3 NOVEMBER 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 A Alder, M Allen, P Ballam,
R Brunton, M Casey, M Freeman,
J Goodeve, M McMullen, P Moore, T Page,
M Pope and P Ruffles.

OFFICERS IN ATTENDANCE:

Simon Drinkwater	- Director of Neighbourhood Services
Louise Harris	- Housing Strategy and Development Manager
Martin Ibrahim	- Democratic Services Team Leader
Chris Roberts	- Graduate Finance Officer
Adele Taylor	- Director of Finance and Support Services
Liz Watts	- Chief Executive

ALSO IN ATTENDANCE:

David Couttie	- David Couttie Associates
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372 **WEST ESSEX AND EAST HERTFORDSHIRE STRATEGIC HOUSING MARKET ASSESSMENT (SHMA), SEPTEMBER 2015**

The Executive considered and supported the recommendations of the District Planning Executive Panel meeting held on 22 October 2015, on the West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA) September 2015.

RECOMMENDED – that the West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA), September 2015, be agreed as part of the evidence base to inform and support preparation of the East Herts District Plan, and for housing strategy purposes.

(see also Minute 380)

373 **ECONOMIC EVIDENCE TO SUPPORT THE DEVELOPMENT OF THE OAHN FOR WEST ESSEX AND EAST HERTS, SEPTEMBER 2015**

The Executive considered and supported the recommendations of the District Planning Executive Panel meeting held on 22 October 2015, on the Economic Evidence to Support the Development of the Objectively Assessed Housing Need (OAHN) for West Essex and East Herts, September 2015.

RECOMMENDED – that the Economic Evidence to Support the Development of the OAHN for West Essex and East Herts, September 2015, be agreed as part of the evidence base to inform and support preparation of the East Herts District Plan.

(see also Minute 380)

374 **DISTRICT PLAN TRANSPORTATION – A414, HERTFORD**

The Executive considered and supported the

recommendations of the District Planning Executive Panel meeting held on 22 October 2015, on the District Plan Transportation – A414, Hertford.

RECOMMENDED – that (A) the contents of the letter dated 27 July 2015 from Hertfordshire County Council Highways Development Management in respect of transportation issues identified on the A414, Hertford, be noted; and

(B) Hertfordshire County Council be urged to give highest priority to expediting the completion of its COMET transportation model and publication of its emerging Transportation Vision and that East Herts Council was most willing to assist this process, if considered appropriate.

(see also Minute 380)

375 **DELIVERY STUDY, SEPTEMBER 2015**

The Executive considered and supported the recommendations of the District Planning Executive Panel meeting held on 22 October 2015, on the Delivery Study, September 2015.

RECOMMENDED – that the Delivery Study, September 2015, be agreed as part of the evidence base to inform and support preparation of the East Herts District Plan.

(see also Minute 380)

376 **LEADER'S ANNOUNCEMENTS**

The Leader welcomed the press and public to the meeting and reminded everyone present that the meeting was being webcast.

377 MINUTES

RESOLVED – that the Minutes of the Executive meeting held on 6 October 2015, be approved and signed as a correct record by the Leader.

378 HOUSING NEEDS SURVEY

The Executive Member for Health and Wellbeing submitted a report detailing the key findings of the Housing Needs Survey 2015 carried out on behalf of the Council by David Couttie Associates (DCA). The Executive member sought approval for the Housing Needs Survey results to be approved and published to guide the emerging Housing Strategy 2016-21.

David Couttie gave a presentation in which he outlined the methodology used and the key findings. Arising from the Survey, the key messages were to:

- focus new delivery in market housing to address future demographic and household formation change and to meet the need for smaller units across the stock;
- address the under-occupation of almost 950 social rented properties to improve the turnover of family units and address the needs of 350 over-occupied households and those on the waiting list;
- link new affordable delivery to the growth in older people and enabling a better flow of the existing stock; and
- assess the Extra Care delivery strategy to meet the growth in 85+ year olds.

The Executive Member for Health and Wellbeing linked the Survey to other ongoing work, such as the Strategic Housing Market Assessment and the emerging District Plan. He also referred to the challenges that would need to be met with the proposals in the latest Housing Bill.

In response to Members' questions and comments, David Couttie referred to impending legislation intended to improve energy standards in the private rental housing stock. The Housing Strategy and Development Manager also referred to the need to address the Study's findings in updating the Council's emerging Housing Strategy 2016-21.

The Leader thanked David Couttie for his presentation and asked Officers to circulate this to all Members.

The Executive approved the proposal as now detailed.

RESOLVED - that the District Wide Housing Needs Survey to be published and used as information to guide the emerging Housing Strategy 2016-21, be approved.

379 PROCUREMENT OF NEW CAR PARK MANAGEMENT SYSTEM

The Executive Member for Economic Development submitted a report seeking approval for the basis of operation of East Herts Council's new car park management system and its procurement. He reminded the Executive that the Government had restricted local authorities' ability to use Automatic Number Plate Recognition (ANPR) systems alone to manage their car parks.

He also referred to the Environment Scrutiny Committee's consideration of the matter at its meeting held on 8 September 2015. One of its recommendations was for Officers to consider Gascoyne Way, Hertford and Jackson Square, Bishop's Stortford, for conversion to "pay on exit" car parks. The Executive Member advised that this option would present structural difficulties at both car parks as well as having traffic implications. Informal discussions with Hertfordshire County Council, a statutory consultee in the Traffic Regulation Order process to establish a 'pay on exit' operation, had indicated that formal objections would be made on the grounds of impact on traffic management at both sites. Therefore, this option could not be progressed any further.

However, the Executive Member advised that the new pay and display machines would include developments with credit/debit card payments and “pay by phone and mobile app” options, which would deliver the key benefits of “pay on exit”.

The Executive Member for Development Management and Council Support, speaking as a Herford Member, expressed her frustration with the Government’s restrictions on the use of ANPR. Although disappointed with the subsequent recommendation, she acknowledged the difficulties highlighted by the Executive Member for Economic Development.

The Executive approved the recommendations now detailed.

RESOLVED - that (A) the comments and recommendations of the Council’s Environment Scrutiny Committee be received and noted;

(B) based on the evidence presented, East Herts Council should continue to manage its car parks on a solely ‘pay and display’ basis; and

(C) Officers be authorised to commence procurement, obtaining detailed costing and a recommended preferred supplier for ‘pay and display’ in all car parks.

380 DISTRICT PLANNING EXECUTIVE PANEL: MINUTES - 22 OCTOBER 2015

RESOLVED – that the Minutes of the District Planning Executive Panel held on 22 October 2015 be received.

(see also Minutes 372 – 375)

The meeting closed at 8.01 pm

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

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

ALSO PRESENT:

Councillors G McAndrew and P Ruffles.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Cliff Cardoza	- Head of Environmental Services
Karl Chui	- Performance Monitoring Officer
Simon Drinkwater	- Director of Neighbourhood Services
Marian Langley	- Scrutiny Officer
David Thorogood	- Environmental Co-Ordinator
Liz Watts	- Chief Executive

381 APOLOGIES

Apologies for absence were submitted from Councillors P Ballam and P Phillips.

382 MINUTES - 8 SEPTEMBER 2015

RESOLVED – that the Minutes of the Meeting held on 8 September 2015 be confirmed as a correct record

and signed by the Chairman.

383 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed the new Chief Executive, Liz Watts.

The Chairman drew Members' attention to a replacement Essential Reference Paper "B" in relation to agenda item 9 (Environment Scrutiny Healthcheck).

The Chairman requested that, with Members' consent, the order of the agenda be changed to bring forward the Service Plans and Healthcheck reports. This was supported.

384 2015/16 SERVICE PLANS AND KEY PROJECTS MONITORING

The Director of Finance and Support Services submitted an exception report which provided a mid-year summary of how the Council had performed against its priorities for 2015/16 and on key projects. The report also provided an update on the outstanding service plan actions from 2014/15, 2013/14 and 2011/12. The Performance Monitoring Officer provided a summary of the report.

In response to a query from Councillor K Crofton regarding the resources in place to implement the Castle Weir Hydro Scheme, the Head of Environmental Services explained that the issue was not about resources but reaching agreement with the Environment Agency (EA) on flood issues and their demands for further data modelling exercises to be carried out. The Environmental Strategy and Development Manager provided a summary of the Council's interaction with the Environment Agency adding that comparable schemes in other areas, usually took around five - six years to complete. The Head of Environmental Services explained that the EA's support was needed on the project otherwise the Council would not be able to apply for planning permission and the project would be suspended.

In response to a query from Councillor M Freeman, the Head

of Environmental Services explained the difficulties in trying to escalate the scheme, in terms of the EA's turnover of staff and the need to co-ordinate with different sections within the EA which had frustrated efforts to move the scheme on. He explained that the Council had the agreement of the EA on most points and just had to wait a little longer.

