

MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 18 JULY 2017, AT 7.00 PM

PRESENT: Councillor J Jones (Chairman).
Councillors D Abbott, A Alder, M Allen,
D Andrews, P Ballam, P Boylan, R Brunton,
E Buckmaster, S Bull, M Casey,
Mrs R Cheswright, K Crofton, G Cutting,
I Devonshire, H Drake, M Freeman,
J Goodeve, L Haysey, R Henson, G Jones,
J Kaye, P Kenealy, M McMullen, D Oldridge,
T Page, M Pope, L Radford, P Ruffles,
S Rutland-Barsby, C Snowdon, R Standley,
M Stevenson, T Stowe, N Symonds,
G Williamson, C Woodward and J Wyllie.

OFFICERS IN ATTENDANCE:

Isabel Brittain	-	Head of Strategic Finance and Property
Jonathan Geall	-	Head of Housing and Health
Martin Ibrahim	-	Democratic Services Team Leader
Jess Khanom	-	Head of Operations
Helen Standen	-	Director
Alison Stuart	-	Head of Legal and Democratic Services
Adele Taylor	-	Director
Ben Wood	-	Head of Communications, Strategy and Policy

106 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Members, Officers, the press and public to the meeting. Given the presence of children in the chamber, he emphasised that the meeting was being webcast as usual.

The Chairman reminded Members of the sad news relating to former Councillor David Smith, who had recently passed away. David had represented Havers and Thorley ward and then Bishop's Stortford Thorley ward from the District Council's inception in 1973 until 1987. As a mark of respect, everyone stood and observed a moment's silence.

The Chairman referred to the exhibition outside the chamber celebrating 50 years of conservation in East Herts and urged Members to view it if they had not done so already.

The Chairman highlighted some of the events he had attended since the previous meeting, which had included his Civic Service, at which over £300 had been raised for charity. He looked forward to future events, such as his charity golf day at Hanbury Manor, and sought Members' support in its promotion.

107 MINUTES

RESOLVED – that the Minutes of the Annual Council meeting held on 10 May 2017, be approved as a correct record and signed by the Chairman.

108 DECLARATIONS OF INTEREST

In respect of Minute 114 – Leisure Facilities Strategy, Councillor I Devonshire advised Members that his daughter was employed at Fanshawe pool. Whilst this was not a disclosable pecuniary interest, in the interests of transparency, he asked Members to note this.

109 PETITIONS

Petition (A) – Planning Decisions on Ware Road, Hertford

A petition on behalf of the Kingsmead Residents Action Group had been submitted as follows:

We, the residents of Ware Road, Hertford and all roads in the

surrounding area, request that East Herts District Local Planning Authority impose an immediate suspension on all planning decisions that involve residential parking provision, and call on Hertfordshire County Council Highways to complete their comprehensive traffic and parking study as soon as possible – to look in detail at the serious problems we are experiencing in relation to road safety, resulting from congestion, problem parking and speeding vehicles.

Karen Johns, on behalf of the Kingsmead Residents Action Group, addressed the meeting. She advised that 335 signatures had been collected in support of the petition, which had arisen as a result of the increased parking and traffic problems which had occurred since the Liberty Rise development had been completed. She argued that this development had been permitted without adequate parking provision, which had caused the overspill of parking onto Ware Road. This had resulted in numerous scrapes, near misses and one serious accident. She referred to the impact on safety for cyclists, children and pedestrians in general.

In response, the Executive Member for Development Management and Council Support commented that the Council could not suspend determining planning applications, as it was required to consider these within statutory deadlines. She referred to the applicant's right of appeal if these deadlines were not met and the associated risks for local decision-making.

The Executive Member recognised the concerns raised and stated that the lessons learned will be factored in when considering future applications within existing planning policies and guidelines. In respect of the County Council's study, she advised that Highways Officers were currently agreeing the scope for the study and that the survey would be undertaken in September when the schools had reopened. The results of the study would be received by Christmas 2017, and hopefully, would identify appropriate measures to deal with the problems highlighted.

Councillor J Goodeve, as a local ward member, welcomed the

Executive Member's response and looked forward to receiving the County Council's study.

