

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

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

ALSO PRESENT:

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

OFFICERS IN ATTENDANCE:

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

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

The Executive Member for Environment and the Public

Space submitted a report detailing the need to approve a new fee structure for various licences as a result of the Deregulation Act 2015. These related to licences for Hackney Carriage Drivers, Private Hire Drivers, Private Hire Operators and Dual Drivers.

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

The Executive supported the proposal now detailed.

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

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

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

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

(see also Minute 307)

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

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

RECOMMENDED – that the Village Hierarchy Study Stage 1 August 2015, be approved as part of the evidence base to inform and support preparation of the East Herts District Plan.

(see also Minute 307)

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

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

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

(see also Minute 307)

298 **BUNTINGFORD TRANSPORT MODEL REPORT AUGUST 2015**

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

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

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

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

prior to publication.

(see also Minute 307)

299 **AFFORDABLE HOUSING – AMENDMENT TO POLICY**

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

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

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

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

(see also Minute 307)

300 **APOLOGIES**

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

301 **LEADER'S ANNOUNCEMENTS**

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

302 MINUTES

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

303 ISSUES ARISING FROM SCRUTINY

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

RESOLVED – that the report be received.

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

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

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

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

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

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

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

The Executive approved the proposals as now detailed.

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

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

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

305 RESIDENT PERMIT PARKING POLICY REVIEW

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

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

The Executive Member outlined a proposed new policy and operational guidance. He also detailed the current schemes and the requests for new schemes. In particular, the Executive Member sought confirmation for actions relating to

“shared use” parking, a full review of existing schemes and the re-evaluation of current requests under the new policy.

The Executive approved the recommendations as now detailed.

RESOLVED - that (A) the new policy and operational guidance for future resident permit parking schemes as now submitted, be adopted, and

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

306 HERTFORDSHIRE BUILDING CONTROL PROJECT

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

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

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

The Executive approved the proposals now detailed.

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

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

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

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

307 DISTRICT PLANNING EXECUTIVE PANEL: MINUTES - 10 SEPTEMBER 2015

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

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

(see also Minutes 295 – 299)

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

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

Papers, then the Executive would need to exclude the press and public from the meeting.

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

He detailed the history of the property in question and the complaints received from neighbours and the public expressing concern for the derelict condition and its negative impact on the surrounding area. He also drew attention to the repeated attempts by Officers to engage with the owner.

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

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

The Executive approved the recommendations as now detailed.

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

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

address of the property;

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

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

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

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

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

(H) a budget based on the financial information in

Essential Reference Paper 'C' of the report submitted,
be set for undertaking this Compulsory Purchase
Order.

The meeting closed at 7.40 pm

Chairman
Date