

MINUTES OF THE ANNUAL MEETING OF  
THE COUNCIL HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
WEDNESDAY 18 MAY 2016, AT 7.00 PM

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PRESENT:

Councillor K Crofton (Chairman).  
Councillors D Abbott, A Alder, M Allen,  
D Andrews, R Brunton, K Brush,  
E Buckmaster, S Bull, M Casey,  
Mrs R Cheswright, S Cousins, G Cutting,  
B Deering, I Devonshire, H Drake,  
J Goodeve, B Harris-Quinney, L Haysey,  
R Henson, Mrs D Hollebon, A Jackson,  
G Jones, J Jones, J Kaye, P Kenealy,  
G McAndrew, M McMullen, P Moore,  
D Oldridge, T Page, P Phillips, M Pope,  
S Reed, P Ruffles, S Rutland-Barsby,  
C Snowdon, S Stainsby, R Standley,  
M Stevenson, N Symonds, J Taylor,  
K Warnell, G Williamson, C Woodward and  
J Wyllie.

OFFICERS IN ATTENDANCE:

Philip Gregory	- Head of Strategic Finance and Property
Martin Ibrahim	- Democratic Services Team Leader
Lorraine Kirk	- Senior Communications Officer
Adele Taylor	- Director
Liz Watts	- Chief Executive
Catherine Whitehead	- Interim Head of Democratic and Legal Services

## 1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman (Councillor P Moore) opened the meeting by reminding Members and the public that the meeting was being webcast live and that they should remain seated when speaking.

She thanked Members for their support to her throughout the year and spoke of the opportunity given to her in terms of her own personal development. In particular, she thanked Francesca Dust and Nicola Crosby for their support in the office. She also thanked the Vice-Chairman and wished him well in the coming year.

The Chairman commented on the highlights of the past year and spoke of the many engagements she had attended. She referred to the "East Herts Got Talent" event and advised that although the final figures were unavailable, approximately £4,000 had been raised for her chosen charities.

The Leader of the Council congratulated the Chairman on her extraordinary year of service and praised the manner in which she had carried out her duties, especially in her ability to engage with young people.

The Vice-Chairman presented the Chairman her Past Chairman's Badge and a bouquet of flowers.

## 2 ELECTION OF CHAIRMAN FOR THE COUNCIL 2016-17

It was moved by Councillor A Jackson and seconded by Councillor M Pope that Councillor K Crofton be elected Chairman of the Council to hold office for the civic year 2016/17.

After being put to the meeting and a vote taken, Councillor K Crofton was elected Chairman of the Council for the civic year 2016/17.

RESOLVED - that Councillor K Crofton be elected Chairman of the Council and hold office for the civic

year 2016/17.

The Chairman made the statutory Declaration of Acceptance of Office, and took the Chair.

### 3 APPOINTMENT OF VICE-CHAIRMAN OF THE COUNCIL FOR 2016-17

It was moved by Councillor G McAndrew and seconded by Councillor G Cutting that Councillor J Jones be appointed Vice-Chairman of the Council to hold office for the civic year 2016/17.

After being put to the meeting and a vote taken, Councillor J Jones was appointed Vice-Chairman of the Council for the civic year 2016/17.

RESOLVED - that Councillor J Jones be appointed Vice-Chairman of the Council and hold office for the civic year 2016/17.

The Vice-Chairman made the statutory Declaration of Acceptance of Office. He thanked Members and looked forward to supporting Councillor K Crofton.

### 4 FURTHER CHAIRMAN'S ANNOUNCEMENTS

The Chairman (Councillor K Crofton) thanked Members for giving him the honour of representing the District Council over the coming year. He thanked the Past Chairman, Councillor P Moore, for her outstanding service and also thanked the support staff for their assistance.

The Chairman advised that next year's "East Herts Got Talent" event had already been booked for 6 May 2017. Also, the Civic Service would be held on 6 September 2016, at 2.00 pm, at St Peter's in Benington.

He offered his services to all Members for any events in their wards where the office of Chairman might add value. The Chairman advised that his chosen charity would be Lupus UK

and he invited its Director, Chris Maker, to address the meeting.

Chris Maker referred to the information leaflets distributed in the chamber and gave a brief outline of the condition and how it affected people.

The Chairman reminded all Members that a joint meeting of committees would be held at the conclusion of Annual Council and so all Members should remain seated until all the business had been concluded.

He also advised that some Members had yet to return their Declaration of Interests form. Blank forms had been left out for those outstanding Members, who were reminded to complete and return this as soon as possible.

Finally, Members and Officers were invited to receive light refreshments at the conclusion of tonight's meetings.

## 5 MINUTES

RESOLVED – that the Minutes of the Council meeting held on 2 March 2016, be approved as a correct record and signed by the Chairman.

