

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 13th December, 2017 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 5th day of December 2017

Alison Stuart
Head of Legal and
Democratic 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 - 22)

To approve as a correct record and authorise the Chairman to sign the Minutes of the Council meeting held on 18 October 2017.

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 - 31 October 2017 (Pages 23 - 28)

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

(A) Goods Yard Master Planning Approach

Minute 236 refers

8. Executive Report - 28 November 2017 (Pages 29 - 38)

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

(A) Westmill Conservation Area Appraisal and Management Plan

Minute 264 refers

(B) Financial Sustainability Policy and associated Pilot Projects

Minute 265 refers

Note – Members may find it useful to bring their Executive agendas to the meeting.

9. Licensing Committee: Minutes - 28 June 2017 (Pages 39 - 44)

Chairman: Councillor R Brunton

10. Overview and Scrutiny Committee: Minutes - 12 September 2017 (Pages 45 - 54)

Chairman: Councillor M Allen

11. Development Management Committee: Minutes (Pages 55 - 78)

*Minutes of the meetings held on 13 September and 11 October
Chairman: Councillor T Page*

12. Performance, Audit and Governance Committee: Minutes - 26 September 2017 (Pages 79 - 90)

Chairman: Councillor M Pope

13. Calculation of Council Tax Base 2018/19 (Pages 91 - 98)

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

14. Motions on Notice (Pages 99 - 100)

To receive Motions on Notice.

15. Old River Lane, Bishop's Stortford Land Use (Pages 101 - 142)

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

Note – Essential Reference Papers B – F are enclosed for Members only as they contain exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972. In considering these matters, if necessary, the meeting may exclude the press and public as detailed at item 16.

16. Exclusion of Press and Public

If necessary, to move that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the discussion of item 15 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act of the following description:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

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.)

Public Attendance

East Herts Council welcomes public attendance at its meetings and will provide a reasonable number of agendas for viewing at the meeting. Please note that there is seating for 27 members of the public and space for a further 30 standing in the Council Chamber on a “first come first served” basis. When the Council anticipates a large attendance, an additional 30 members of the public can be accommodated in Room 27 (standing room only), again on a “first come, first served” basis, to view the meeting via webcast.

If you think a meeting you plan to attend could be very busy, you can check if the extra space will be available by emailing democraticservices@eastherts.gov.uk or calling the Council on 01279 655261 and asking to speak to Democratic Services.

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.

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

PRESENT: Councillor J Jones (Chairman).
Councillors A Alder, M Allen, D Andrews,
P Ballam, P Boylan, R Brunton,
E Buckmaster, S Bull, M Casey,
Mrs R Cheswright, G Cutting, B Deering,
I Devonshire, H Drake, M Freeman,
J Goodeve, B Harris-Quinney, L Haysey,
R Henson, P Kenealy, G McAndrew,
M McMullen, W Mortimer, T Page, M Pope,
L Radford, S Reed, P Ruffles, S Rutland-
Barsby, C Snowdon, S Stainsby,
M Stevenson, T Stowe, N Symonds,
J Taylor, K Warnell, G Williamson,
C Woodward and J Wyllie.

OFFICERS IN ATTENDANCE:

David Allen	-	Waste Services Manager
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
Liz Watts	-	Chief Executive

ALSO IN ATTENDANCE:

Duncan Jones - Hertfordshire
Waste
Partnership

215 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Members, the press and public to the meeting and reminded everyone that the meeting was being webcast. He also welcomed, in particular, Councillor J Taylor to the meeting after her recent illness.

He reminded Members of the recent sad news relating to former Councillor and Honorary Alderman Clive Hodson-Smith, who had passed away in August. Clive had represented Datchworth & Aston ward from 1975 until 1999 and had the title of Honorary Alderman conferred on him in 2007. He invited Councillor T Stowe to say a few words.

Councillor T Stowe paid tribute to Clive Hodson-Smith's dedicated service and recalled his extensive interest in local residents in welcoming them to Datchworth. He had taken enormous pride in completing his law degree after he had retired as he believed this would help him in his role as a magistrate. He also referred to his role in setting up the Datchworth Museum, which Members had seen on the recent ward walk. Finally, on behalf of his family, he thanked all those Members who had attended his funeral.

The Chairman also referred to the recent sad news that Robert Gordon, Leader of Hertfordshire County Council had passed away after having lived with cancer for some time. Robert Gordon had been first elected to the Council in 1989 and had held cabinet posts for education, children's services and resources and performance before becoming the Council's leader in 2007.

He had been a Member of Watford Borough Council from 1982 to 1990, and again from 2002 to 2006. He had also

been the first Chairman of the Hertfordshire Police Authority between 1995 and 1997, and had served as an NHS non-executive director. Robert had represented Goffs Oak and Bury Green wards as a County Councillor since 2009. He had received a CBE from the Queen in 2012 for his services to local government. Formerly, he had been a deputy lieutenant of Hertfordshire and until recently, a governor of the University of Hertfordshire.

The Chairman commented that Rob had been a wonderful colleague, hugely respected locally and nationally and a public servant in the truest sense of the word. Robert had made Hertfordshire the County of Opportunity and had worked relentlessly to achieve this.

The Prime Minister, Theresa May, had paid tribute to Rob in a letter to the Deputy Leader of the Council. She had said that Robert had made a huge contribution to the Conservative Party and to the country during his many years of tireless work as a local councillor. His service as Leader of the Council had been widely admired, and his leadership would be missed. The strength of the tributes that had been paid to him from across the political spectrum was a testament to how respected he had been.

The Chairman detailed the funeral arrangements and stated that his thoughts were with his wife Susie, their three daughters and all at County Hall who had worked with him. As a mark of respect, everyone present stood and observed a minute's silence in memory of both Clive Hodson-Smith and Robert Gordon.

The Chairman expressed his delight to be joined by a resident of East Herts who had been honoured by the Queen in her Birthday Honours list for 2017. Sir John Low CBE, Chief Executive of the Charities Aid Foundation (CAF), had been awarded a knighthood for charitable services. He was a highly respected figure in British life and it was a great privilege that he and his wife, Lady Low, were present at the meeting. CAF worked with thousands of donors, helping them give hundreds of pounds to charities around the world. CAF

also provided banking, investment and payroll-giving services to charities, conducted research and lobbied government to promote charitable giving.

Sir John had served as its CEO for the last decade. During that time, he had overseen a significant increase in the funds raised from donors and amounts distributed to charities. He had also developed a social investment vehicle to provide charities with early stage capital. He had restructured and recapitalised the Charity Bank; created an extensive research wing; and, made the Foundation the core co-ordinating voice for the charity sector as a whole.

He had also served as chairman of the Association of Chief Executives of Voluntary Organisations (ACEVO). He had been appointed a Commander of the Order of the British Empire in the Queen's Birthday Honours 2008 for services to the voluntary sector and to deaf people. He had previously been CEO of the Royal National Institute for Deaf People, served on the House of Lords Appointment Commission and continued as a member of Council at City University of London. The Chairman invited Sir John Low to receive a certificate in recognition of his achievement.

Sir John Low thanked the Council and expressed his honour at the recognition he had received. He told Members that he had lived in the District since the 1980s and had found East Hertfordshire to be a generous place with a rich community life. He referred to the numerous charitable activities and their contribution to civic life, particularly those in the voluntary sector. He encouraged the Council to continue its fundraising and partnership activities and to take pride in its selfless efforts in serving the people of East Hertfordshire.

The Chairman was pleased to advise Members that the Council had been recognised in the Gold Stray Dog Footprint achieved in the RSPCA's Community Animal Welfare Footprint awards 2017. This was run by the RSPCA to recognise organisations that went above and beyond basic requirements to ensure higher welfare standards for animals in the services they provided. The RSPCA had received a

great number of entries at a higher standard than ever. The Chairman paid tribute to Linda Last, the Dog Warden, and to everyone in her team involved in this achievement.

The Chairman referred to his golf day at which had been outstanding success, raising £1900 for the Herts Air Ambulance. He had provided a trophy for the winning team, which was on display in the chamber. He expressed his hope that this would become an annual event. The Chairman also referred to other future fundraising events, such as the pantomime, Rapunzel, on 2 December 2017 and a Christmas Jumper Day for Officers and Members. Further details would be circulated in due course.