The Committee received the report.

RESOLVED – that the reported performance for the period April 2015 to September 2015 be received.

385 ENVIRONMENT SCRUTINY HEALTHCHECK JULY TO SEPTEMBER 2015

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

The Performance Monitoring Officer summarised the report and explained that overall, 8 out of the 15 Environment Scrutiny Committee performance indicators were either on target or exceeding their targets as at September 2015, and one was "Amber". Additionally, in terms of the short term trend, six indicators out of 15 performance indicators had shown an improvement in performance compared to the previous period. One indicator had maintained the same level of performance and seven had declined. One indicator (EHPI 2.1e – Planning Enforcement: Service of Formal Notices) did not have any performance data to analyse as no notices had been served in September 2015. The Performance Monitoring Officer explained that, due to the fact that no clear pattern could be identified in relation to PI EHPI 204 (Planning appeals allowed), this indicator needed to be changed from monthly reporting to quarterly. This was supported

The Committee received the report.

RESOLVED – that (A) the reported performance for the period July 2015 to September 2015 be received; and

(B) Performance Indicator EHPI 204 (Planning appeals allowed) be reported quarterly.

386 CLIMATE CHANGE - REPORT ON PROGRESS

The Executive Member for Environment and Public Space submitted a report detailing the progress achieved in reducing carbon emissions following the first five years of implementing the East Herts Climate Change Action Plan. The Environmental Strategy and Development Manager provided a summary of the report.

Councillor P Brush commented that the report and supporting papers referred back to 2009 and believed that it was time to refresh the document and start over again with new initiatives. The Chairman explained that a Task and Finish Group had been established to provide guidance on setting objectives and that 2009 was taken as the baseline to benchmark actions against.

The Head of Environmental Services explained that the climate change strategy was a long term document with many actions taking longer than a year such as fuel saving measures from new collection vehicles delivered as part of the waste and cleansing services contract, the closure of Bishop's Stortford Offices, etc. and with carbon reduction being achieved over a significant time frame. He stated that many of the actions contained within the document had been successfully completed and if Members wanted to refresh the strategy and action plan this could be done.

In response to a query from Councillor K Crofton regarding carbon emissions and the savings achieved over time, the Environmental Strategy and Development Manager explained that according to the Department of Energy and Climate Change (DECC), fuel costs were increasing by 2% year on year.

The Committee noted and supported the continued and ongoing progress achieved in implementing the East Herts Climate Change Action Plan since its initial adoption by the

Council in December 2009. Members also supported a suggestion to review, rationalise and refresh the climate change action plan and objectives via a Task and Finish Group.

RESOLVED – that (A) the continued and ongoing progress achieved in implementing the East Herts Climate Change Action Plan, together with the continuing success in the reduction of carbon emissions arising from the Council's service provision, be supported; and

(B) the Climate Change Action Plan be rationalised and its objectives refreshed via a Task and Finish Group.

387 COMMUNITY ENERGY UPDATE

The Executive Member for Environment and Public Space submitted a report on the concept of community energy and of options for encouraging the development of community energy initiatives within the District and working closely with community groups. The Environmental Strategy and Development Manager gave a presentation on the background in relation to community energy initiatives and summarised the report drawing Members' attention to the range of opportunities listed in paragraph 5.0.

Councillor H Drake said that the Council should lead by example and suggested that it should initiate energy measures on the roofs of its own buildings and act as a facilitator in terms of information which could be provided to others. Councillor K Brush supported using the Council's own buildings to promote the initiative, but did not think there was a need to encourage others to do so as he felt that other individuals would take on whatever measures they felt necessary.

Councillor K Crofton explained that the district is on the brink of a massive housing building project and that the Council should be encouraging planners to incorporate viable energy

schemes into housing developments over a certain size.

Councillor T Page agreed that there was an opportunity to ensure that renewable energy projects were taken up at the planning stage, but that developers would argue that a housing development scheme would not be financially viable. He sought confirmation that Officers were discussing such matters with regard to the emerging District Plan. Councillor T Page referred to the energy project run by Hertfordshire County Council. The Environmental Strategy and Development Strategy Manager explained that he had had discussions with Officers on the emerging District Plan and that the HCC scheme was a fuel tariff switching scheme, whereas the community energy scheme was about generating power in the community and making carbon savings.

The Committee acknowledged the range of opportunities for supporting the development of community energy initiatives and recommended to the Executive, that:

- the Council should support a scheme of renewable energy in relation to its own estate and to act as a source of publicity, information and advice through appropriate media;
- planning officers be asked to raise the profile to promote community energy in the District Plan; and
- consideration be given to including community energy as a requirement within the District Plan.

RESOLVED – that the Executive be advised that Environment Scrutiny Committee:

(A) supports a scheme of renewable energy in relation to its own estate and to act as a source of publicity, information and advice through appropriate media;

(B) planning officers be asked to raise the profile to promote community energy in the District Plan; and

(C) consideration be given to including community energy as a requirement within the District Plan.

388 ENVIRONMENT WORK PROGRAMME (NOVEMBER 2015)

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

The Scrutiny Officer asked Members to disregard recommendation “B”. She stated that a report on Fuel Poverty would be presented to Health and Wellbeing Scrutiny Committee on 8 December 2015. The Scrutiny Officer stated that the work programme needed to be amended to include a report on shared services in relation to Waste and Street Cleansing. The Head of Environmental Services explained that the timing of the report was not wholly within the control of East Herts. He anticipated that there would be a joint report to both Authorities Executives in March 2016 and there would be an opportunity to scrutinise the report in February 2016.

The Scrutiny Officer reminded Members that other reports would be submitted to Environment Scrutiny Committee as a result of the Climate Change review Task and Finish Group commissioned earlier in the meeting.

The Committee supported the recommendations as now detailed.

RESOLVED – that the work programme, as amended, be approved

The meeting closed at 8.25 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 11 NOVEMBER 2015, AT
7.00 PM

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

ALSO PRESENT:

Councillors P Ballam, R Brunton, S Bull,
J Cartwright, Mrs R Cheswright, J Goodeve,
P Moore, S Rutland-Barsby and R Standley.

OFFICERS IN ATTENDANCE:

Paul Dean	- Principal Planning Enforcement Officer
Simon Drinkwater	- Director of Neighbourhood Services
Tim Hagyard	- Development Team Manager (West)
Martin Ibrahim	- Democratic Services Team Leader
Kevin Steptoe	- Head of Planning and Building Control Services
Liz Watts	- Chief Executive
Alison Young	- Development Manager

389 APOLOGIES

An apology for absence was submitted on behalf of Councillor J Kaye. It was noted that Councillor B Deering was substituting for Councillor J Kaye.

390 CHAIRMAN'S ANNOUNCEMENTS

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

He advised that a new report format had been used for some of the items on the agenda and invited Members to submit feedback to Officers.

391 MINUTES – 14 OCTOBER 2015

RESOLVED – that the Minutes of the meeting held on 14 October 2015 be confirmed as a correct record and signed by the Chairman.

392 3/15/0928/FUL – ERECTION OF 6 NO. FLATS, 2 NO. HOUSES AND 2 NO. COMMERCIAL UNITS AT ADAMS YARD, MAIDENHEAD STREET, HERTFORD, SG14 1DR FOR ATLANTIC HERTFORD LIMITED

The Director of Neighbourhood Services recommended that in respect of application 3/15/0928/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.

Various Members made comments in respect of flood risk and the proposed refuse arrangements.

Officers reminded Members that the proposed buildings on the site were in Flood Zone 1 and that there had been a previously approved scheme that had been very similar. Whilst not ideal, approval had been recommended in this

specific case with a sustainable drainage condition to agree the final details of a surface water drainage scheme.

In terms of the refuse arrangements, Officers referred to the summary of additional representations circulated at the meeting. The concerns raised would be address by conditions and the rewording of the Section 106 obligation establishing a management company.

Officers also confirmed proposed changes in respect of the wording of the first Section 106 obligation relating to rights of way, and condition 17 relating to restrictions on the use of the commercial units permitted, as detailed in the summary of additional representations.

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 3/15/0928/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 (A) the rewording of the section 106 obligations:

1. The dedication of public pedestrian rights of way across the application site connecting The Wash, the Riverside Space at Dolphin Yard and the route along Adams Yard with any associated funding by way of completed Section 25 Highways Act agreements.
2. Establishment of a management company responsible for management of the refuse facilities, cycle parking, landscaped areas and surface water drainage systems; and

(B) the rewording of condition 17 as follows:

17. The office spaces shown on drawing number P.103B shall be used for Use Class B1 Business Use only, as set out in the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure that no alternative use is made of the premises which would be detrimental to the amenities of occupants of adjoining premises in accordance with policy ENV1 of the East Herts Local Plan Second Review 2007.