## 6 MEMBERS' QUESTIONS

### Question 1

Councillor N Symonds asked the Executive Member for Health and Wellbeing if he would strongly urge the housing associations to work in a much more proactive manner with the police to evict those known to be dealing drugs, causing anti-social behaviour and making other residents' lives a misery.

The Executive Member for Health and Wellbeing quoted national statistics on the number of evictions and commented that approximately half had been carried out by Registered Social Landlords (RSL). He referred to East Herts' processes

and the way the Council worked in partnership with RSLs and the police, using the web-based "Safetynet" system and through monthly meetings.

The Executive Member referenced the statutory framework and the number of closure orders issued that had resulted in evictions. Finally, he had written to the five RSLs operating locally on this subject and undertook to publish their responses when received.

In response to a supplementary question on the lengthy timescales of some processes, the Executive Member undertook to pursue this if specific details were provided.

### Question 2

Councillor P Phillips commented that the "Stop Bengo Quarry" campaign was working tirelessly to highlight the significant dangers to the local community of extracting over 2.5 million tonnes of sand and gravel from an area that was 320 metres from Bengo Primary school and in close proximity to many hundreds of local residents, following an application by local land owners to Hertfordshire County Council in March this year. He asked the Leader of the Council to join himself, local colleagues, local residents and the local MP in offering her, and this Council's support to the "Stop Bengo Quarry" campaign.

The Leader referred the question to the Executive Member for Development Management and Council Support as the subject matter fell in her portfolio area.

The Executive Member for Development Management and Council Support reminded Members that the Council was only a consultee on this application and that Hertfordshire County Council (HCC) would be making the determination. She also reminded Members that the site had been included in the 2007 HCC Minerals and Waste Plan Preferred Options list and so the Council could not object in principle. However, the Council, as a consultee, had made representations in terms of the rigorous application of conditions in terms of mitigation of

disruption caused.

The Executive Member detailed the concerns raised for HCC to consider. Although the formal consultation period had ended, HCC, like East Herts' Development Management Committee, will consider any new material evidence submitted up to the day of the meeting. She encouraged Members to continue to raise any issues so that HCC made a determination based on all the available evidence.

On a point of order, Councillor P Ruffles asked Council to note that he was not associated with any of the comments made. As a member of HCC that would make the determination, he had to remain open-minded until the decision was considered and made.

### Question 3

Councillor M Stevenson asked the Executive Member for Environment and the Public Space if the Council's policy of not entering to collect items of heavy furniture be changed in the case of vulnerable and elderly residents, who otherwise might have to pay privately to remove items to the kerbside.

In response, the Executive Member for Environment and the Public Space referred to the design of the Council's Bulky Waste Collection service, which provided a kerbside service only and residents were requested to present the items on the boundary on collection day. He referred to the contractual arrangements and also the reasons that most Councils did not offer a collection from within the property. This included issues around the training, health and safety, liability and the efficiency of the service.

The Executive Member reminded Members that in many cases, where a household item was being replaced with a new one, the supplier would remove the old item either free or for a charge. He also referred to local reuse charities which might help to remove items of furniture from the property. If customers had difficulties in moving items to the boundary, Officers would suggest that a family member, friend or

neighbours might be able to help to do this.

Finally, the Executive Member stated that Officers were planning to carry out some work to identify whether the voluntary sector could provide support to elderly, vulnerable and disabled people that needed help removing items from their property to the boundary.

In response to a supplementary question, the Executive Member undertook to keep Members informed of Officers' progress.

7 EXECUTIVE REPORT - 8 MARCH 2016

RESOLVED – that the Minutes of the Executive meeting held on 8 March 2016 be received.

(see also Minutes 8 – 12)

8 HOUSING AND HEALTH STRATEGY 2016-2021

RESOLVED – that (A) the Housing and Health Strategy 2016-21, as now submitted, be adopted as a key document; and

(B) the joint submission received from East and North Herts Clinical Commissioning Group and NHS England, be accepted for inclusion within Essential Reference Paper 'C' of the report submitted.

(see also Minute 7)

9 HERTFORD TOWN CENTRE URBAN DESIGN STRATEGY  
FEBRUARY 2016

RESOLVED – that (A) the Hertford Town Centre Urban Design Strategy, February 2016, be approved as part of the evidence base to inform and support the East Herts District Plan;

(B) the Hertford Town Centre Urban Design

Strategy, February 2016, be approved to inform Development Management decisions; and

(C) a Steering Group be set up, including representatives from East Herts Council, Hertfordshire County Council and Hertford Town Council, to agree an action plan to bring forward appropriate projects in the short, medium and long term for the improvement and enhancement of the County Town, with a report on an action plan and identified projects being submitted to the Executive.