Petition (B) – Save Leventhorpe Swimming Pool

Elizabeth Hall, a resident of Sawbridgeworth, had submitted a petition as follows:

We the undersigned petition the Council to continue to support the funding for Leventhorpe swimming pool in Sawbridgeworth. This facility is highly valued asset to the town. EHDC are considering stopping its financial support of the Leventhorpe swimming pool in favour of an improved complex in Bishop's Stortford. However, this would have a detrimental impact upon the community of Sawbridgeworth. Our children would lose access to swimming lessons within our town. Our community would have an increased journey to access leisure facilities which would be detrimental.

Elizabeth Hall, on behalf of Sawbridgeworth residents, addressed the meeting. She advised that 2094 signatures had been collected in support of what had been a very emotive petition. Local residents were concerned that they might lose a valuable local facility and she had received many calls from concerned residents detailing how the proposal would affect them personally. Elderly residents did not consider it viable to travel to either Bishop's Stortford or Harlow. There was ongoing concern about the dangers of children using the local canal and how a closure might exacerbate this. Parents wanted their children to learn to swim in a safe environment and to avoid any tragedy. She also referred to Leventhorpe pool as a focus for the community and how it had helped her own family circumstances.

In response, the Executive Member for Health and Wellbeing thanked the petitioner for her impassioned statement and congratulated her for the number of signatures collected. He referred to a Member's question and the Leisure Strategy later in the agenda when he would be making a fuller statement. He commented that the Council understood that the proposals

in the Leisure Strategy report were challenging. The Council had considered the views of the public and would look at amending the recommendation in respect of Leventhorpe Pool this evening.

Councillor A Alder, as a local ward member, endorsed the Executive Member's comments relating to the enthusiasm of the petitioners.

Petition (C) – Save Fanshawe Pool and Gym

A petition on behalf of Ware Swimming Club had been submitted as follows:

Fanshawe currently teaches many people in the community to swim, has a popular gym and is home to a swimming club with 170 members. The closure of Fanshawe would be a major blow to our town and we urge the Council to find the funding to keep it open.

Nicola Rix, the Secretary of Ware Swimming Club, addressed the meeting. She advised that almost 4000 signatures had been collected in support of the petition, which she hoped demonstrated the strength of feeling and the value placed on Fanshawe. She referred to the discussions with the Council in recent days when it had emerged that a revised recommendation would come forward. This was pleasing, but now the residents looked forward to the consultation. She believed that residents needed to see detailed information on the options available, including financial information. Details of the different groups that used the facility were needed as a variety of people, young and old, relied on Fanshawe for the range of activities available.

Nicola Rix also commented that a new commercial agreement could increase the income generated at the facility. She questioned the ability of Hartham to handle the additional volume of people that would be displaced if Fanshawe closed. Finally, she commented on whether the local community could afford to lose such a valuable asset and pleaded for the Council to listen to local residents and to invest in Fanshawe.

In response, the Executive Member for Health and Wellbeing thanked the petitioner for her comprehensive statement. He referred to a Member's question and the Leisure Strategy later in the agenda when he would be making a fuller statement. He commented that the Council understood that the proposals in the Leisure Strategy report were challenging. The Council had considered the views of the public and would look at amending the recommendation in respect of Fanshawe Pool and Gym this evening.

Councillor J Kaye, as a local Ware Member, expressed his hope that a satisfactory solution could be identified.

110 MEMBERS' QUESTIONS

Question 1

Councillor P Ballam referred to the Council's corporate priorities/objectives which included "improve the health and wellbeing of our communities" and "enhance the quality of people's lives". She was surprised, indeed shocked, to learn that the members of the Council's Executive, including Councillor Buckmaster were willing to contemplate the closure of Fanshawe Swimming Pool. Since his appointment as Executive Member for Health and Wellbeing, Councillor Buckmaster had been proactive in all matters relating to the health and physical and mental wellbeing of our residents. We hear of postcode lottery in relation to some services provided by the National Health Service, but this would be postcode lottery on fitness in East Hertfordshire. If you lived in some of our towns you will continue to be encouraged to keep fit in this extremely valuable way. Some people in Ware will be disadvantaged as everyone does not drive, and indeed, we should not be encouraging the greater use of cars. Therefore, she asked him how he could contemplate the closure of this extremely important facility in the town of Ware, a town of over 18,000 inhabitants, surrounded by rivers and other bodies of water.