393 3/15/1756/FUL – CHANGE OF USE FROM B1 OFFICE TO C3 RESIDENTIAL COMPRISING 13NO FLATS, RELATED EXTERNAL ALTERATIONS, AND ANCILLARY DEVELOPMENT AT CHURCH HOUSE, CHURCH STREET, WARE FOR ASTUTE ELECTRONICS LTD

The Director of Neighbourhood Services recommended that in respect of application 3/15/1756/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

In response to Members' comments, Officers referred to the permitted development rights and the reason why Hertfordshire County Council were not seeking a section 106 contribution.

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 3/15/1756/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

394 (A) 3/15/1607/FUL AND (B) 3/15/1608/LBC – SINGLE
STOREY REAR EXTENSION AND GLAZED INFILL
EXTENSION AT COURTYARD ARTS CENTRE, PORT
VALE, HERTFORD, SG14 3AA FOR COURTYARD ARTS
CENTRE

Tony Freeland addressed the meeting in support of the applications.

The Director of Neighbourhood Services recommended that in respect of applications 3/15/1607/FUL and 3/15/1608/LBC, planning permission and listed building consent be granted, subject to the conditions detailed in the report now submitted.

In response to Members' comments on the design of the car park, Officers confirmed that colleagues in Parking Services would look at this.

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

RESOLVED – that in respect of applications 3/15/1607/FUL and 3/15/1608/LBC, planning permission and listed building consent be granted subject to the conditions detailed in the report now submitted.

395 3/15/1657/HH – CONSTRUCTION OF A HOME
OFFICE/GARDEN OUTBUILDING TO REPLACE EXISTING
CONCRETE PANELLED OUTHOUSE STRUCTURE AT
BRAMBLES, 8 CHURCH PATH, GREAT AMWELL FOR MS
ANNA BAPTIST

The Director of Neighbourhood Services recommended that in respect of application 3/15/1657/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

Councillor R Cheswright, as the local Member, expressed the concerns of a resident in respect of detrimental impact on neighbour amenity, the size of the proposal compared to the original footprint and whether the development would result in the outbuilding being used as a dwelling.

Officers confirmed that the development was a home office proposal and that, although within the green belt, on balance, the material considerations detailed in the report submitted, clearly outweighed the harm identified.

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 3/15/1657/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

396 E/15/0142/ENF – UNAUTHORISED REMOVAL OF FIREPLACES AT DANES, 34 LITTLE BERKHAMSTEAD LANE, LITTLE BERKHAMSTEAD, HERTS, SG13 8LU

The Director of Neighbourhood Services recommended that in respect of the site relating to E/15/0142/ENF, enforcement action be authorised on the basis now detailed.

After being put to the meeting and a vote taken, the Committee accepted the Director's recommendation for enforcement action to be authorised in respect of the site relating to E/15/0142/ENF on the basis now detailed.

RESOLVED – that in respect of E/15/0142/ENF, the Director of Neighbourhood Services, in conjunction with the Director of Finance and Support Services, be authorised to take enforcement action on the basis now detailed.

397 DELEGATED AUTHORITY FOR SERVICE OF SECTION 225A NOTICES (REMOVAL NOTICES)

The Head of Planning and Building Control submitted a report inviting Members to consider granting Officers delegated authority to issue and serve Removal Notices under Section 225A of the Town and Country Planning Act 1990 (as amended), and to undertake further associated actions.

The Head referred to a number of structures in place within the District being used for the display of unauthorised advertisements, which would not be considered as acceptable. Current processes often resulted in considerable delay in achieving a desired outcome and there was a risk that the outcome might not be in the Council's favour.

In response to Members' questions and comments, Officers confirmed that a measured and proportionate approach would be taken in exercising these functions. It was also confirmed that the Committee did have the authority to delegate these functions.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control as now submitted.

RESOLVED – that (A) authority be delegated to the Director of Neighbourhood Services and the Head of Planning and Building Control to serve Removal Notices as may be required in relation to any location in East Herts District, and to take further steps as maybe required to secure the removal of any such structure if the notice has not been complied with; and

(B) the authority detailed in (A) above to expire at the end of May 2016, to enable further consideration to be given to the matter through the annual review of the Council's Constitution.

398 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 8.17 pm

Chairman

Date

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

PRESENT: Councillor Mrs D Hollebon (Chairman)
Councillors G Cutting, J Goodeve, R Henson,
J Jones and D Oldridge.

ALSO PRESENT:

Councillors E Buckmaster, L Haysey,
P Moore and N Symonds.

OFFICERS IN ATTENDANCE:

Claire Bennett	- Manager of Housing Services
Lorraine Blackburn	- Democratic Services Officer
Cliff Cardoza	- Head of Environmental Services
Karl Chui	- Performance Monitoring Officer
Simon Drinkwater	- Director of Neighbourhood Services
Louise Harris	- Housing Strategy and Development Manager
Joseph Liggett	- Leisure Services Development Manager
Jane O'Brien	- Empty Homes Officer
Claire Pullen	- Engagement and Partnerships Officer (Grants)
Liz Watts	- Chief Executive

Sheila Winterburn	- Environmental Health Manager - Housing
Ben Wood	- Head of Business Development

399 APOLOGIES

Apologies for absence were received from Councillors M Pope, R Standley and K Warnell.

400 MINUTES

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

401 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all to the meeting, including the new Chief Executive, Liz Watts.

402 2015/16 SERVICE PLAN AND KEY PROJECTS
MONITORING REPORT

The Director of Finance and Support Services submitted an exception report which provided a mid-year summary of the Council's achievements against its priorities for 2015/16 and on key projects. The Performance Monitoring Officer provided a summary of the report.

Councillor G Cutting referred to action CSH06 – Efficiency (Provide an effective service in dealing with requests for service about Licensed premises, antisocial behaviour and issues dealt with by Environmental Health). He asked what steps were being taken to ensure that the service was at full strength. The Director of Neighbourhood Services explained that new software was being rolled out which would improve the efficiency of the service and allow it to respond more quickly to issues. The Director added that a review had been

undertaken of the service and that the action was only slightly off target.

Councillor D Oldridge referred to performance indicator HS01 (Facilitate, support and maximise the provision of additional, appropriate affordable housing in association with developers, registered providers and the Homes and Communities Agency) and felt there was a need to pressurise developers in order to achieve affordable housing targets. The Director of Neighbourhood Services explained that the Council was in a difficult position as it did not develop itself and was completely dependent on the market and the industry to provide housing. The Director explained that every effort was made via Section 106 Agreements to try to achieve the up to 40% affordable housing target and that East Herts was one of the best performing Councils in the area in this regard. The Director further stated that the target had been included in the current Local Plan, but there was no science around the figure and that Members needed to accept that this might not necessarily be achieved.

The Executive Member for Health and Wellbeing explained that the provision of housing depended on the viability of the development and that there were legislative issues emerging which might impact on the Council having to review its affordable housing targets so that these were achievable.

The Committee received the report.

RESOLVED – that performance for the period April 2015 to September 2015 be noted and supported.

403 COMMUNITY SCRUTINY CORPORATE HEALTHCHECK REPORT - AUGUST TO SEPTEMBER 2015

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

The Performance Monitoring Officer explained that Community Scrutiny Committee had 22 indicators within its

performance monitoring basket, of which four were either on target or exceeding their targets and one was just off target. The remaining 17 performance indicators only showed a trend. In relation to the short term trend, nine indicators out of the 22 had shown an improvement compared to the previous period, with three indicators maintaining the same level of performance. Ten had declined.

In response to a query from Councillor G Cutting regarding indicator EHPI 3.4 (the number of visits by Licensing Enforcement Officers to Licensed Premises), and the apparent discrepancy in the August 2015 figure, the Director of Neighbourhood Services advised that nothing of note had occurred in August, and it was just the variable nature of the work.

In response to a query from Councillor D Oldridge regarding markets, the Head of Business Development explained that income was received from traders (including Farmers' Markets), who paid the Council a fee for their pitches, and that markets at Hertford and Bishop's Stortford were the largest.

The Committee received the report.

RESOLVED – that the reported performance for the period August to September 2015 be received.

404 EAST HERTS LEISURE STRATEGY

The Head of Environmental Services submitted a report seeking approval to establish a Task and Finish Group charged with developing a Leisure Strategy. The report outlined a number of risks and identified key issues which needed to be taken into account in planning future leisure provision within East Herts. The proposed Terms of Reference for the Task and Finish Group were set out in the report.

The Leisure Services Development Manager gave a presentation outlining the triggers for the development of a Leisure Strategy in order to assess sustainability of the

existing facilities, support the Health and Wellbeing Strategy and in terms of looking forward to changing demographics and leisure trends.