As far as tonight's agenda was concerned, the Chairman advised that he had agreed changes to the running order of the agenda. In view of the public attendance for the Leisure Strategy item, this would be considered immediately after the Public Question. Also, he welcomed Duncan Jones from the Hertfordshire Waste Partnership, who was attending for the item relating to Chargeable Green Waste. Therefore, to avoid detaining him longer than necessary, this item would be considered immediately after the Executive Report.

216 MINUTES

RESOLVED – that the Minutes of the Council meeting held on 18 July 2017, be approved as a correct record and signed by the Chairman.

217 PUBLIC QUESTIONS

Question 1

Patrick Milne, on behalf of Ware Swimming Club, asked the Executive Member for Health and Wellbeing, whether, given that his report before Council tonight stated that the Council remained open to meeting lead petitioners, the Council would commit to deferring any final decisions on future funding until such meetings with all stakeholders had taken place, in advance of which, whether full details of who was paying what

at the moment, what income was being generated and what capital investment was thought to be necessary, will be provided.

In reply, the Executive Member for Health and Wellbeing stated that the Council was open to working with stakeholders to explore all options for the future operation of joint use leisure facilities, in liaison with the two schools. The Council was happy to provide information on the Council's contribution to the operational management of the facilities and would check with each of the schools whether they would be happy to disclose information on their finances for the facilities. The Council would be able to provide information about essential capital works and the level of funding estimated to carry these out.

In terms of current levels of income, the Executive Member commented that this information was commercially sensitive and could face challenges from the current service provider ahead of a tendering process. However, the Council could provide interested parties with information on participation levels and pricing information in the public domain, for example, the cost of a membership or swimming lesson. He referred to his report on the agenda, which focussed on continuing discussions with the schools, community and local businesses to explore the future operation of the facilities.

In response to a supplementary question, the Executive Member confirmed that the Council would commit to facilitating a meeting of stakeholders and providing a venue.

218 LEISURE STRATEGY: DIRECTION OF TRAVEL FOR FANSHAWE AND LEVENTHORPE POOL AND GYM

The Executive Member for Health and Wellbeing submitted a report on the direction of travel for Fanshawe and Leventhorpe pools and gyms, which considered the views expressed from the public consultation and petition responses. He also invited Council to consider the options of delivery for the two schools who owned their leisure facilities.

He reminded Members of the report considered by Council at its previous meeting on 18 July 2017, and reiterated that the Strategy did not refer to the closure of any pools. He detailed the consultation responses and the work that had been ongoing in continuing to explore options with schools, the community and the market for the future operation of the leisure centres. The Council recognised that variant bids from the market was a viable option but that the uncertainty of Education Funding Agency funding remained a risk until a new contract that was commercially viable had been established.

The Executive Member for Health and Wellbeing moved, and Councillor M Freeman seconded, the recommendations as detailed in the report submitted.

Council approved the recommendations now detailed.

RESOLVED – that (A) the Council commits to acting as a facilitator to help Chauncy School and Leventhorpe School explore alternative ways to maintain their leisure facilities;

(B) bidders being invited to submit variant bids for the new leisure contract to include options for the future operation of Fanshawe and Leventhorpe Pools and Gyms should long term Council funding be unviable, be noted;

(C) the operational delivery of Fanshawe and Leventhorpe Pools and Gyms being included in the new leisure contract specification for up to 5 years, subject to each School's ability to contribute 40% of all costs, be noted; and

(D) subject to the outcome of (A) and (B), the decisions on capital funding for Leventhorpe and Fanshawe Pools and Gyms be considered post tender evaluation.

219 EXECUTIVE REPORT - 5 SEPTEMBER 2017

RESOLVED – that the Minutes of the meeting held on 5 September 2017 be received.

(see also Minute 220)

220 BUSINESS RATES REVALUATION SUPPORT SCHEME 2017/18 – 2020/21

RESOLVED – that the Business Rates Revaluation Support Scheme 2017/18 – 2020/21, as now submitted, be approved.

(see also Minute 219)

221 EXECUTIVE REPORT - 16 OCTOBER 2017

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

(see also Minutes 222 - 229)

222 BISHOP'S STORTFORD NEIGHBOURHOOD PLAN FOR ALL SAINTS, CENTRAL, SOUTH AND PART OF THORLEY, 2016-2032

The Leader advised of a typographical correction to paragraph 4.10.1.10 of the Plan which would be made as follows:

Insert "...removed for development..." instead of "...removed from development..."

The Vice-Chairman expressed his pleasure at the outcome and thanked all those involved for their dedicated efforts in achieving the Plan.

RESOLVED – that the Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and Part of Thorley wards, as detailed at Essential

Reference Paper 'B' to the report submitted, be formally 'made' and used as part of the Development Plan.

(see also Minute 221)

223 QUARTERLY CORPORATE HEALTHCHECK (APRIL - JUNE 2017)

RESOLVED – that the schedule of taxi licencing charges presented in section 2.10 of the report submitted be approved.

(see also Minute 221)

224 OPEN SPACES AND SPORTS FACILITIES ASSESSMENT TECHNICAL STUDY (SEPTEMBER 2017)

RESOLVED – that (A) Parts 1 to 3 of the Open Spaces and Sports Facilities Assessment Technical Study (September 2017), be approved as part of the evidence base to inform and support the East Herts District Plan;

(B) Parts 1 to 3 of the Open Spaces and Sports Facilities Assessment Technical Study (September 2017), be approved to inform Development Management decisions;

(C) the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to agree Part 4 of the Open Spaces and Sports Facilities Assessment Technical Study (September 2017), as part of the evidence base to inform and support the East Herts District Plan; and

(D) the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to agree Part 4 of the Open Spaces and Sports Facilities Assessment Technical Study (September 2017), to inform Development Management decisions.

(see also Minute 221)

225 DRAFT AFFORDABLE HOUSING SUPPLEMENTARY
PLANNING DOCUMENT (SPD)

RESOLVED – that a new draft Affordable Housing Supplementary Planning Document (SPD) be produced, with the content to be agreed in due course prior to public consultation.

(see also Minute 221)

226 AGREEMENT FOR THE PRINCIPLE OF USING THE
COUNCIL'S COMPULSORY PURCHASE POWERS IN
RESPECT OF LAND REQUIRED TO SUPPORT
DEVELOPMENT OF THE GILSTON AREA

RESOLVED – that it is agreed in principle that the use of the Council's Compulsory Purchase Order powers under Section 226 of the Town and Country Planning Act 1990 in respect of the land identified in the report submitted be authorised, subject to a further report seeking authorisation to commence the process dealing with the detailed procedural and legal requirements and relevant considerations.

(see also Minute 221)

227 HARLOW AND GILSTON GARDEN TOWN UPDATE

RESOLVED – that the ongoing work in relation to the Harlow and Gilston Garden Town be noted.

(see also Minute 221)

228 LOCAL DEVELOPMENT SCHEME (LDS) SEPTEMBER 2017

RESOLVED – that the Local Development Scheme (LDS) September 2017, attached at Essential Reference Paper 'B' of the report submitted, be agreed

to take effect from September 2017.

(see also Minute 221)

229 EAST HERTS APPROACH TO MASTERPLANNING

RESOLVED – that the approach to master planning set out in the report submitted, be endorsed as the approach to be followed in relation to the development of significant development sites in East Herts.

(see also Minute 221)

230 CHARGEABLE GREEN WASTE SERVICES

The Chairman reminded Members that Essential Reference Paper “C” of this report contained exempt information as defined by paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, and advised that, if any Member wished to refer to any detail in this, then Council would need to pass a resolution to exclude the press and public.

The Executive Member for Environment and the Public Space submitted a report considering the option of introducing a chargeable green waste service alongside a separate weekly food collection service. He referred to the Executive’s decision of 16 October 2017 to award a joint waste collection and street cleansing contract based on the Most Economically Advantageous Tender (MEAT). He also referred to the Overview and Scrutiny Committee’s consideration of the chargeable green waste option at its meeting held on 12 September 2017 and advised that the additional information requested had been included in the report now submitted.