In response, the Executive Member for Health and Wellbeing

commented that he felt her frustration as the question applied equally to Leventhorpe as well as Fanshawe. He explained the thinking that was involved in the work of Members and Officers throughout this process and the circumstances with which they had been confronted. Firstly, the great news was that the Executive was recommending an expansion of leisure services to the east and west of the District that would sustain them for the next 20 or more years, in the centres which we owned. Previous contract renewals had been more straightforward in enabling the Council to roll on with existing arrangements concerning the joint use pools. However, this time was different, because the facilities were of an age where substantial investment was necessary and so a long term view of our relationships was needed.

The Executive Member reminded Council of the wider financial context and the need to ensure that services remained viable in order to continue to operate them. The centres at Leventhorpe and Chauncy were owned by the schools, and they paid a 40 per cent share of maintaining them from money received from the Education and Skills Funding Agency, which would be available for at least the next two years.

The Council had to consider whether the schools would be able to commit to a long term arrangement that would justify the investment needed for a contract that had to work for 10 or more years. The Executive Member suggested they could not and the District Council was not permitted to fund education. Therefore, it would be important to consider security of tenure so far as the schools' ability and willingness to form a partnership with the Council. He referred to the long term vision needing to address these special circumstances, so that there was appropriate capacity across the District in the centres under Council control.

The Executive Member referred to the report that would be considered later in the meeting, which was not about setting any definite dates for closing any facility, but creating a framework upon which potential leisure providers could respond. The remit of the tender process would include

taking into account current and future needs, as well as in having a more direct involvement in meeting the requirements of the draft Physical Activity Strategy and Health and Wellbeing vision.

The Executive Member emphasised that the Council was willing to work with the schools, swimming clubs and other interested parties for up to 5 years. Depending on the schools' priorities, a range of possible outcomes would be explored including:

- the procurement of another provider;
- the development of a community trust/ body;
- sponsorship from local businesses; and
- an alternative use for the site

Finally, the Executive Member believed that the Council was listening and advised that responses had been given to all those who had made comment or petitioned with their concerns. He would be proposing amendments to the recommendations concerning Fanshawe and Leventhorpe in order to enable a public consultation, with a report back to Council later in the year.

111 EXECUTIVE REPORT - 16 MAY 2017

The Leader referred to recent tragic events that had occurred since the previous meeting in Manchester, Borough Market, Grenfell Tower and Finsbury Park. On behalf of the Council, she expressed deep sorrow for all those affected.

RESOLVED – that the Minutes of the meeting held on 16 May 2017 be received.

(see also Minute 112)

112 BISHOP'S STORTFORD TOWN CENTRE PLANNING FRAMEWORK

The Executive Member for Economic Development advised Members that a steering group, Shaping Stortford, had now

been set up to facilitate projects consistent with the framework. Its membership included business representatives, residents and the three tiers of local government.

RESOLVED – that the Bishop’s Stortford Town Centre Framework (March 2017) be approved for Development Management decisions.

(see also Minute 111)

113 EXECUTIVE REPORT - 27 JUNE 2017

RESOLVED – that the Minutes of the meeting held on 27 June 2017 be received.

(see also Minutes 114 - 116)

114 LEISURE FACILITIES STRATEGY PART 1: PROPOSED FUTURE DIRECTION OF TRAVEL FOR COUNCIL MANAGED LEISURE FACILITIES AND PART 2: PROPOSAL TO DEVELOP LEISURE AND SPORTS PROVISION IN BISHOP'S STORTFORD

The Leader of the Council referred to an error contained in the original report that had been submitted to the Executive in that paragraph 4.9 should have referred to the current leisure contract expiry date as December 2018 and not December 2022. The correct contract date had been reflected in the Minutes of the Executive meeting.