(see also Minute 7)

10 BISHOP'S STORTFORD NORTH S106 SPORTS INVESTMENT STRATEGY, DECEMBER 2015

RESOLVED – that (A) the project prioritisation criteria be approved;

(B) the Steering Group, in conjunction with the Executive Member for Health and Wellbeing, be empowered to consider and make recommendations on future investments to Council following consultation with the Sounding Board; and

(C) the Bishop's Stortford North S106 Sports Investment Strategy, December 2015, be agreed as part of the evidence base to inform and support preparation of the East Herts District Plan and for Development Management purposes.

(see also Minute 7)

11 STRATEGIC LAND AVAILABILITY ASSESSMENT

RESOLVED – that the SLAA Round 3 site assessments, and the ongoing process for completing the SLAA, be noted.

(see also Minute 7)



12 DUTY TO CO-OPERATE UPDATE REPORT

RESOLVED – that (A) the notes of the Member-level meetings held with neighbouring local authorities be received; and

(B) the Head of Planning and Building Control, in consultation with the District Planning Executive Panel Members, be authorised to prepare, agree and sign Memoranda of Understanding with neighbouring local authorities, and other bodies, as appropriate.

(see also Minute 7)

13 EXECUTIVE REPORT - 5 APRIL 2016

RESOLVED – that the Minutes of the Executive meeting held on 5 April 2016 be received.

(see also Minute 14)

14 THUNDRIDGE AND WADESMILL CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

RESOLVED – that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Thundridge and Wadesmill Conservation Area Appraisal and Management Plan be supported;

(B) authority be delegated to the Head of Planning and Building Control, in consultation with the Executive Member for Development Management and Council Support, to make any further minor and consequential changes to the document which may be necessary; and

(C) the Thundridge and Wadesmill Conservation Area Appraisal and Management Plan be adopted.

(see also Minute 13)

15 COMMUNITY SCRUTINY COMMITTEE: MINUTES - 15 MARCH 2016

RESOLVED – that the Minutes of the Community Scrutiny Committee meeting held on 15 March 2016, be received.

16 AUDIT COMMITTEE: MINUTES - 16 MARCH 2016

RESOLVED – that the Minutes of the Audit Committee meeting held on 16 March 2016, be received.

(see also Minute 17)

17 SHARED ANTI-FRAUD SERVICES (SAFS) POSITION STATEMENT

RESOLVED – that the draft Fraud Sanction and Prosecution Policy, as detailed, be approved to be effective immediately.

(see also Minute 16)

18 LICENSING COMMITTEE: MINUTES - 17 MARCH 2016

RESOLVED – that the Minutes of the Licensing Committee meeting held on 17 March 2016, be received.

19 CHIEF OFFICER RECRUITMENT COMMITTEE: MINUTES - 21 MARCH 2016

RESOLVED – that the Minutes of the Chief Officer Recruitment Committee meeting held on 21 March 2016, be received.

20 CORPORATE BUSINESS SCRUTINY COMMITTEE:  
MINUTES - 22 MARCH 2016

RESOLVED – that the Minutes of the Corporate Business Scrutiny Committee meeting held on 22 March 2016, be received.

21 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES -  
23 MARCH 2016

RESOLVED – that the Minutes of the Development Management Committee meeting held on 23 March 2016, be received.

22 HUMAN RESOURCES COMMITTEE: MINUTES - 20 APRIL  
2016

RESOLVED – that the Minutes of the Human Resources Committee meeting held on 20 April 2016, be received.

23 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES -  
27 APRIL 2016

RESOLVED – that the Minutes of the Development Management Committee meeting held on 27 April 2016, be received.

24 CHANGES TO AUDIT AND STANDARDS COMMITTEE  
ARRANGEMENTS

Council considered a report seeking to review the current committee arrangements relating to Audit and Standards. Council also reviewed the current procedure for initial assessment of code of conduct complaints and confirmed the appointment of the Monitoring Officer and the Deputy Monitoring Officer under the new management arrangements within the Authority.

The Interim Head of Legal and Democratic Services outlined the rationale for the proposed changes. Councillor P Phillips

questioned whether the revised procedure for dealing with complaints against Members would be diluted and transparent. The Interim Head explained that the revised procedure would be consistent with other Authorities. The Monitoring Officer would still need to consult with the Independent Person and the proposed remedies reflected the powers available under the current legislation.

Council approved the recommendations as now detailed.

RESOLVED – that (A) the Council establishes a new Committee called the Audit and Governance Committee;

(B) the terms of reference of the new Committee will combine the existing remit of the Audit Committee and the Standards Committee as set out at Essential Reference Paper ‘D’ of the report submitted;

(C) the Committee will consist of 10 Members drawn from the current Membership of the Standards Committee and the Audit Committee;

(D) the revised procedure for dealing with complaints against Members as set out at Essential Reference Paper ‘E’ of the report submitted, be approved;

(E) the Head of Legal and Democratic Services be confirmed as the Monitoring Officer and the Legal Services Manager as the Deputy Monitoring Officer; and

(F) the Council’s Constitution be amended immediately to give effect to the changes.