He reminded Members that collecting green waste was a discretionary service and that the Council’s financial position required Members to consider and make difficult choices to bridge the funding gap. He acknowledged the difficulties that some people might have in meeting the proposed charge of £40 and that Officers would look at possible concessions as part of the budget cycle. In respect of concerns expressed

about the potential for additional fly-tipping or visits to waste centres, the Executive Member suggested that there was insufficient data to support these contentions. Finally, he advised that North Herts Council had taken a decision to introduce a £40 charge for collecting green waste.

The Executive Member for Environment and the Public Space moved, and the Executive Member for Finance and Support Services seconded, the recommendations as detailed in the report submitted.

The Executive Member for Finance and Support Services referred to the Council's financial plight and suggested that savings were needed to support other priorities. Councillor M Freeman supported the recommendations and commented that the projected income was needed in order to avoid making hard choices in other important services. Councillor D Andrews believed that most residents did not use this service and so were subsidising those that did.

Various Members spoke against the recommendations. Councillor J Wyllie referred to his comments made at the Executive meeting on 16 October 2017 and believed charging would be a backward step for recycling. Councillor N Symonds referred to the affordability issue for more vulnerable sections of the community. Councillor Mrs R Cheswright believed charges would increase instances of fly-tipping. Councillor H Drake described the proposal as a cut in service. Councillor I Devonshire referred to his opposition to the proposals at the Overview and Scrutiny Committee. Councillor T Page referenced the general economic situation and the cumulative impact this would have on residents' household budgets. Councillor P Kenealy reminded Members that the outcome of the public consultation had been overwhelmingly against charging.

A recorded vote on recommendation (A) of the report submitted, having been requested by five Members, was taken and the result was as follows:

FOR

Councillors M Allen, D Andrews, R Brunton, E Buckmaster, G Cutting, B Deering, M Freeman, J Goodeve, L Haysey, R Henson, G McAndrew, M McMullen, M Pope, L Radford, S Rutland-Barsby, T Stowe, G Williamson.

AGAINST

Councillors A Alder, P Ballam, P Boylan, S Bull, M Casey, Mrs R Cheswright, I Devonshire, H Drake, B Harris-Quinney, J Jones, P Kenealy, W Mortimer, T Page, S Reed, P Ruffles, C Snowdon, S Stainsby, M Stevenson, N Symonds, J Taylor, K Warnell, J Wyllie.

ABSTENTIONS:

Councillor C Woodward.

For: 17

Against: 22

Abstentions: 1

Council rejected the recommendation as now detailed.

RESOLVED – that the introduction of a chargeable green waste collection service alongside a weekly food collection service be rejected.

231 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES - 24 MAY, 21 JUNE AND 19 JULY 2017

RESOLVED – that the Minutes of the Development Management Committee meetings held on 24 May, 21 June and 19 July 2017, be received.

232 OVERVIEW AND SCRUTINY COMMITTEE: MINUTES - 13 JUNE 2017

RESOLVED – that the Minutes of the Overview and Scrutiny Committee meeting held on 13 June 2017, be received.

233 PERFORMANCE, AUDIT AND GOVERNANCE SCRUTINY COMMITTEE: MINUTES - 4 JULY 2017

RESOLVED – that the Minutes of the Performance, Audit and Governance Scrutiny Committee meeting held on 4 July 2017, be received.

234 HUMAN RESOURCES COMMITTEE: MINUTES - 5 JULY 2017

RESOLVED – that the Minutes of the Human Resources Committee meeting held on 5 July 2017, be received.

235 PROPERTY INVESTMENT COMPANY BUSINESS PLAN AND ALLOCATION OF CAPITAL RESOURCES

The Chairman reminded Members that Essential Reference Papers “B” and “C” of this report contained exempt information as defined by paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, and advised that, if any Member wished to refer to any detail in these, then Council would need to pass a resolution to exclude the press and public.

The Executive Member for Finance and Support Services submitted a report presenting the first 30 year business plan for the Council’s Property Investment Company, Millstream Property Investments Limited, which included approval to sell at market value the Council’s five existing residential properties. He also sought approval to make an equity investment in the company which would consist of part of the value of the properties being transferred and not a cash investment. Finally, he sought approval to extend a loan to the company at commercial rates, thus being state aid compliant.

The Executive Member for Finance and Support Services moved, and Councillor M Pope seconded, the recommendations as detailed in the report submitted.

Council approved the recommendations as now detailed.

RESOLVED – that (A) the initial 30 year business plan for the Property Investment Company, to be named Millstream Property Investments Limited, as presented in Essential Reference Paper “B” of the report submitted, be approved;

(B) the four Council-owned properties in Bishop’s Stortford known as 1 Old River Lane, 2 Old River Lane, 3 Old River Lane and Castle Bungalow, Castle Gardens and the Council-owned property in Hertford known as 6 Water Lane be sold to the company at full market value;

(C) the Council makes an equity investment in the company of £424k;

(D) the Council makes a loan on commercial terms to the company of £787k;

(E) authority be delegated to the Head of Finance and Property to increase the equity investment and loan by up to 2.5% should the property valuations at the time of sale be higher than assumed in the business plan, with any increase in excess of 2.5% to be brought back to full Council for consideration;

(F) authority be delegated to the Head of Finance and Property to determine the terms of the loan to the company with due regard to state aid regulations;

(G) a capital allocation of £85,000 is made to carry out essential capital works to 6 Water Lane, Hertford to bring it up to a lettable standard prior to disposal to the company, with these costs reflected in the market valuation; and

(H) the company starts trading once it is incorporated.

The meeting closed at 8.13 pm

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MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 31 OCTOBER 2017, AT 7.00 PM

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

ALSO PRESENT:

Councillors A Alder, M Casey, G Cutting,
M Freeman, Mrs D Hollebon, T Page,
P Ruffles, T Stowe, N Symonds and J Wyllie.

OFFICERS IN ATTENDANCE:

Martin Ibrahim	-	Democratic Services Team Leader
Helen Standen	-	Director
Kevin Steptoe	-	Head of Planning and Building Control Services
Alison Stuart	-	Head of Legal and Democratic Services
Adele Taylor	-	Director

236 BISHOP'S STORTFORD GOODS YARD SITE MASTER PLAN

The Leader of the Council submitted a report seeking the Executive's support for the Goods Yard, Bishop's Stortford Master Plan. The Executive was advised of the planning history of the site and the work undertaken in recent months by stakeholders with the landowners in developing the Master Plan now detailed. The Leader referred to the main issues raised by the potential

development of the site as:

- **the highways configuration and links;**
- **provision and management of residential and non-residential car parking;**
- **the design and appearance of the built form and uses;**
- **the layout and treatment of green spaces and the riverside; and**
- **the relationship with other strategic and policy objectives for the town.**

The Leader concluded that the Master Plan document addressed these issues and set out a detailed framework within which a new planning application submission could be made.

In response to various Members' comments and questions, the Head of Planning and Building Control commented that the master plan showed the provision of sufficient road space within the site to enable competing uses to be accommodated. This, along with the management of car parking, were not confirmed in the Master Plan, but could be resolved later with ongoing discussions through the submission of a planning application. The residential car parking ratios were discussed and, noting relevant issues, it was also confirmed that these would be revisited again as part of the second phase of the planning application process relating to the site. The Leader also commented on the sustainability of the town centre location and the need for some compromise given green travel plans, car clubs, etc.

In respect of the proposed height of some of the buildings, some Members acknowledged that whilst the Master Plan represented an improvement on the previous planning application, some concerns still existed. The Head referred to the background work undertaken by the neighbourhood plan group and the advice of the Neighbourhood Plan Examiner, resulting in a non-

prescriptive policy on heights which indicated that they should fall away north to south on the site. He believed the proposed gradation set out in the Master Plan reflected the Neighbourhood Plan. Finally, the Head agreed that a 3D model of the site would assist in understanding the physical form and impact of the proposed development and he undertook to raise this with the landowners.

The Executive supported the recommendation now detailed.

RECOMMENDED – that the Master Plan for the Bishop’s Stortford Goods Yard site be endorsed and that it forms a material consideration for development management purposes.

237 LEADER'S ANNOUNCEMENTS

The Leader welcomed the public to the meeting.

She referred to the Princess Alexandra Hospital and a motion approved by Harlow Council, which read:

“The Council recognises the conscientious commitment of staff at Princess Alexandra Hospital (PAH) and notes with extreme concern the current recruitment and physical infrastructure needs at PAH.