The Executive Member for Health and Wellbeing referred to the recommendations set out in both Parts 1 and 2 of the report and proposed some amendments.

Part 1

In respect of recommendation (E), he proposed an amendment so that it read “public consultation and further investigation of the options for Fanshawe Pool and Gym are carried out and a report is presented in October 2017”.

Councillor D Oldridge seconded this amendment and asked for details of what the consultation would involve.

The Head of Operations advised that Officers would continue to engage with the public and look at all the options available. This would include all the correspondence received to date as well the comments made in the petitions. Discussions with the schools would continue and all market options would be examined.

In respect of recommendation (F), the Executive Member for Health and Wellbeing proposed an amendment so that it read “public consultation and further investigation of the options for Leventhorpe Pool and Gym are carried out and a report is presented in October 2017”. This was seconded by Councillor A Alder.

In respect of recommendation (J), the Executive Member for Health and Wellbeing proposed an amendment so that it read “subject to funding approval, delegated authority to make decisions relating to the leisure development projects is provided to the Executive Member for Health and Wellbeing with the support of a leisure project board. The board will consist of the Executive Members of Health and Wellbeing and Finance and Support Services, the Head of Operations, the Chief Finance Officer, Monitoring Officer and a Director.” Councillor D Oldridge seconded this amendment.

Council approved the recommendations as now amended.

RESOLVED – that (A) the views of the Overview and Scrutiny Committee and the recommendations of the Executive, be noted;

(B) investment and development for Grange Paddocks as reflected in paragraph 4.8 of the report submitted, including costs for the submission of outline planning permission, be approved;

(C) investment and development for Hartham Leisure Centre as reflected in paragraph 4.8 of the

report submitted, including costs of the submission of outline planning permission, be approved;

(D) investment and development for Ward Freman as reflected in paragraph 4.8 of the report submitted, be approved;

(E) public consultation and further investigation of the options for Fanshawe Pool and Gym are carried out and a report is presented in October 2017;

(F) public consultation and further investigation of the options for Leventhorpe Pool and Gym are carried out and a report is presented in October 2017;

(G) the Design, Build, Operate and Maintain model for Grange Paddocks Leisure Centre, be approved;

(H) the Design, Build, Operate and Maintain model for Hartham Leisure Centre, be approved;

(I) the leisure operating contract (with minor works included) model in respect of Ward Freman Centre, be approved; and

(J) subject to funding approval, delegated authority to make decisions relating to the leisure development projects is provided to the Executive Member for Health and Wellbeing with the support of a leisure project board. The board will consist of the Executive Members of Health and Wellbeing and Finance and Support Services, the Head of Operations, the Chief Finance Officer, Monitoring Officer and a Director.

Part 2

The Executive Member for Health and Wellbeing emphasised the due diligence that would need to be carried out if recommendation (C) was approved.

In respect of recommendation (D), the Executive Member for

Health and Wellbeing proposed an amendment so that it read “subject to funding approval, delegated authority to make decisions relating to the leisure development projects is provided to the Executive Member for Health and Wellbeing with the support of a leisure project board. The board will consist of the Executive Members of Health and Wellbeing and Finance and Support Services, the Head of Operations, the Chief Finance Officer, Monitoring Officer and a Director.” Councillor J Wyllie seconded this amendment.

Council approved the recommendations as now amended.

RESOLVED – that (A) the views of Overview and Scrutiny Committee and the recommendations of the Executive be noted;

(B) £1m allocated from Bishop’s Stortford North section 106 funds, to be forward funded by the Council until such time as the s106 funds are received by the Council, be approved;

(C) an interest-bearing loan to the school to complete the funding requirement for the project as presented, be approved subject to due diligence to be carried out by the Chief Finance Officer and Monitoring Officer, in consultation with the Executive Members for Finance and Support Services and Health and Wellbeing; and

(D) subject to funding approval, delegated authority to make decisions relating to the leisure development projects is provided to the Executive Member for Health and Wellbeing with the support of a leisure project board. The board will consist of the Executive Members of Health and Wellbeing and Finance and Support Services, the Head of Operations, the Chief Finance Officer, Monitoring Officer and a Director.