Councillor J Jones thanked the Officer for the report and supported the establishment of a Task and Finish Group. Councillor G Cutting encouraged as many Members as possible to submit their names for consideration on the Task and Finish Group. Both Members asked that their names be submitted for consideration.

The Chairman explained that the Task and Finish Group should be fairly represented with one representative from each town and one each from a rural area. She added that it was important to think about the District as a whole. The Chairman asked Members, including those from Health and Wellbeing Scrutiny, to submit their names to the Scrutiny Officer who would co-ordinate expressions of interest. The Leader would make the final determination in terms of the Group's composition.

The Executive Member for Health and Wellbeing commented that Members of the Task and Finish Group needed to keep an independent mind adding that the new contract would commence in two years and that it was important for the Group to look 12 years ahead in terms of health and wellbeing, ageing well and the challenges as a service provider, beyond gyms and swimming.

Councillor N Symonds referred to the number of adults who were classed as obese and stated that the County Council had given them three months free vouchers for slimming groups to get them started. She referred to the fact that those who were overweight might like to use the swimming pools but were self-conscious and that allowances should be made to allow them to wear t-shirts.

In response to a query from Councillor J Goodeve regarding monies from the New Homes Bonus to develop new facilities, the Leader explained that it was for the Task and Finish Group to review the Bishop's Stortford Sports Strategy.

The Committee supported the establishment of a Task and Finish Group charged with the development of a leisure strategy to determine the future of leisure provision and services over the next 10 years.

RESOLVED – that (A) a Task and Finish Group be established to provide advice to Officers on the development of a leisure strategy aimed at determining the future of leisure facility provision and services over the next 10 years; and

(B) expressions of interest for inclusion on the Task and Finish Group be submitted to the Scrutiny Officer.

405 REGISTERED HOUSING PROVIDERS - REPAIR SERVICES

The Executive Member for Health and Wellbeing submitted a report detailing comments from registered housing providers regarding their respective housing repairs service following concerns raised by Members at an earlier meeting. The Director of Neighbourhood Services provided a summary of the report and stated that Riversmead had experienced difficulties with many of their call centre staff leaving at the same time. The Director commented that Circle Anglia still had issues around repairs and the turnover of voids.

In response to a query from Councillor G Cutting that the figures provided by Circle Anglia were “woolly” especially around self- management and communal cleaning costs which were then divided and costed back to tenants.

The Executive Member for Health and Wellbeing stated that he was aware of the issues with Circle Anglia and had expressed his concerns with their senior management regarding repairs and voids. He commented that a call back had been arranged for Friday 20 November 2015 to discuss a way forward. The Executive Member said that it was important for them to understand that by the time the public had approached a Ward Member, it was because they had exhausted all other means.

Councillor N Symonds stated that vulnerable tenants appeared not to be treated as a priority under the policy operated by Circle Anglia but that they were getting better with voids. She referred to the anomalies of the system regarding voids and bidding for properties. The Housing Services Manager provided clarification on this aspect.

Councillor J Jones agreed that Circle Anglia was not performing well in his ward and referred to meetings with them which had been put back to next year. The Executive Member for Health and Wellbeing explained the background around why the meetings had been put back. Councillor G Cutting stated that there was a history of Circle Anglia cancelling meetings.

The Committee agreed that registered housing providers' repair services with significant housing stock in the District, be monitored and supported a suggestion that this be reported annually and could be integrated within the Housing Stock Transfer Residual Undertakings Annual Statement report.

RESOLVED – that (A) the repairs services of registered providers with significant housing stock in the District continue to be monitored by the Director; and

(B) this report be integrated within the Annual Housing Stock Transfer Residual Undertakings Annual Statement report.

406 THE DRAFT HOUSING AND HEALTH STRATEGY 2016 – 2021

The Chairman of Community Scrutiny Committee submitted a report seeking support on a draft Housing and Health Strategy 2016-2021.

The Housing Strategy and Development Manager provided a summary of the key changes to the Draft Housing and Health Strategy 2016 – 2021 which had been given a “light touch”

and how this would impact on the Council. It was noted that new legislation was imminent and would impact on the strategy. The rationale behind the strategic objectives, short term tasks, and timescales were set out in the report.

In response to a query from Councillor R Henson regarding the consultation document and involving the public, the Housing Strategy and Development Manager explained that a press release would be issued and the document made available online. This could also be made available in a paper format on request.

In response to a query from Councillor D Oldridge regarding the need to make the issue of affordable housing more robust, the Leader explained that a recent training session on Section 106 Agreements explained the Council's powers and restrictions in using Section 106 Agreements at the planning stage. She explained that the new Bishop's Stortford North development would deliver 30% affordable housing and that the issue of affordable housing was something all local authorities struggled with.

The Executive Member for Health and Wellbeing explained that the document was a basis for consultation and that the new Housing and Planning Bill would change the business model for the Council's stakeholders such as housing associations, with regard to the requirement to provide starter homes, and more shared ownership homes.

In response to a query from Councillor J Jones regarding the Parish Housing Survey, the Housing Services Manager explained how this would be carried out.

The Committee supported the draft Housing and Health Strategy 2016-2021 for the purpose of public consultation.

RESOLVED – that the draft Housing and Health Strategy 2016-2021 be supported for the purpose of public consultation.

407 REVIEW OF EMPTY HOMES STRATEGY AND ACTION PLAN

The Executive Member for Health and Wellbeing submitted a report on proposed changes to the Empty Homes Strategy 2015 – 2020, the potential resource implications and a proposed Action Plan. The Empty Homes Officer explained the drivers for change, the numbers of empty homes and proposals for the new strategy, including the need to secure additional resources in order to increase the number of properties actively targeted.

Councillor G Cutting stated that while working on a recent leaflet delivery, he had seen homes still empty which he had first noticed over a year ago, and this had demonstrated to him the need for increasing the Council's resources to achieve more in getting empty homes back into use.

In response to a query from Councillor J Jones regarding Members' role in the process, the Empty Homes Officer welcomed Ward Members help in identifying empty properties. She explained the administrative issues which needed to be overcome in terms of observing Data Protection requirements and in sorting the information into relevant areas, but that these problems could be overcome.

In response to a query by Councillor D Oldridge, the Empty Homes Officer explained that most of the empty properties were privately owned and that her role was to tackle empty homes, although the loan scheme available could also be used for the conversion of empty commercial premises. The Executive Member for Health and Wellbeing reminded Members of the Council's powers to compulsorily purchase properties left empty and in a dilapidated condition.

The Committee supported the proposed change in approach for prioritising and filtering empty properties for action. Members also supported a recommendation to the Executive that the Empty Homes Assistant post be made permanent and to ask the Executive Member to consider an increase in the resources available to Empty Homes to enable them to take

on the additional work, as set out in the report and action plan.

RESOLVED - that (A) the proposed change in approach for prioritising and filtering empty properties for action be supported; and

(B) the Executive be advised that Community Scrutiny Committee support:

- the Empty Homes Assistant post being made permanent; and
- consideration being given to increasing the Empty Homes resources to enable them to take on additional work, as detailed in the report and action plan.

408 COMMUNITY SCRUTINY WORK PROGRAMME

The Chairman submitted a report setting out the proposed work programme for the 2015-16 civic year. The Scrutiny Officer explained that a report by the Task and Finish Group on Leisure Strategy would be reported back to Members in June 2016.

The Scrutiny Officer explained that the report on housing associations repairs would be integrated within the Housing Stock Transfer Residual Undertakings Annual Statement report and be reported to Members in September 2016.

A new request to bring an audit of market services to Members in March 2016 was supported by Members.

The Committee approved the report, as amended.

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

The meeting closed at 8.20 pm

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 19
NOVEMBER 2015, AT 7.00 PM

PRESENT: Councillor Mrs R Cheswright (Chairman).
Councillors A Alder, P Ballam, G Cutting,
B Deering, J Jones, M McMullen, T Page,
P Ruffles, N Symonds and J Taylor.

ALSO PRESENT:

Councillors M Freeman, G McAndrew and
R Standley.

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Alasdair McWilliams	- Information and Digital Media Manager
Oliver Rawlings	- Senior Specialist Licensing Officer
Neil Sloper	- Head of Information, Customer and Parking Services

409 CONSIDERATION OF CONSULTATION RESPONSES TO THE DRAFT GAMBLING POLICY 2016-19

The Director of Neighbourhood Services submitted a report that presented the responses to the consultation on the Statement of Gambling Policy.

The Senior Specialist Licensing Officer advised that the Statement of Gambling Policy was last published in January 2013 and it was for Council to approve the

revised policy subject to Licensing Committee's consideration of responses to the consultation detailed in this report.