Staff shortages, including a nurse vacancy rate of 25 per cent, have left wards struggling with the amount of patients. The A & E Department struggles to deliver the national four-hour standard. Two other local hospitals have changed into Urgent Care Centres which only deal with minor injuries. This creates an additional demand for services on PAH which deals with major injuries, life threatening chest pains and head injuries as well as minor injuries.

Many parts of the physical infrastructure at PAH is beyond its designed life and is unable to accommodate patients in a manner appropriate for a 21st Century health facility. Indeed,

water ingress and sewage egress in some vital areas presents real risks to the integrity of the hospital.

The Council believes that urgent investment is required to address the challenges faced by the hospital now and that a commitment needs to be given for the provision of a new hospital. A new hospital, as part of a health and wellbeing campus, that would provide services adequate to ensure that the residents of Harlow and its surrounding areas will benefit from emergency and GP services, physiotherapy units, social care, a new ambulance hub and a training centre for nursing and healthcare.

The Council resolves to urge the Government to:

- (A) Ensure that the Princess Alexandra Hospital is treated as a priority case for investment to address its current physical infrastructure challenges.
- (B) Support the hospital Trust in working with other public sector and private sector bodies to develop a business case for the investment necessary to achieve a new hospital as part of a health and wellbeing campus.
- (C) To instruct NHS England and NHS Improvement to work positively with the health economy and with the Councils of West Essex and East Hertfordshire to deliver a plan to secure financially sustainable, appropriate and sufficient access to health services for the communities served by PAH and the West Essex CCG.”

The Leader believed East Herts Members would support this stance and she expressed her thanks and appreciation to Mark Prisk MP for his efforts in highlighting the urgency of the issue.

238 APOLOGIES

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

239 MINUTES

RESOLVED – that the Minutes of the Executive meeting held on 16 October 2017, be approved as a correct record and signed by the Leader.

The meeting closed at 7.34 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 28 NOVEMBER 2017, AT 7.00
PM

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

ALSO PRESENT:

Councillors A Alder, M Allen, S Bull,
G Cutting, M Freeman, Mrs D Hollebbon,
M McMullen, T Page, M Pope, P Ruffles,
T Stowe, C Woodward and J Wyllie.

OFFICERS IN ATTENDANCE:

Nathan Bookbinder	-	Policy Officer
Isabel Brittain	-	Head of Strategic Finance and Property
Martin Ibrahim	-	Democratic Services Team Leader
Anjeza Saliq	-	Project Manager
Alison Stuart	-	Head of Legal and Democratic Services
Adele Taylor	-	Director
Liz Watts	-	Chief Executive

ALSO IN ATTENDANCE:

Malcolm Hewines	-	Montagu Evans
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**264 WESTMILL CONSERVATION AREA APPRAISAL AND
MANAGEMENT PLAN**

The Executive Member for Development Management and

Council Support submitted a report on the Westmill Conservation Area Appraisal following public consultation. She detailed the outcome of the public consultation in the report now submitted.

The Appraisal identified the special character of the Conservation Area together with the elements that should be retained or enhanced and those which detracted from the identified character. Once adopted by the Council, the Appraisal would become a 'material consideration' in the process of determining planning applications. It would also link into the development of neighbourhood planning.

The Executive supported the recommendations as now detailed.

RECOMMENDED – that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Westmill 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 Westmill Conservation Area Appraisal and Management Plan be supported for adoption.

265 FINANCIAL SUSTAINABILITY POLICY AND ASSOCIATED PILOT PROJECTS

The Executive Member for Finance and Support Services submitted a report updating Members on the financial sustainability agenda. He advised that, given the continuing uncertainty over future funding for local government, alternative funding streams and initiatives

needed to be explored. To this end, he summarised the outcome of a member workshop and the considerations of a member/officer group, which had identified the projects now detailed in the report submitted.

These findings had also been considered by the Overview and Scrutiny Committee, at its meeting held on 17 October 2017. The Committee Chairman advised that some concerns had been expressed about the role of the Council in activity already dominated by the private sector and also whether it was appropriate to encourage gambling via a lottery. The Executive Member advised that these concerns had been taken on board in the revised policy that was now being proposed.

In response to a question, Officers advised that the proposed Community Benefit Lottery would operate online and would be promoted mostly via community groups.

The Executive supported recommendation (A) and approved recommendations (B) – (E)

RECOMMENDED – that (A) the Financial Sustainability policy, as detailed at Essential Reference Paper ‘B’ of the report submitted, be adopted.

RESOLVED - that (B) a full financial sustainability strategy be developed;

(C) the comments of Overview and Scrutiny Committee be received;

(D) the implementation of the projects below be delegated to the Head of Strategic Finance and Property upon consideration of sound business cases:

- Exploration of cost recovery approach to fees and charges
- Physical Advertising on council assets

- Advertising on the council website; and
- (E) a working group of officers and members be established to develop and deliver a Community Benefit Lottery.

266 OLD RIVER LANE, BISHOP'S STORTFORD LAND USE

The Executive Member for Finance and Support Services submitted a report on proposals for the Old River Lane site in Bishop's Stortford. He detailed the background to the project and the rationale for the preferred option as set out at paragraph 2.5 of the report submitted.

Various Members welcomed the report and in response to Members' comments and questions, the Leader agreed that the public should be assured that it was business as usual at the Rhodes Arts Centre. In respect of recommendation (A), the Chief Executive referred to the need to demonstrate Members' support for the future mixed use of the site since the Council's purchase of the core site.

At 7.32pm, during consideration of this report, the Executive resolved to exclude the press and public under Section 100(A)(4) of the Local Government Act 1972, on the grounds that part of the report contained exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act. However, Malcolm Hewines, Montagu Evans was allowed to remain in the chamber.

Members made comments and asked questions relating to the working group that had been set up to consider the funding issues and the potential TUPE arrangements.

At 7.42pm, the Executive agreed that the meeting should return to a public meeting and the public were readmitted to the chamber.

The Executive supported recommendations (A) – (C) and

approved recommendations (D) – (E)

RECOMMENDED – that (A) the land at Old River Lane and adjoining Northgate End should be used to develop a mixed town centre scheme, as set out in option 1a of the report submitted, to include:

- a significant new Arts/Cultural Centre that includes a 500 seat theatre, 3-4 cinema screens, shared reception space, potentially the Bishop's Stortford library, a one-stop-shop for Council services, hot-desking work space, cafe/bar;
- housing;
- retail; and
- parking provision for the whole site;

(B) funding of £225,000 be allocated to the next stage of scheme feasibility, in line with the requirements as set out in Essential Reference Paper 'E' of the report submitted (funding to be allocated from the NHB Priority Spend Reserve);

(C) delegation to Heads of Service for any general matters arising within their individual remits in order to progress the next stage of this project, including submission of a planning application for a new multi-storey car park, be authorised.

RESOLVED - that (D) the continued discussions with Bishop's Stortford Town Council and the Rhodes Birthplace Trust to create a delivery model for the Arts/Cultural centre which transfers the existing Rhodes Arts Centre business to the new building, be supported; and

(E) the work programme set out in section 5 of the report submitted, including the likely timeframes for submission of a planning application for a new multi-storey car park, and soft market testing for a

development partner for the rest of the development, be noted.

267 APOLOGIES

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

268 LEADER'S ANNOUNCEMENTS

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

She referred to the recent lobbying efforts of neighbouring councils in respect of the need for urgent investment in Princess Alexandra Hospital and the recent Budget announcement. She advised that a similar motion would be proposed at the next Council meeting.

Finally, the Leader also welcomed Malcolm Hewines, Montagu Evans, who had been working with the Council on the Old River Lane project and was in attendance for the item at Minute 266.

269 MINUTES

RESOLVED – that the Minutes of the Executive meeting held on 16 October 2017, be approved as a correct record and signed by the Leader.

270 DECLARATIONS OF INTEREST

In respect of Minute 266 – Old River Lane, Bishop's Stortford Land Use, Councillor J Wyllie asked Members to note that, although not a disclosable pecuniary interest, he was a trustee of the Rhodes Birthplace Trust as well as a Bishop's Stortford Town Council Member.