## 25 REVIEW OF THE COUNCIL'S DECISION-MAKING STRUCTURE

The Interim Head of Legal and Democratic Services submitted a report reviewing the Council’s decision-making structure.

She advised that Council was required to approve the size of the proposed committees and the allocation of seats to political groups. Council noted that one political group of 48 Members had been formed and its nominations to the seats on committees were detailed in the report now submitted.

In respect of the seats allocated to Independent Members, Council agreed to allocate the vacant seats on Community Scrutiny Committee and Corporate Business Scrutiny Committee to Councillor P Phillips and on Environment Scrutiny Committee and Health and Wellbeing Scrutiny to Councillor J Cartwright.

Council approved the proposals as now detailed.

**RESOLVED** – that (A) the following Scrutiny Committees, Regulatory Committees and Joint Committee be appointed, with the number of voting Members stated:

<u>Committee</u>	<u>No. of Members</u>
Community Scrutiny	10
Corporate Business Scrutiny	10
Environment Scrutiny	10
Health and Wellbeing Scrutiny	10
Audit and Governance	10
Development Management	12
Human Resources	7
Licensing	12
Standards	5
Chief Officer Recruitment	5
East Herts Council and Stevenage Borough Council Joint Revenues and Benefits Committee (3 from	6

East Herts and 3 from Stevenage)

- (B) the membership of Scrutiny Committees, Regulatory Committees, the East Herts Council and Stevenage Borough Council Joint Revenues and Benefits Committee be as set out in Essential Reference Paper 'D' of the report submitted, with Members being appointed in accordance with the wishes of the political group to whom the seats on these bodies have been allocated, and Independent Members being appointed to Committees as now detailed;
- (C) the intention of the Leader of the Council to appoint 6 Members to the Executive (in addition to the Leader) with the portfolio responsibilities as detailed at Essential Reference Paper 'B' of the report submitted, be noted;
- (D) the programme of Council meetings, as detailed at paragraph 5.1 of the report submitted, be approved;
- (E) the Head of Legal and Democratic Services be authorised to make changes in the standing membership of committees, joint committee and panel in (A) above, in accordance with the wishes of the political group to whom seats on these bodies have been allocated;
- (F) the action to be taken by the Head of Legal and Democratic Services, in consultation with the Leader, under delegated authority, concerning the appointment of representatives to outside bodies, be noted; and
- (G) the Monitoring Officer be authorised to make such amendments to the Council's constitution as may be necessary to account for the decisions in (A) to (F) above.

## 26 APPOINTMENT OF CHIEF FINANCIAL OFFICER

The Chief Executive submitted a report reviewing the appointment of the Chief Financial Officer and s151 responsibilities within the Authority, in the light of the recent senior management restructure and the new leadership team arrangements.

Council approved the recommendations as now detailed.

RESOLVED – that (A) the Head of Strategic Finance and Property Services be appointed as the Council's s151 Officer; and

(B) the Council's Constitution be amended immediately to give effect to the change.

## 27 ANNUAL REVIEW OF THE CONSTITUTION

The Chief Executive submitted a report presenting the annual review of the Council's Constitution. She explained that a number of significant changes had been proposed as a result of:

- the implementation of the new senior management structure;
- statutory changes;
- updating the policy framework;
- consequential changes that had been made during the past year;
- revised delegations to Officers and Proper Officer functions;
- the new Members' Allowances Scheme agreed in February 2016; and
- the changes agreed earlier in respect of Audit and Standards arrangements.

The Chief Executive apologised for the formatting and typographical errors within the document and undertook to ensure that these would be dealt with in the final published document. She also referred to the new Audit and

Governance Committee and its role in reviewing the Constitution in future.

Councillor M Pope commented that the Constitution should be an accessible document which enabled residents to understand how the Council worked and how they could become involved. To this end, he proposed, and Councillor L Haysey seconded, an additional recommendation that the Audit and Governance Committee carry out a further review of the Constitution with that focus, to report back to a future meeting on a document that was both up to date and easy to use.

Council approved the revised recommendations as now detailed.

RESOLVED that (A) the revised Constitution, as now submitted, for the civic year 2016-17, be approved;

(B) the specific changes set out in paragraphs 3 to 7 of the report submitted, be approved;

(C) the revised Constitution be referred to the Executive for approval of changes relating to Executive Functions; and

(D) the Audit and Governance Committee be requested to carry out a further review of the Constitution and to report back to a future meeting on a document that was both up to date and easy to use.

The meeting closed at 8.14 pm

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