Members were advised that during the 2 month public consultation between 1 September and 1 November 2015, four responses had been received. The Senior Specialist Licensing Officer summarised the consultation responses as detailed in the report now submitted.

Members were advised of the changes that had been made to the policy since the close of the consultation period. The Committee recommended the revised Statement of Licensing Policy, as now detailed.

RECOMMENDED – that (A) the report be received; and

(B) the revised Statement of Principles under the Gambling Act 2005, as now submitted, be approved.

**410 ADVANCED DATA PROTECTION TRAINING –
PROTECTING SENSITIVE PERSONAL INFORMATION**

The Head of Information, Parking and Customer Services delivered a training presentation in respect of Advanced Data Protection and the Protection of Sensitive Personal Information. Members were provided with a summary of what constituted personal data and also a summary of the 8 principles of the Data Protection Act.

Members were advised of some of the common mistakes that were made when processing data. The Head outlined the issues relevant to Ward Councillors and Committee Members in respect of Data Protection. He also detailed the matters that were more relevant to the Licensing Committee.

The Head of Information, Parking and Customer Services

concluded by reiterating the advice of the Office of the Information Commissioner (ICO) for Members of Licensing Committee. Members were provided with a number of examples of Data Breaches. Officers responded to a number of questions from Members.

In response to a comment from the Executive Member for Environment and the Public Space, the Head of Information, Parking and Customer Services undertook to recirculate information to Members regarding registering as data controllers with the ICO.

RESOLVED – that (A) the training presentation be received; and

(B) the Head of Information, Parking and Customer Services recirculate information to Members regarding registering as data controllers with the ICO.

411 APOLOGIES

Apologies for absence were submitted from Councillors R Brunton, P Kenealy and C Woodward.

412 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that the Senior Specialist Licensing Officer had produced a revised version of the Chairman's opening remarks for Licensing Sub-Committee when considering the fitness and propriety of Taxi Drivers. It was hoped that this change would make it clearer to applicants what facts would be considered and how a decision would be reached.

413 MINUTES – 9 JULY 2015

RESOLVED – that the Minutes of the meeting held on 9 July 2015 be approved as a correct record and signed by the Chairman.

414 LICENSING SUB-COMMITTEE – 2 SEPTEMBER AND 7 OCTOBER 2015

RESOLVED – that the Minutes of the Licensing Sub-Committee meetings held on 2 September and 7 October 2015, be received.

415 REPORT ON LICENSING ACTIVITY QUARTER 2 AND 3 OF 2015

The Director of Neighbourhood Services submitted a report providing an update on processing licences, enforcement activity and the implementation of the Service Plan for Quarters 2 and 3 of 2015.

The Senior Specialist Licensing Officer explained to Councillor P Ruffles the circumstances surrounding the suspension of three premises licences during Quarter 2, 1 April to 30 June 2015. The Committee received the report.

RESOLVED – that the report be received.

416 ATTENDANCE AT LICENSING SUB-COMMITTEE

The Executive Member for Environment and the Public Space submitted a report detailing Members' attendance at Licensing Sub-Committees including those attending as observers.

The Committee received the report.

RESOLVED – that the report be received.

The meeting closed at 8.20 pm

MINUTES OF A MEETING OF THE
CORPORATE BUSINESS SCRUTINY
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 24 NOVEMBER 2015, AT 7.00
PM

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

ALSO PRESENT:

Councillors P Ruffles and G Williamson.

OFFICERS IN ATTENDANCE:

Chris Gibson	- Head of Governance and Risk Management
Philip Gregory	- Head of Strategic Finance
Marian Langley	- Scrutiny Officer
Henry Lewis	- Head of Business and Technology Services
Peter Mannings	- Democratic Services Officer
Ceri Pettit	- Corporate Planning and Performance Manager
Adele Taylor	- Director of Finance and Support Services
Liz Watts	- Chief Executive
Ben Wood	- Head of Business Development

417 APOLOGIES

Apologies for absence were submitted on behalf of Councillors M Stevenson and J Wyllie.

418 MINUTES – 25 AUGUST 2015

RESOLVED – that the Minutes of the meeting held on 25 August 2015 be confirmed as a correct record and signed by the Chairman.

419 WORK PROGRAMME

The Chairman submitted a report setting out the Committee's future work programme for the remaining meetings in 2015/16 and the first half of 2016/17.

The Chairman advised Members that in respect of the Council Tax Support Scheme, Corporate Business Scrutiny Committee had reviewed the current scheme in July 2015 and as no changes had been proposed, there was nothing further to scrutinise in this meeting. Therefore, the matter would proceed to the Executive meeting on 1 December 2015.

The Chairman stated that, at his request, the report on the Corporate Strategic Plan 2016/17 – 2019/20 had also been dropped from the agenda of this meeting as the document was not yet ready for scrutiny.

The Scrutiny Officer invited Members to give a view on the invitation of Executive Members to future meetings of Scrutiny. Following a comment from Councillor M Pope, the Scrutiny Officer undertook to check whether the Executive would be present at the January and February 2016 joint meetings of Scrutiny Committees. The Committee approved the work programme, as now detailed.

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

420 PARTNERSHIP REGISTER – RISK MONITORING

The Director of Finance and Support Services submitted a report that reviewed the current partnership protocol for East Herts Council and provided an update to the Committee.

The Head of Business Development advised that in 2010, following the work of a Scrutiny Task and Finish group, this Committee had approved a “Partnership Protocol”, which set out expectations and requirements for managing risks associated with partnership working.

Members were advised that the Protocol had been produced when the Authority was engaged in multiple arrangements with different levels of associated risk and had been designed to act as a guide to help Officers understand and manage risk.

The Head of Business Development stated that there was now less informal partnership activity and more formal collaborative working arrangements in place. He concluded that the Protocol had to be updated to clear up a number of grey areas regarding informal partnership working and he was seeking authority to review the protocol and bring a further report to the next meeting of the Committee.

The Head of Business Development responded to a number of minor queries from the Committee. Members received the report and supported the recommendations now detailed.

RESOLVED – that (A) the Partnership Protocol be reviewed to focus on only those partnerships where formal assurance processes were not in place; and

(B) the register of partnerships be replaced by the “map” of shared services.

421 2015/16 SERVICE PLAN MONITORING – SIX MONTHLY REPORT

The Director of Finance and Support Services submitted a report providing a mid-year summary of the Council's achievements against its priorities for 2015/16 and key projects. The report also monitored the outstanding service plan actions from 2014/15, 2013/14 and 2012/13.

The Corporate Planning and Performance Manager referred to the six service plans that were relevant to the remit of the Corporate Business Scrutiny Committee. She detailed the performance of the 32 actions included with the service plans referred to in paragraph 1.6 of the report.

Members were advised that there were 33 corporate projects of which seven were included within the service plans detailed in paragraph 1.6 and were relevant to Corporate Business Scrutiny. The Manager summarised the outstanding actions as detailed on pages 38 – 41 of the report.

Councillor R Brunton queried whether the action entitled 14-CRP02 – Production of a corporate land inspection policy would be reported to the Executive or come via Scrutiny first. The Head of Governance and Risk Management referred to the matter being reported to the Operational Risk Management Group in late December 2015 or early January 2016.

The Director undertook to confirm to Members where this matter would be reported. Members received the report and supported the recommendation now detailed.

RESOLVED – that the Executive be advised that Corporate Business Scrutiny supports the approval of the reported performance for the period April to September 2015.

422 HEALTHCHECK THROUGH TO SEPTEMBER 2015

The Director of Finance and Support Services submitted a report updating Members on finance, performance and strategic risk monitoring for East Herts Council for 2015/16 as at September 2015.

The Head of Strategic Finance provided a detailed explanation of some of the revenue and budget figures referred to in the report. He confirmed to Councillor M Pope that the expected yield of 5.02% on the property purchase of Old River Lane was a gross figure.

Councillor R Brunton commented on whether there was any further opportunity for Members to scrutinise the collective agreement reached with Unison regarding the proposed changes to the employee expenses policy. The Director advised that the matter would be reported to Local Joint Panel in December 2015 and to Human Resources (HR) Committee in January 2016. Members were reminded of the financial implications detailed in the report should HR Committee approve the collective agreement.

The Head of Strategic Finance and the Director responded to a number of other minor queries from Members. The Corporate Planning and Performance Manager provided a detailed update in respect of the indicators that were relevant to the remit of Corporate Business Scrutiny Committee. Members received the report and supported the recommendations now detailed.