271 REQUEST FOR AREA DESIGNATION FOR
NEIGHBOURHOOD PLANNING: HUNSDON PARISH
NEIGHBOURHOOD PLAN

The Leader of the Council submitted a report seeking approval for the designation of a neighbourhood area for Hunsdon, as detailed on the plan attached to the report submitted.

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

The Executive approved the recommendations now detailed.

RESOLVED - that the application for the designation of a Hunsdon Parish Council Neighbourhood Plan, submitted by Hunsdon Parish Council, be supported.

272 REQUEST FOR AREA DESIGNATION FOR
NEIGHBOURHOOD PLANNING: HUNSDON WITH
EASTWICK AND GILSTON JOINT NEIGHBOURHOOD
PLAN

The Leader of the Council submitted a report seeking approval for the designation of a neighbourhood area for Hunsdon with Eastwick and Gilston, as detailed on the plan attached to the report submitted.

The Executive considered the application made jointly by Hunsdon and Eastwick and Gilston Parish Councils and the consultation undertaken. The report submitted detailed the main areas of consideration in determining the application in accordance with Schedule 9 of the Localism Act 2011.

The Executive approved the recommendations now detailed.

RESOLVED - that the application for the designation of a Hunsdon with Eastwick and Gilston Joint

Neighbourhood Plan, submitted by Hunsdon and Eastwick and Gilston Parish Councils, be supported.

273 TREASURY MANAGEMENT MID-YEAR REVIEW 2017-18

The Executive Member for Finance and Support Services submitted a report reviewing the Council's treasury management activities for the first six months of the 2017/18 financial year, including the prudential indicators.

The Executive was advised that the Performance, Audit and Governance Committee had considered the report at its meeting held on 21 November 2017 and had supported the recommendations.

The Executive approved the recommendations now detailed.

RESOLVED - that (A) the comments of Performance, Audit and Governance Scrutiny Committee be received; and

(B) the Treasury management activity and prudential indicators for the first 6 months of the 2017/18 financial year be approved.

274 CORPORATE HEALTHCHECK 2017/18 QUARTER 2

The Executive Member for Finance and Support Services submitted a report on finance and performance monitoring for the Council as at 30 September 2017. This indicated a projected revenue budget forecast overspend of £251k for 2017/18. The Executive Member advised that the position for the end of October 2017 indicated a slightly improved position where a forecast overspend of £143k was projected.

The Executive Member also referred to the comments of the Performance, Audit and Governance Scrutiny Committee, who had considered the report on 21 November 2017. The Committee had expressed deep concerns with the financial situation reported. He explained that one of the significant causes of the projected overspend was the lower than

expected rental income at Charringtons House. He advised on the latest position in respect of new and renewed lettings but stated that further work was necessary. In response to a question, he confirmed that these lettings would not compromise any wider strategic plans for the site.

The Executive approved the recommendations now detailed.

RESOLVED - that (A) the projected revenue budget forecast overspend of £143k in 2017/18 as advised at October 2017, be noted;

(B) the capital budget forecast underspend of £1.573m, as detailed at paragraph 6.1 of the report submitted, be noted;

(C) the reported performance and actions for the period July to September 2017, as detailed at paragraph 9 of the report submitted, be noted; and

(D) the comments of Performance, Audit and Governance Scrutiny Committee be received.

275 STRATEGIC RISK MONITORING QUARTER 2

The Executive Member for Finance and Support Services submitted a report on action taken to mitigate and control strategic risks in the period July – September 2017.

The Performance, Audit and Governance Scrutiny Committee had considered the report at its meeting held on 21 November 2017 and had supported the recommendations.

The Executive approved the recommendations now detailed.

RESOLVED - that (A) the comments of Performance, Audit and Governance Scrutiny Committee be received; and

(B) the risk management controls implemented be approved.

276 EXCLUSION OF PRESS AND PUBLIC

RESOLVED – that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the discussion of Minute 266 (part) on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act.

The meeting closed at 7.46 pm

Chairman
Date

MINUTES OF A MEETING OF THE
LICENSING COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 28 JUNE
2017, AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors P Ballam, R Brunton,
Mrs R Cheswright, G Cutting, B Deering,
J Jones, M McMullen, T Page and
N Symonds.

ALSO PRESENT:

Councillors M Allen and P Ruffles.

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Oliver Rawlings	- Service Manager (Licensing and Enforcement)

78 APPOINTMENT OF VICE-CHAIRMAN

It was proposed by Councillor T Page and seconded by Councillor B Deering that Councillor G Cutting be appointed Vice–Chairman of Licensing Committee for the 2017/18 civic year.

After being put to the meeting, Councillor G Cutting was appointed Vice–Chairman of the Licensing Committee for the 2017/18 civic year.

RESOLVED – that Councillor G Cutting be appointed Vice–Chairman of Licensing Committee for the 2017/18 civic year.

79 APOLOGIES

Apologies for absence were submitted on behalf of Councillors R Standley and J Taylor.

80 CHAIRMAN'S ANNOUNCEMENTS

The Committee Chairman welcomed Members to the meeting. He thanked the Sub-Committee Members for determining a challenging application during a well handled hearing held on 26 June 2017. He stated that he had attended a seminar on the use of CCTV in taxis and he referred to resistance from the Taxi trade over the installation of CCTV inside taxis due to concerns linked to the Information Commissioners Office (ICO).

The Committee Chairman referred to some statistics from Brighton and Hove Council regarding the interrogation of a number of CCTV systems in Taxis and the types of issues this data was used to address. He commented on his initial opinions regarding whether East Taxi drivers needed CCTV. At this point, the Committee viewed footage recorded by a taxi driver who had had the presence of mind to record the abuse he had suffered during a recent incident inside his taxi between Hertford and Hoddesdon.

The Chairman stated that the ICO were more concerned with the audio elements of CCTV recording rather than the actual video. Councillor G Cutting detailed some more information regarding the incident viewed by the Committee. Members had a general debate regarding the use of CCTV in East Herts licensed vehicles.

The Service Manager (Licensing and Enforcement) referred to a trial of systems being carried out with Watford Borough Council. Councillor B Deering commented that many systems were in use ranging from single dash cams to complex multi camera systems.

Councillor J Jones stated that the Committee could look

at the issue again following analysis by Officers of the results of the Watford trial. Members agreed that a report be submitted by the Service Manager to the Committee once the results of the trial were known.

81 MINUTES – 16 MARCH 2017

RESOLVED – that the Minutes of the meeting held on 16 March 2017 be confirmed as a correct record and signed by the Chairman.

82 LICENSING SUB-COMMITTEE – 13 APRIL, 9 JUNE AND 12 JUNE 2017

RESOLVED – that the Minutes of the Licensing Sub-Committee meetings held on 13 April, 9 June and 12 June 2017, be received.

83 EAST HERTS COUNCIL SAFEGUARDING 2016/17 – SHARED INTERNAL AUDIT SERVICE REPORT

The Head of Housing and Health submitted a report updating the Licensing Committee on the results and recommendations of the Safeguarding Audit carried out by the Shared Internal Audit Service (SIAS).

The Service Manager (Licensing and Enforcement) referred to well publicised national incidents of child sexual exploitation involving taxis and the subsequent review of East Herts safeguarding carried out by SIAS. He explained that overall there was substantial assurance that the Council had effective controls for those elements of the risk management processes covered by this review.

Members were advised that, in respect of safeguarding responsibilities in relation to taxi licensing the report concluded that there were comprehensive licensing and driver conviction policies in existence and the Council had a strong process for application checks, including the requirement to provide details of convictions from outside

the UK. Other factors such as demeanour, general character and non-criminal behaviour were considered alongside convictions when determinations were made as to whether an individual was a fit and proper person to hold a licence.

The Service Manager advised that the audit had identified that the quarterly report had been withdrawn as Members had found the information included in it of limited use. It had been suggested that a revised report be put to the Licensing Committee on a quarterly basis with the content reflecting the needs of Members. A report would now be made to the Licensing Committee on a quarterly basis commencing in June 2017.

The SIAS had indicated that as regards Safeguarding, the audit had indicated that the direction of travel was moving towards full assurance. The work of the Committee had been reflected in the revocations of taxi drivers' licences and in training that had been arranged. A number of appeals had been dealt with by the Head of Housing and Health and some of these decisions had been taken with immediate effect.