(see also Minute 113)

115 FURNEUX PELHAM CONSERVATION AREA APPRAISAL

RESOLVED – that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Furneux Pelham Conservation Area Character Appraisal and Management Proposals, 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 Furneux Pelham Conservation Area Character Appraisal and Management Proposals be approved for adoption.

(see also Minute 113)

116 COUNCIL TAX SUPPORT SCHEME 2018/19

RESOLVED – that no changes to the scheme design for 2018/19 be made.

(see also Minute 113)

117 ENVIRONMENT SCRUTINY COMMITTEE: MINUTES - 7 MARCH 2017

RESOLVED – that the Minutes of the Environment Scrutiny Committee meeting held on 7 March 2017, be received.

118 HEALTH AND WELLBEING SCRUTINY COMMITTEE: MINUTES - 14 MARCH 2017

RESOLVED – that the Minutes of the Health and Wellbeing Scrutiny Committee meeting held on 14 March 2017, be received.

119 LICENSING COMMITTEE: MINUTES - 16 MARCH 2017

RESOLVED – that the Minutes of the Licensing Committee meeting held on 16 March 2017, be received.

120 AUDIT AND GOVERNANCE COMMITTEE: MINUTES - 22 MARCH 2017

RESOLVED – that the Minutes of the Audit and Governance Committee meeting held on 22 March 2017, be received.

121 COMMUNITY SCRUTINY COMMITTEE: MINUTES - 28 MARCH 2017

RESOLVED – that the Minutes of the Community Scrutiny Committee meeting held on 28 March 2017, be received.

122 HUMAN RESOURCES COMMITTEE: MINUTES - 19 APRIL 2017

RESOLVED – that the Minutes of the Human Resources Committee meeting held on 19 April 2017, be received.

123 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES - 26 APRIL 2017

RESOLVED – that the Minutes of the Development Management Committee meeting held on 26 April 2017, be received.

124 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES - 17 MAY 2017

RESOLVED – that the Minutes of the Development Management Committee meeting held on 17 May 2017, be received.

125 PERFORMANCE, AUDIT AND GOVERNANCE SCRUTINY COMMITTEE: MINUTES - 23 MAY 2017

RESOLVED – that the Minutes of the Performance, Audit and Governance Scrutiny Committee meeting held on 23 May 2017, be received.

126 SCRUTINY ANNUAL REPORT 2016-17

Councillor M Allen, on behalf of the 2016/17 Scrutiny Chairmen, presented the Scrutiny Annual report 2016/17.

Council approved the report for publication.

RESOLVED – that the Annual Report on the work of the East Herts Scrutiny Committees during 2016/17 be received and approved for publication.

127 DISCRETIONARY COMMUNITY GRANTS POLICY

Council considered a report proposing changes in the discretionary community grants policy in order to maximise health and wellbeing outcomes for residents in East Herts. The Executive Member for Health and Wellbeing highlighted the key changes and advised that these would simplify the application process. The proposed changes had arisen from a review undertaken by an informal group of Members.

Council approved the recommendations as now detailed.

RESOLVED – that (A) the new grants policy as detailed in Essential Reference Paper ‘B’ of the report submitted, be approved, including proposals listed in paragraph 2.7 to:

- open the fund up to not-for-profit organisations;
- remove the requirement of match funding for building projects;
- increase the maximum revenue grant from £1,000 to £3,000; and

(B) new priorities and outcomes, as detailed in Appendix 1, Essential Reference Paper ‘B’ of the report submitted, be approved.

128 REVIEW OF THE CONSTITUTION

The Head of Legal and Democratic Services submitted a report updating Members on the progress of the review of the Constitution, which also sought agreement to transitional arrangements for dealing with Standards complaints presented before 1 March 2017.

Council approved the recommendations as now detailed.

RESOLVED – that (A) the report on the review of the Constitution be noted; and

(B) current Members of the Standards Sub Committee remaining in place to deal with any matters presented to them before 1 March 2017, be approved.

The meeting closed at 8.02 pm

Chairman
Date