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

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

- (1) the revenue budget forecast underspend of £556k (paragraph 2.1);

- (2) the use of the General Reserve to fund the settlement of the collective action bought against the Council in respect of Land Charges for £78k (paragraph 2.6.3);
- (3) the use of the transformation reserve to fund the compensation payments in respect of changes to the employee expenses policy of £198k (paragraph 2.9);
- (4) proposed slippage on the following capital schemes:
 - Hartham Common, preliminary works, £25k (paragraph 3.3);
 - Castle Weir, Micro Hydro Scheme, £201k (paragraph 3.4);
 - Historic Building Grants, £36.7k (paragraph 3.5);
 - Fanshawe Swimming pool, air conditioning, £15k (paragraph 3.6);
- (5) the indicators that could be at risk of decline in the future as set out in paragraph 7.2 be noted; and
- (6) the amendment to the indicator set out in paragraph 7.4 be noted.

The meeting closed at 7.52 pm

Chairman

Date

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MINUTES OF A MEETING OF THE
AUDIT COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 25
NOVEMBER 2015, AT 7.00 PM

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

ALSO PRESENT:

Councillors A Alder and G Williamson.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Chris Gibson	- Head of Governance and Risk Management
Philip Gregory	- Head of Strategic Finance
Nicola Munro	- Principal Accountant
Adele Taylor	- Director of Finance and Support Services

ALSO IN ATTENDANCE:

Alan Simkins	- King and Shaxson
Paul Turner	- King and Shaxson

423 TRAINING ITEM - TREASURY MANAGEMENT:
PRESENTATION BY KING AND SHAXSON

Members were given a Treasury Management Training

presentation by King and Shaxson, a company with over 150 years' experience and 237 Local Authority clients. The company was a leading supplier of transferable securities and had £3.75bn assets under its custody (as at 31 October 2015).

Mr Turner and Mr Simkins provided Members with an overview of what transferable securities and investments were available to Local Authorities and what the Council's options were.

The Chairman, on behalf of Members thanked King and Shaxson for their informative summary.

The Committee received the presentation.

RESOLVED – that the presentation be received.

424 APOLOGIES

Apologies for absence were submitted Councillors B Deering and P Phillips. The Council's new External Auditors, EY also submitted their apologies.

425 MINUTES

The Director of Finance and Support Services referred to the meeting on 15 July 2015 when Councillor B Deering raised an issue regarding pensions. The Director explained that she now had this information and would forward this to him. She apologised that this had not been referred to in the Minutes or picked up at the time.

RESOLVED - that the Minutes of the meeting held on 23 September 2015 be confirmed as a correct record and signed by the Chairman.

426 TREASURY MANAGEMENT STRATEGY - 2015/16 MID YEAR REVIEW

The Executive Member for Finance submitted a report setting

out the Council's Treasury Management activities for the six months to 30 September 2015. The Head of Strategic Finance referred Members to the background of the economy, how this had affected the current financial cycle and its effects on the Council's investments. He provided a summary of the report and supporting essential reference papers.

The Chairman stated that in relation to Property Investment Funds, the average rental return was 3.0%.

The Committee received the report.

RESOLVED – that (A) the loan and investment position as at 30 September 2015 be noted;

(B) the Prudential Indicator position as at 30 September 2015 be noted; and

(C) the changes on credit rating methodology be noted.

427 EXTERNAL AUDIT REPORT - 2014/15 ANNUAL AUDIT LETTER

The Director of Finance and Support Services explained that the Council's former External Auditor (Grant Thornton), had submitted their apologies for absence.

The External Auditors had submitted a report setting out the key messages, issues and recommendations arising from work which had been carried out for the year ended 31 March 2015, the detail of which was set out in the report. Key findings were also reported to Audit Committee on 23 September 2015.

The Director of Finance and Support Services advised that Grant Thornton had issued an unqualified Value for Money conclusion on 30 September for the period 2014/15 and that there were no changes to that view.

The Committee received the report.

RESOLVED – that the report be received.

428 COUNCIL'S RESPONSE TO 2014/15 ANNUAL AUDIT LETTER

The Executive Member for Finance and Support Services submitted a report setting out the proposed response from the Council to the issues and recommendations raised in the Annual Audit Letter 2014/15, the detail of which was set out in the report.

The Director of Finance and Support Services confirmed that following the work undertaken by Grant Thornton UK LLP, no issues had been raised in the Annual Audit Letter but three recommendations had been made to the Council to:

- Review the asset management system;
- Consider preventing access rights to prevent the same individual initiating and authorising purchase orders; and
- Consider how the volume and significant of self-authorised journals could be reduced.

The suggested response from the Council to the recommendations was detailed in the report. In relation to the Asset Management System, the Director explained that this issue was being addressed in the Annual Governance Statement. In terms of the other two issues, Officers had reviewed controls and were satisfied with what was currently in place, given the size of the Council.

The Committee agreed the response to the Annual Audit Letter, as now detailed.

RESOLVED – that the response to the Annual Audit Letter, as now detailed be agreed.

429 EXTERNAL AUDIT - AUDIT FEES FOR 2015/16

The External Auditor Ernst and Young LLP submitted a letter setting out their indicative audit fees (£52,331) and certification fees (£8,316) for 2015/16.

The Committee noted and agreed the level of audit and certification fees.

RESOLVED – that the contents of the letter setting out the audit and certification fees be agreed.

430 UPDATE ON IMPLEMENTATION OF ANNUAL GOVERNANCE STATEMENT ACTION PLAN

The Director of Finance and Support Services submitted a report which provided an update on the measures included in the 2014/15 statement to enhance the Council's internal control framework during 2015/16, the detail of which was set out in the report.

The Head of Governance and Risk Management summarised the position statements detailed within the report. The Head of Governance and Risk Management drew Members' attention to the fact that SMART actions had been identified for the Asset Management Plan, which would be reported to the Executive by March 2016 and for the development of a District Plan, which had a target date for adoption of May 2017. No clear timelines had yet to be identified of the impact of impending legislation regarding the Welfare Reform changes on the Council and its residents.

In response to a query from Councillor J Cartwright regarding the "Amber" status of the Annual Governance Statement and the cautionary approach being taken, the Head of Governance and Risk Management explained that actions could not be shown as "Green" until they had been achieved.

In response to a query from Councillor P Kenealy in relation to SMART Targets and the need to establish a completion date in respect of the Asset Management IT System Procurement,

the Director of Finance and Support Services explained that this was a significant piece of work to be undertaken with a long term view as such it was difficult to provide a completion date. It was suggested that Officers could report back to the meeting on 20 January 2016. This was supported.

The Head of Governance and Risk Management referred to the impact on the Asset Management Plan following the purchase of the Old River Lane site which would be reported to Members at the next meeting.

A Member raised a query regarding the Chancellor of the Exchequer's recent statement in relation to Councils' using their reserves. The Director of Finance and Support Services stated that she had not had an opportunity to analyse the impact of his statement in terms of reserves and that this would be assessed in terms of the Medium Term Finance Plan when the Director would be providing an opinion on the adequacy of the Council's reserves and how this fit in with the Council's long term plans. She explained the purpose of earmarked reserves.

Members noted the progress made in implementing the action plan contained in the 2014/15 Annual Governance Statement as submitted.

RESOLVED – that (A) the progress made in implementing the action plan contained in the 2014/15 Annual Governance Statement be received; and

(B) the SMART target attached to the actions as now submitted, be approved; and

(C) Officers report back in January 2016, on the progress of the Asset Management IT System.

431 RISK MANAGEMENT MONITORING REPORT 1 JULY 2015
TO 30 SEPTEMBER 2015

The Executive Member for Finance and Support Services submitted a report on the actions taken to mitigate and

control strategic risks during the period July to September 2015.

The Head of Governance and Risk Management advised that two new risks had been introduced; safeguarding adults and the Old River Lane Bishop's Stortford site, the latter would be included in the register for the period October to December and reported to Audit Committee in March 2016.

In response to a query from the Chairman regarding 15SR6 (Availability and performance of IT Systems and resources impacting on service delivery), the Director of Finance and Support Services explained that it was shown as high impact and high likelihood on the matrix as IT was the life-blood of the organisation. She explained that the Council had been investing heavily in networks and telephony and expected those issues to reduce and mitigate the Council's risk.

The Director of Finance and Support Services explained how the Council's data was backed up at two separate sites and referred to an unfortunate incident when a cable between those two sites had been cut.

In response to a query from Councillor I Devonshire, the Director of Finance and Support Services explained the processes in place to cope with power cuts and that tests were conducted in respect of back-up power supplies.

The Committee approved the report as now detailed.

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

432 AUDIT COMMITTEE WORK PROGRAMME

The Director of Finance and Support Services submitted a report detailing the proposed work programme for Audit Committee.

The Head of Governance and Risk Management suggested that Risk Management training be included as a training item for the meeting on 20 January 2016 in advance of the Risk Management Strategy being considered by Members at the March Audit Committee. This was supported.