The Service Manager referred to a recent judicial review application following the legal opinion that Stevenage Magistrates Court had made an unlawful decision. The court appeared to have elected to not make a decision regarding fitness and propriety. Members were reminded of the circumstances of this matter regarding the inappropriate behaviour of a taxi driver towards a 16 year old female passenger and the subsequent revocation of his Taxi Drivers licence by the Licensing Sub-Committee on 4 November 2016.

Councillor N Symonds referred to a campaign by the Royal National Institute of Blind People (RNIB) to prevent taxi drivers from refusing to take passengers with assistance dogs. The Service Manager explained that this could leave some blind people largely housebound if taxi drivers refused to take them. The Service Manager

updated the Committee regarding the prosecution of an East Herts Licensed Driver for refusing to take an assistance dog.

Following a comment from Councillor R Brunton regarding purple flag status for licensed premises in East Herts, the Service Manager explained the significant amount of work involved. The Service Manager detailed the range of activities that would have to occur if an application was made for purple flag status. Following a comment from Councillor J Jones, the Service Manager confirmed that a dedicated Officer or a consultant on a fixed term contract could prepare and co-ordinate an application for purple flag status.

Councillor G Cutting referred to the Overview and Scrutiny Committee and a possible piece of work around allowing a greater insight into licensing policies and alcohol licences and the effect these had on the emergency services.

The Service Manager confirmed to Councillors P Ballam and J Jones that he had been in conversations with Officers from Broxbourne Council regarding drivers from other areas occupying spaces on taxi ranks in East Herts. Members received the report.

RESOLVED – that (A) the information detailed in the report be noted; and

(B) Members' comments now detailed, be forwarded to the Head of Housing and Health.

84 LICENSING ACTIVITY – QUARTER 4 OF 2016/17
FINANCIAL YEAR

The Head of Housing and Health submitted a report updating Members in relation to statistics on processing licences, enforcement activity and implementation of the Service Plan for Quarter 4 of the 2016/17 financial year. The Senior Specialist Licensing Officer provided a

summary of the report and referred to Essential Reference Paper 'B' regarding licensing data for the relevant period.

The Committee Chairman referred to the possibility of more multi-agency campaigns on a number of issues detailed in the SIAS report. He referred in particular to complaints and test purchasing activity. Questions were asked regarding where Environmental Health report to regarding the licences they issue such as street trading and acupuncture. The Service Manager said that he would respond to Members with this information.

Councillor Mrs R Cheswright referred to the percentage of taxi drivers who had been issued with licensing record points. The Service Manager confirmed that this figure currently stood at 20%. Councillor Cheswright detailed a number of incidents she had witnessed involving Taxi Drivers.

Following a general debate regarding the conduct of taxi drivers, Members commented on a hardening of the policy approach towards taxi drivers and their conduct. Members referred in particular, to the issue of licensing record points, the expiry of documents and the reminders issued by the Authority. The Service Manager undertook to report back on this at the next meeting of the Committee.

Members debated the matters they would like to see reported to them within the reintroduced quarterly performance and update report. This report would be revised to reflect the needs of the Committee and Members' responses should be submitted to the Chairman. The Committee received the report.

RESOLVED – that the report be received.

The meeting closed at 8.16 pm

MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON TUESDAY
12 SEPTEMBER 2017, AT 7.00 PM

PRESENT: Councillor M Allen (Chairman)
Councillors M Casey, G Cutting, B Deering,
I Devonshire, H Drake, M Freeman,
J Goodeve, P Moore, M Stevenson and
N Symonds

ALSO PRESENT:

Councillors A Alder, M Pope and S Rutland-
Barsby

OFFICERS IN ATTENDANCE:

- | | |
|--------------------|---|
| David Allen | - Waste Services
Manager |
| Lorraine Blackburn | - Democratic
Services Officer |
| Isabel Brittain | - Head of
Strategic
Finance and
Property |
| Paul Dean | - Principal
Planning
Enforcement
Officer |
| Jess Khanom | - Head of
Operations |
| Andrew Pulham | - Parking
Manager |
| Claire Pullen | - Scrutiny Officer |
| Ian Sharratt | - Environmental
Manager |
| Liz Watts | - Chief Executive |

144 APOLOGIES

Apologies for absence were submitted from Councillors D Abbott and Mrs D Hollebon. It was noted that Councillor K Warnell was substituting for Councillor Mrs D Hollebon.

145 MINUTES - 13 JUNE 2017

RESOLVED - that the Minutes of the meeting held on 13 June 2017 be confirmed as a correct record and signed by the Chairman.

146 CHAIRMAN'S ANNOUNCEMENTS

The Chairman stated that, with Members' consent, he would bring item 7 (Update on Planning and Member Development) and item 9 (Planning Enforcement Update) forward. This was supported.

The Chairman stated that Councillor S Rutland-Barsby was in attendance to present the report on item 7 and, with Members' consent, would stay to answer any comments in relation to item 9. This was supported.

The Chairman provided an update from Officers in relation to Fuel Poverty. It was noted that the report would be presented to Members in December 2017.

147 UPDATE ON PLANNING AND MEMBER DEVELOPMENT

Councillor S Rutland-Barsby provided Members with a presentation on issues impacting on Development Management, Building Control and Member support. The presentation summarised the increases in major and minor applications since 2011/12 and the issues affecting the wider region. Management restructures within the planning team were explained.

The Executive Member provided an update in relation to changes and caseloads in terms of enforcement and recent

changes regarding the management of building control. A summary was provided in relation to Members' training, development and support. A list of questions and respective responses were circulated to facilitate the presentation.

The Executive Member explained the pressures on the service in terms of the recruitment of suitably qualified staff that were able to earn much more in London and the impact this had had on the service including a recent restructure. She hoped that the restructure would allow the Council to take a more holistic approach to developing a planning team with a "grow your own" approach to career development.

The Executive Member provided an update in relation to enforcement and the use of external solicitors to assist with the backlog of cases. She explained the role of Hertfordshire Building Control.

Members sought and were provided with clarification on issues relating to:

- Major and local planning applications determined.
- Recruitment issues.
- How applications were allocated / determined.
- Enforcement – and when it was not in the public's interest to take action, e.g., a shed built six inches too high.

The Chief Executive explained that survey data from the East of England had identified recruitment as a regional problem and that the Council had signed up to a proposal to bring in people from the private sector to work within planning teams. She explained that a company was being established for professionals to work alongside planning teams as part of a learning process.

Members thanked the Executive Member for the presentation.

RESOLVED – that the presentation be received.

148 PLANNING ENFORCEMENT UPDATE

A progress report was submitted on the current position in relation to the Council's Planning Enforcement Service.

In response to a query from Councillor B Deering, the Enforcement Officer explained that the External Consultants managed some of the caseload on behalf of the Council and provided regular weekly progress. The Enforcement Officer agreed to provide Members with a breakdown of the costs for the provision of this service.

In response to a query by Councillor N Symonds, the Enforcement Officer explained that the consultants currently had a case-load of around 30 – 31 cases (originally 38) which included Esbies. He explained that the consultants were paid on a case by case basis and were responsible for all legal work necessary. The Enforcement Officer provided an update in relation to what Officers were working on within the enforcement section.

Members received the report and noted the progress made in relation to the Action Plan, as detailed.

RESOLVED – that the progress made in relation to the Action Plan be noted.

149 PROPOSALS FOR GROUNDS MAINTENANCE CONTRACT - REPORT OF THE TASK AND FINISH GROUP

The Committee Chairman submitted a report setting out the scope of the Terms of Reference in relation to the Grounds Maintenance Contract Task and Finish Group. It was noted that the Council's Grounds Maintenance Contract was due to be retendered on 1 January 2020.

The Environmental Manager, Open Spaces provided a summary of the report and referred Members to the proposed terms of reference for the Task and Finish Group in Essential

Reference Paper “B”.

Councillor G Cutting referred to issues in Bishop’s Stortford in terms of overgrown vegetation around a number of twitchels in Thorley and other overgrown hedges which he believed, contributed to anti-social behaviour. He asked that the frequency of hedge pruning be reviewed. The Environmental Manager explained that some were the responsibility of Hertfordshire County Council and that the Council could only encourage HCC to review the frequency of the pruning.