The Chairman asked that Members email him regarding requests for further training.

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

The meeting closed at 8.10 pm

Chairman

Date

EAST HERTS COUNCIL

COUNCIL – 16 DECEMBER 2015

REPORT BY HEAD OF DEMOCRATIC AND LEGAL SUPPORT SERVICES

COMMUNITY GOVERNANCE REVIEW REQUEST: BISHOP'S STORTFORD TOWN COUNCIL

WARD(S) AFFECTED: None

Purpose/Summary of Report

- To consider a request from Bishop's Stortford Town Council for a Community Governance Review (CGR) of its electoral arrangements.

<u>RECOMMENDATION FOR DECISION:</u> that EITHER:	
(A)	a Community Governance Review of the electoral arrangements of Bishop's Stortford Town Council (including its town boundary) be undertaken, with the detailed terms of reference for, and the timing of, the review to be determined by the Chief Executive, OR
(B)	notwithstanding the specific request from Bishop's Stortford Town Council, as detailed in the report now submitted, a Community Governance Review of the entire District be undertaken, with the detailed terms of reference for, and the timing of, the review to be determined by the Chief Executive.

1.0 Background

- 1.1 Under provisions of the Local Government and Public Involvement Act 2007 (the 2007 Act), Council has the power to review and make changes to community governance within its area. The term community governance in this context relates to parish and town councils only.

- 1.2 The 2007 Act streamlined the process of taking decisions to give effect to recommendations made in a community governance review (e.g. the creation of new parishes and the establishment of parish councils) and about other matters such as making changes to parish boundaries and electoral arrangements.
- 1.3 In undertaking a CGR, Council must follow guidance issued by the Secretary of State.
- 1.4 The Secretary of State has no direct involvement in a review. The role of the Local Government Boundary Commission for England is limited to giving effect to consequential recommendations for related alterations to the electoral areas of principal councils.
- 1.5 In the guidance, the Secretary of State highlights that "... in many cases, making changes to the boundaries of existing parishes, rather than creating an entirely new parish, will be sufficient to ensure that community governance arrangements to continue to reflect local identities and facilitate effective and convenient local government. For example, over time, communities may expand with new housing developments. This can often lead to existing parish boundaries becoming anomalous as new houses are built across the boundaries resulting in people being in different parishes from their neighbours."
- 1.6 The guidance also details that a "...community governance review offers an opportunity to put in place strong, clearly defined boundaries, tied to firm ground features, and remove the many anomalous parish boundaries that exist....".
- 1.7 A CGR also offers the Authority an opportunity to consider the future of what may have become redundant or moribund parishes, often the result of an insufficient number of local electors within the area who are willing to serve on a parish council.
- 1.8 Should the Authority undertake a review then it would need to take into account how any potential changes to parish boundaries would impact on the boundaries of other tiers of local government.
- 1.9 The Chief Executive of Bishop's Stortford Town Council sent an 'e'-mail to the Head of Democratic and Legal Support Services in October 2015 advising that Bishop's Stortford Town Council had:

resolved formally to request a review of the ward boundaries within the parish of Bishop's Stortford and of the parish boundary

of Bishop's Stortford having regard to:

development which has occurred since the boundaries were last reviewed, which has 'crossed' the parish boundary and, members argue, caused ward boundaries to be inappropriate, and

development likely to occur either as already consented in outline or full or envisaged within the draft District Plan, which breaches the parish boundary particularly towards the South.

2.0 Report

2.1 Council is under a duty to carry out a CGR review if it receives a valid community governance petition for the whole or part of the council's area. However, the duty to conduct a review does not apply if:

a) it has concluded a community governance review within the last two years which in its opinion covered the whole or a significant part of the area of the petition, or

b) it is currently conducting a review of the whole, or a significant part of the area to which the petition relates.

2.2 Notwithstanding the duty mentioned in para 2.1 above, Council may undertake a CGR at any time. The Secretary of State's guidance identifies that a "...review may need to be carried out, for example, following a major change in the population of a community to re-draw boundaries which have become anomalous, for example following new housing developments being built across existing boundaries. Principal councils should exercise their discretion, but it would be good practice for a principal council to consider conducting a review every 10-15 years – except in the case of areas with very low populations when less frequent reviews may be adequate."

2.3 The last electoral review that affected town/parish council electoral arrangements took place in 1998.

2.4 In receiving the request from Bishop's Stortford Town Council now detailed, Council is invited to consider the potential benefits of undertaking a review of the whole of its area in one go, rather than carrying out small scale reviews in a piecemeal fashion of two or three areas. However, it should be recognised that a full-scale review will not always be warranted.

3.0 Undertaking a Community Governance Review

- 3.1 The 2007 Act and statutory guidance allow Council to decide how to undertake a CGR, provided it complies with the duties specified in the legislation.
- 3.2 Council will need to consult local people and take account of any representations received in connection with any review. When undertaking a review it must have regard to the need to secure that community governance reflects the identities and interests of the community in the area under review, and the need to secure that community governance in that area is effective and convenient.
- 3.3 Council will also need to consult "...local government electors in an area under review, and others (including a local authority such as a county council) which appears to have an interest in the review. In the case of a CGR where a parish council already exists, as a local authority, it too should be consulted. Other bodies might include local businesses, local public and voluntary organisations - such as schools or health bodies." Council must take into account any representations it receives as part of a community governance review.

4.0 Timing

- 4.1 Should Council determine to undertake a review then it is required to complete it (and associated consequential recommendations for principal area ward/division boundaries) within 12 months of commencement. A review begins when the terms of reference of the review are published and it concludes with the publication of recommendations.

4.0 Conclusion

- 4.1 CGRs will make recommendations in relation to parish/town council electoral arrangements as defined by the terms of reference set out at the start of the review process.
- 4.2 Following due statutory process, if the Council accepts the recommendations arising from a review it will make an order to implement the proposals.
- 4.3 The specific request from Bishop's Stortford Town Council

concerns its administrative boundary and also its future governance as it is seeking a review of its warding arrangements which in turn affect the number of councillors to be elected for each ward and the ward names. This process requires Council to take account of community identity and interests in an area and "...whether any particular ties or linkages might be broken by the drawing of particular ward boundaries". In terms of the number of councillors representing a ward, Council should seek to ensure adherence to the principle that "...each person's vote should be of equal weight..."

- 4.4 Any changes to a parish/town councils electoral arrangements come into force at ordinary elections (e.g. May 2019) and not by-elections.
- 4.5 Council is invited to consider the request for a CGR from Bishop's Stortford Town Council. It has discretion over whether or not to undertake a review for that authority (and affected neighbouring parishes). It could, if so minded, determine to undertake a review of the entire District's community governance arrangements (for parish/town councils).
- 4.6 A map showing the existing electoral wards and town boundary for Bishops Stortford will be available at the meeting.
- 5.0 Implications/Consultations
- 5.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None

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jeff.hughes@eastherts.gov.uk

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

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ESSENTIAL REFERENCE PAPER 'A'

Contribution to the Council's Corporate Priorities/ Objectives:	<i>People – Fair and accessible services for those that use them and opportunities for everyone to contribute</i>
Consultation:	Chief Executive/Returning Officer/Electoral Registration Officer/Director of Finance and Support Services
Legal:	The processes associated with undertaking a Community Governance Review are prescribed by statute and associated statutory guidance.
Financial:	The Authority does not resource its establishment on the basis of conducting (ad hoc) Community Governance Reviews. The (corporate) staff resource (cost) to undertake a review either for the area of Bishop's Stortford or the District in its entirety is likely to be significant.
Human Resource:	See comments above.
Risk Management:	As highlighted in guidance, Council "...will want to keep their community governance arrangements under review..." and it is, at least, "...good practice to consider conducting a review every 10 – 15 years".
Health and Wellbeing - issues and impacts	None

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EAST HERTS COUNCIL

COUNCIL – 16 DECEMBER 2015

REPORT BY LEADER OF THE COUNCIL

APPOINTMENT OF STATUTORY OFFICERS

WARD(S) AFFECTED: None

Purpose/Summary of Report

- To appoint officers of the Council to the following statutory positions:
 - (A) Returning Officer;
 - (B) (Electoral) Registration Officer
 - (C) Monitoring Officer.

RECOMMENDATION FOR DECISION: that the	
(A)	Chief Executive be appointed under the provisions of the Representation of the People Act 1983 to be the Returning Officer for the election of district and parish/town councillors, and to be the Electoral Registration Officer for the (parliamentary) constituencies either wholly or partly, within East Hertfordshire with effect from 1 January 2016; and
(B)	Head of Democratic and Legal Support Services be designated as (acting) Monitoring Officer for the Authority pursuant to the provisions of Section 5 of the Local Government and Housing Act 1989 on the basis detailed in the report now submitted.

1.0 Background

- 1.1 Under provisions of the Representation of the People Act 1983, Council must appoint one of its officers to be Returning Officer for the election of councillors of the District and of parish/town councillors within the District.

- 1.2 The aforementioned Act also includes a provision requiring the Council to appoint an officer to be (electoral) registration officer for the (parliamentary) constituencies either wholly or partly situated within the District.
- 1.3 Section 5 of the Local Government and Housing Act 1989 places a duty on the Council to designate one of its officers as the Authority's Monitoring Officer.
- 2.0 Report
- 2.1 Council, at its meeting held on 20 May 2015, approved interim management arrangements due to the impending retirement of the then Chief Executive and Director of Customer Services.
- 2.2 Council agreed that the post of Chief Executive and Director of Customer Services should be deleted and a new post of Chief Executive created.
- 2.3 Whilst recruitment to fill the newly created post progressed, Council also agreed to appoint the Director of Neighbourhood Services as its (acting) Head of Paid Service and the Head of Democratic and Legal Support Services as its (acting) Monitoring Officer. These acting appointments were made until such time as a permanent appointment was made to the new post of Chief Executive.
- 2.4 The new Chief Executive took up her post on 26 October 2015. In so doing she automatically became Head of the Paid Service in accordance with Council's decision at its May 2015 meeting.
- 2.5 As Head of Paid Service, the Chief Executive is statutorily prohibited from being designated as the Council's Monitoring Officer.
- 2.6 Since the Chief Executive commenced her duties, the Head of Democratic and Legal Support Services has continued in the role as the Authority's (acting) Monitoring Officer.
- 2.7 With the impending retirement of the Director of Neighbourhood Services (who was previously designated as Monitoring Officer), Council is invited to extend the temporary appointment of the Head of Democratic and Legal Support Services in that capacity sine die.

- 2.8 The Director of Neighbourhood Services is also the Authority's duly appointed Returning Officer and Electoral Registration Officer. Following consultation with the Chief Executive and the Director it is proposed that the former be duly appointed to these statutory positions with effect from 1 January 2016
- 3.0 Conclusion
- 3.1 Council is invited to approve the recommendations at the head of this report in order to meet legislative requirements concerning the appointment of statutory officers.
- 4.0 Implications/Consultations
- 4.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None

- Contact Member: Councillor L Haysey, Leader of the Council
linda.haysey@eastherts.gov.uk
- Contact Officer: Jeff Hughes – Head of Democratic and Legal Support Services – Extn: 2170
jeff.hughes@eastherts.gov.uk
- Report Author: Jeff Hughes – Head of Democratic and Legal Support Services – Extn: 2170.

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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:	Chief Officers
Legal:	To meet statutory provisions.
Financial:	None
Human Resource:	None
Risk Management:	Due process is being followed to ensure that the Authority has in place designated statutory officers.
Health and Wellbeing - issues and impacts	None

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EAST HERTS COUNCIL

COUNCIL – 16 DECEMBER 2015

REPORT BY THE EXECUTIVE MEMBER FOR FINANCE AND SUPPORT SERVICES

COUNCIL TAX - CALCULATION OF COUNCIL TAX BASE 2016/17

WARDS AFFECTED: All

Purpose/Summary of Report

- To recommend to the Council the calculation of the council tax base for the whole District, and for each parish and town council, for 2016/17.

<u>RECOMMENDATIONS FOR DECISION:</u> that:	
(A)	the calculation of the Council's tax base for the whole District, and for the parish areas, for 2016/17 be approved; and
(B)	pursuant to the report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012, the amount calculated by East Hertfordshire District Council as its council tax base for the whole area for 2016/17 shall be 57254.9 and for the parish areas listed below for 2016/17 shall be as follows:

ALBURY	275.24	HIGH WYCH	320.88
ANSTEY	161.81	HORMEAD	325.30
ARDELEY	204.62	HUNSDON	472.60
ASPENDEN	122.43	LITTLE BERKHAMPSTEAD	261.71
ASTON	420.85	LITTLE HADHAM	519.45
BAYFORD	222.93	LITTLE MUNDEN	400.92
BENGEO	284.27	MUCH HADHAM	892.10
BENNINGTON	388.60	SACOMBE	86.16
BISHOP'S STORTFORD	14672.11	STANSTEAD ST. MARGARETS	688.02

BRAMFIELD	108.21	SAWBRIDGEWORTH	3649.06
BRAUGHING	597.56	STANDON	1774.98
BRENT PELHAM / MEESDEN	144.23	STANSTEAD ABBOTTS	679.53
BRICKENDON	296.35	STAPLEFORD	252.64
BUCKLAND	119.06	STOCKING PELHAM	77.48
BUNTINGFORD	2161.75	TEWIN	839.22
COTTERED	308.59	THORLEY	298.74
DATCHWORTH	717.49	THUNDRIDGE	622.20
EASTWICK / GILSTON	305.11	WALKERN	602.18
FURNEUX PELHAM	248.71	WARESIDE	298.11
GREAT AMWELL	955.54	WARE TOWN	7177.59
GREAT MUNDEN	141.16	WATTON - AT - STONE	1035.54
HERTFORD	11429.55	WESTMILL	157.48
HERTFORD HEATH	928.00	WIDFORD	223.85
HERTINGFORDBURY	312.57	WYDDIAL	72.40

1.0 Background

- 1.1 Calculation of the council tax base is governed by statutory regulation and the Council has limited discretion.
- 1.2 As a billing authority the council must notify the County Council and the Police Authority of the tax base and must do this between 1 December and 31 January preceding the tax year. The Council must also tell a parish what their tax base is within 10 working days of any written request
- 1.3 The tax base will be used by the Council when setting the rates of council tax at the March Council meeting.
- 1.4 The tax base calculations must be made by the Authority as a whole.
- 1.5 The regulations set out the following formula to be used to calculate the tax base:-

$$\text{Tax base} = A \times B$$

(A is the total of the “relevant amounts”)

(B is the estimated collection rate)

Item A, the total of “relevant amounts” is found by a second formula:-

$$\text{Item A} = (H - Q + E + J) - Z \times (F / G)$$

where:

- H is the estimated number of dwellings, which are shown in the valuation list at 5 October 2015, adjusted for exemptions.
- Q is a factor to take account of the discounts to which the amount of Council Tax payable was subject on the relevant day.
- E is a factor to take account of the premiums, if any, to which the amount of Council Tax payable was subject on the relevant day.
- J is the amount of any adjustment in respect of changes in the number of chargeable dwellings, discounts or premiums calculated by the authority.
- Z Is the total amount that the authority estimates will be applied pursuant to the authority's council tax reduction scheme in relation to the band, expressed as an equivalent number of chargeable dwellings in that band.
- F converts the number of dwellings in each valuation band to a "Band D" equivalent.
- G Is the relevant prescribed proportion for Band D

Item A can be summarised as the effective number of equivalent Band D properties after taking the actual number in each valuation band and allowing for valuation changes, for errors and appeals, new properties, periods of exemption, reductions for disabled persons and discounts for single occupiers and unoccupied properties, and the Council Tax reduction scheme.

2.0 Report

2.1 The assumptions made are as follows:

Number of taxable properties

- 2.2 For 2016/17 it is assumed that there will be limited new completions with a net addition of 391 new properties by 31 March 2016. These have been allocated to parish areas on the basis of development in hand and planning approvals. It is assumed that all new dwellings will be exempt for the first six months and that a proportion of discounts will apply thereafter. No valuation increases have been assumed for improvements and extensions as these do not take effect until properties are sold on.
- 2.3 It has been assumed that 223 properties will qualify for disabled persons reductions, based on experience in the current year.
- 2.4 A figure of 651 exemptions/voids is included in line with the current position. Further increases will have a negative impact on the tax base.

Collection Rate

- 2.5 Item B in the tax base formula is the estimate of the collection rate for 2016/17. For 2016/17 a collection rate of 98.65% is determined, and remains the same as 2015/16.
- 2.6 This gives an overall tax base of 57254.9
- 2.7 Should any Member have detailed questions or comments on the assumptions it would be of great benefit to advise the Director of Finance and Support Services or the Executive Member for Finance and Support Service well in advance of the meeting.

3.0 Implications/Consultations

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

Background Papers

Local Authorities (Calculation of the Tax Base) Regulations 1992
(as amended)

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	<i>Prosperity</i> This priority focuses on safeguarding and enhancing our unique mix of rural and urban communities, promoting sustainable, economic and social opportunities.
Consultation:	N/A
Legal:	The Tax base must be calculated in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012 as amended.
Financial:	Only as referenced in the report.
Human Resource:	N/A
Risk Management:	Only as referenced in the report.
Health and wellbeing – issues and impacts:	N/A

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