In response to a query from Councillor B Deering, the Environmental Manager explained the role of the current contractor and the work undertaken generally and in relation to grass verges. In response to a query from the Chairman regarding service provision, the Environmental Manager explained that there were few large companies available who could provide the large scale service required by the Council. Councillor M Casey queried the monetary value of the contract which was stated to be approximately £1.2Million.

The Environmental Manager, Open Spaces asked that any suggestions or comments relating to the remit of the Task and Finish Group be referred to the Lead Officer and Scrutiny Officer.

Members supported the Terms of Reference as detailed.

RESOLVED – that (A) the scope and Terms of Reference of the Grounds Maintenance Contact Task and Finish Group as detailed, be supported; and

(B) any comments or suggestions in relation to the remit of the Task and Finish Group be referred to the Lead Officer and Scrutiny Officer.

150 PRIORITIES FOR PARKING ENFORCEMENT

The Head of Operations submitted a report on the findings and recommendations of the Member Task and Finish Group established to review the Council’s Parking Enforcement

priorities. The Parking Manager provided a summary of the report.

Councillor N Symonds commented that she was pleased to see Parking Enforcement Officers outside of schools.

In response to a query from Councillor M Freeman regarding the revenue stream generated by parking tickets, the Parking Manager outlined the restrictions imposed by statute in terms of the enforcement of contraventions. Councillor M Casey queried why this aspect of the service could not be self-financing. The Parking Manager suggested that part of the reason why gross revenue generated from car parks was around £3.2m was because of the incentive to pay the parking charge created by the Council's parking enforcement activities. He explained that statute dictated that a local authority should not seek to generate a surplus through enforcement measures and that if it did, this should be ring-fenced.

Enforcement during the evening, the difficulties enforcement officers could face and the measures which could be deployed were discussed.

Councillor J Kaye commented that in seven years there would be more cars on the road and hoped that what was in place now would be able to cope with the additional patrolling needed. Councillor B Deering referred to the possibility of patrolling in pairs during the evening. He stated that most of the complaints he received were about people parking outside of their doors and parking on verges. The Parking Manager explained that the possibility of introducing enforceable footway and grassed verge parking bans had been investigated but not taken further because of an apparent lack of interest. He stated that when parking became an obstruction, the Police could take action.

Councillor M Stevenson sought and was provided with clarification on Blue Badge Fraud and deception.

The Chairman, on behalf of Members thanked the Task and

Finish Group for their recommendations.

Members noted the recommendations of the Task and Finish Group and that these be endorsed.

RESOLVED – that the Executive be advised that Overview and Scrutiny Committee support the recommendations of the Task and Finish Group as detailed in paragraph 3 of the report and endorse their inclusion in the Council's new parking enforcement contract.

151 WASTE CONTRACT OPTION FOR CHARGEABLE GREEN WASTE SERVICE

The Head of Operations submitted a report outlining a proposal to introduce a chargeable green waste service alongside a weekly food collection prior to consideration of a joint waste contract with North Herts Council. She provided a summary of the report.

Councillor G Cutting sought and was provided with clarification on how the service currently worked and the concept of a weekly food collection. He expressed concern about the impact this would have on people living in flats and houses in multiple occupation.

The Waste Services Manager explained that 47% of all food waste was still wrapped and explained that food caddies would be collected weekly from a 3 litre container. The Head of Operations reiterated how the current collections worked and explained that 30% of residents surveyed would either be very likely or quite likely to pay up to £40 a year for the service with 70% stating that they would be unlikely to take up the service. The Head of Operations commented that an indicative sum of £35 was what other Hertfordshire authorities charged.

Councillor H Drake stated that she felt that this was a reduction in service as food was already placed in the black bins. Councillor N Symonds felt that the approach was being

driven by the joint waste contract with North Herts who had yet to make a decision.

The Waste Services Manager explained how the service could be applied in terms of people with disabilities, those living in flats and houses in multiple occupation and how operatives would know whose container to collect aided by stickers and PDAs. He commented that the proposal would ensure that waste food was properly and safely composted and not disposed of in black bins which went to landfill. In response to a query from the Chairman regarding modifications to vehicles, the Waste Services Manager explained that a new contract was about to begin and that Officers would need to review new vehicles.

Councillor G Cutting referred to the waste recycling site in Bishop's Stortford and stated that its closure two days a week was very frustrating, adding that people visited the site not just to compost things but to dispose of rubble, furniture, etc. He referred to the impact of more homes in Bishop's Stortford and asked Officers to work with Hertfordshire County Council to facilitate more sociable opening hours before matters became acute. The Head of Operations acknowledged the issues of the centre and assured Members that she was working with the Herts Waste Partnership to explore more effective ways to deliver the service.

Members queried the driver behind this new green collection service. The Head of Operations confirmed that this would contribute to the gap in the medium term financial plan and would facilitate a reduction in the amount of food waste that went to landfill which could be composted.

Councillor G Cutting stated he was not convinced about the need to provide this service adding that Members needed to be provided with more information and have more clarity on the issue. The Waste Services Manager provided an overview on the legislation about managing food waste and other waste materials and what could and could not be composted.

Members debated at length, the issue around the food collection, green waste collection and the technical aspects of collection / no collection and the associated issues. At the conclusion of the debate, a number of Members were unclear on how the proposed, separated and optional waste service would impact on the most vulnerable and high occupancy buildings and sought more information on the technical aspects of food waste collection and the actual implications of an optional operation where who had “opted in” and who had “opted out”, needed to be determined.

Members felt that that it was important to consider the financial issues properly, as every tax payer was paying for the collection of waste and asked that the Executive be provided with further information on the technical aspects of the collection as detailed above, supported by flow charts to aid the decision making process.

Councillor I Devonshire proposed and Councillor K Warnell seconded, a motion to not charge for a green waste collection. After being put to the meeting and a vote taken, this motion was declared LOST following the Chairman’s casting vote.

Councillor J Goodeve proposed and Councillor M Casey seconded, a motion that a proposal to introduce charging for green waste be given further consideration and that the issue of a food collection service be considered separately. After being put to the meeting and a vote taken, this motion was declared CARRIED.

The Committee supported the recommendations now detailed.

RESOLVED – that the Executive be advised that (A) further information be provided on the technical aspects of the collection as now detailed supported by flow charts to aid the decision making process and to facilitate a clear recommendation to Council on a proposal to introduce charging for green waste; and

(B) the issue of a food collection service be considered

separately.

152 WORK PROGRAMME 2017/18

The Chairman of Overview and Scrutiny Committee submitted a report detailing the Committee’s future work programme.

Councillor G Cutting confirmed that he had a topic which he would like included for further consideration and agreed to complete the referral form.

Members confirmed that having an Executive Member in attendance to give a presentation on issues within their remit was a preferred way forward. It was suggested that supporting notes accompanying a presentation be made available to Members in advance of a meeting.

Members approved the draft Work Programme for Overview and Scrutiny Committee.

RESOLVED – that the draft Work Programme for Overview and Scrutiny Committee, as now detailed, be approved.

The meeting closed at 9.33 pm

Chairman
Date

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 13 SEPTEMBER 2017, AT
7.00 PM

PRESENT: Councillor T Page (Chairman)
Councillors M Allen, D Andrews, R Brunton,
M Casey, B Deering, S Cousins, M Freeman,
J Goodeve, J Jones, D Oldridge and
K Warnell.

ALSO PRESENT:

Councillors P Ballam, P Boylan, S Bull,
K Crofton, G Cutting, P Moore, P Ruffles and
S Rutland-Barsby.

OFFICERS IN ATTENDANCE:

Liz Aston	- Development Team Manager (East)
Thomas Howe	- Planning Student
Hazel Izod	- Senior Planning Officer
Peter Mannings	- Democratic Services Officer
Femi Nwanze	- Development Management Team Manager
Helen Standen	- Director
Stephen Tapper	- Senior Planning Officer
Victoria Wilders	- Legal Services Manager

153 APOLOGY

An apology for absence was submitted on behalf of Councillor R Standley. It was noted that Councillor D

Oldridge was substituting for Councillor R Standley.

154 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that the examination in public of the East Herts District Plan would commence at 10 am on 3 October 2017 for a 3 week period and a draft timetable had been e-mailed to Members on 9 August 2017. He stated that further information for the public was available on the Council's website.

155 MINUTES – 19 JULY 2017

RESOLVED – that the Minutes of the meeting held on 19 July 2017, be confirmed as a correct record and signed by the Chairman.

156 3/17/0881/VAR – VARIATION OF CONDITION 2 (APPROVED PLANS) OF PERMISSION 3/15/0964/FUL TO PROVIDE FOR THE ADDITION OF AN "ORANGERY" TO THE TOP FLOOR AND THE INSERTION OF 3 NO. WINDOWS TO THE THIRD FLOOR AND DELETION OF 1 NO. WINDOW TO THE SAME FLOOR. AT LEASIDE DEPOT, WIDBURY HILL WARE FOR CARING HOMES GROUP

The Head of Planning and Building Control recommended that in respect of application 3/17/0881/VAR, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application and detailed the relevant planning history. Members were advised that there were no significant concerns with the application and there had been no objections from statutory consultees. Officers had no concerns in respect of comments from residents regarding overlooking.

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 in respect of application 3/17/0881/VAR, planning permission be granted subject to the conditions detailed in the report.

- 157 3/14/2304/OUT – OUTLINE: (ALL MATTERS RESERVED EXCEPT FOR ACCESS). I. UP TO 400 DWELLINGS (C3) II. FIRST SCHOOL SITE. III FORMAL AND INFORMAL OPEN SPACES. IV. CHILDREN'S PLAYSPACE. V. STRUCTURAL LANDSCAPING AND INTERNAL ROADS. VI. FORMATION OF A NEW JUNCTION ON THE A10. VII. SURFACE AND FOUL WATER DRAINAGE INFRASTRUCTURE. FULL: PHASE 1. I. 99 DWELLINGS INCLUDING AFFORDABLE HOUSING (C3), ACCESS ROADS, CAR PARKING, CHILDREN'S PLAYSPACE, INCIDENTAL OPEN SPACE AND ASSOCIATED SURFACE AND FOUR WATER DRAINAGE INFRASTRUCTURE ON LAND OFF LUYNES RISE, BUNTINGFORD FOR BOVIS HOMES LTD AND WATTSDOWN DEVELOPMENTS LTD
-

Mrs Tomlinson addressed the Committee in objection to the application.

The Head of Planning and Building Control recommended that in respect of application 3/14/2304/OUT, had an appeal not been lodged against non-determination of the application, planning permission would have been refused for the reasons detailed in the report now submitted.

The Head summarised the application which was mostly in outline form plus full details of phase 1 including affordable housing, access, car parking and play spaces. Members were advised that Hertfordshire County Council had only recently confirmed that the education authority was seeking a first school site on London Road as opposed to this site.

The Head stated that the applicant had appealed non-determination and Members were now being asked to indicate what decision they would have made had the application been determined in the usual way. Members were advised that the appeal for land North of Park Farm

Industrial Estate had been allowed and this had granted permission for a further 43 dwellings in Buntingford with the loss of approximately 1.1 hectares of employment land.

The Head referred to the issue of sustainability and, in particular, the likely reliance on the private car to access services and employment. Members were also reminded of the impact of the proposed development on the character and appearance of the area.

Councillor J Jones referred to the total of 13 developments for Buntingford and commented on the lack of green belt protection plus the lack of a 5 years supply of housing land. He believed that the application was contrary to policies GBC2 and GBC3 and he felt that the access through a residential area was totally unsuitable.

Councillor J Jones also believed that the access should be from the A10 and should be completed before the rest of the development. He referred to the comments of the Landscape Officer on page 52 of the report submitted. He concluded that the infrastructure could not support this and other recent developments and he supported the recommendation.

Councillor K Warnell expressed concern in respect of noise from the A10. Councillor B Deering stated that the position of Clinical Commissioning Group (CCG) regarding Section 106 was unacceptable and the CCG must release more information regarding health infrastructure requirements. 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 in respect of application 3/14/2304/OUT, had an appeal not been lodged against non-determination of the application, planning permission would have been refused for the reasons detailed in the report.

158 3/17/1145/OUT – OUTLINE APPLICATION FOR THE DEVELOPMENT OF UP TO 13 DWELLINGS INCLUDING ASSOCIATED ACCESS ON LAND AT GOSMORE Paddock, 19 HEBING END, BENINGTON, HERTS SG2 7DD FOR MR AND MRS NEWTON

Mr Radford addressed the Committee in objection to the application. Mr Lampard spoke for the application. Councillor K Crofton addressed the Committee as the local ward Member.

The Head of Planning and Building Control recommended that in respect of application 3/17/1145/OUT, planning permission be refused for the reasons detailed in the report now submitted.

The Head summarised the outline application and advised that all matters were reserved aside from access arrangements. Members were advised that the site was outside the built up area of the category 2 village of Benington. The Head referred to the lack of a 5 years supply of housing land.

Members were advised however that, on balance, Officers felt that the harm was not outweighed by the benefits of this application. Residents would be almost totally reliant on the private car and the Landscape Officer had some very significant concerns.

Councillor D Andrews made a number of points of concern regarding car usage and public transport. He referred to this being about as poor a location in terms of sustainability as one could get in East Herts. He commented that there were practically no local services at all.

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 in respect of application 3/17/1145/OUT, planning permission be refused for the reasons detailed in the report.

- 159 3/17/1388/HH – DEMOLITION OF GARAGE AND REPLACEMENT WITH A SINGLE STOREY SIDE EXTENSION AT 1 RECTORY CLOSE, HUNSDON SG12 8QG FOR MR AND MRS O'DOWD
-

The Head of Planning and Building Control recommended that in respect of application 3/17/1388/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

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 in respect of application 3/17/1388/HH, planning permission be granted subject to the conditions detailed in the report.

- 160 3/17/0073/REM – ERECTION OF 95 RESIDENTIAL DWELLINGS AND ASSOCIATED GARAGES, PARKING, OPEN SPACE AND LANDSCAPING AT AREA 2 SOUTH HARE STREET ROAD, BUNTINGFORD FOR WHEATLEY HOMES LTD
-

The Head of Planning and Building Control recommended that in respect of application 3/17/0073/REM, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the reserved matters application and detailed the relevant planning history. Members were referred to the additional representations summary in respect of amendments to planning conditions 6 and 7. A further application in respect of area 2 was due before the Committee within the next 2 to 3 months.

Councillor D Andrews referred to the points covered in

paragraph 6.11 of the report submitted regarding the turning heads and swept path analysis. He sought clarity from Officers on these matters. Councillor J Goodeve referred to a deficiency in parking for social housing and parking facilities for electric vehicles.

Councillor J Jones referred to Neighbourhood Plan policy and his concern that the proposed parking was contrary to policy. He referred to the comments of Buntingford Town Council that the proposed housing mix did not comply with the requirements of the Buntingford Community Area Neighbourhood Plan (BCANP), or the emerging District Plan.

Councillor M Casey commented on why there was a deficiency in parking provision for social housing compared to the BCANP standards. He also commented at length regarding the details in respect of the housing mix as detailed in the emerging District Plan and the Neighbourhood Plan.

Following comments from other Members regarding parking, the housing mix and electric parking points, the Head stated that these matters could be raised with the applicant. Officers considered that the benefits of the scheme outweighed the policy conflicts in the BCANP. Members were advised that a deferral might not be successful in securing amendments as this was dependent on the goodwill of the applicant.

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 in respect of application 3/17/0073/REM, planning permission be granted subject to the conditions detailed in the report.

161 3/16/0707/FUL – CONSTRUCTION OF TEMPORARY
SURFACE LEVEL CAR PARK ON LAND AT BISHOPS
STORTFORD RAILWAY STATION FOR SOLUM
REGENERATION (BISHOPS) LLP

Mr Green addressed the Committee in support of the application.

The Head of Planning and Building Control recommended that in respect of application 3/16/0707/FUL, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application and detailed the relevant planning history. Members were advised that current interim parking arrangements were less than satisfactory with parking on grass verges. The application clearly served a good purpose in meeting a current parking need.

Members were advised that Hertfordshire County Council (HCC) was concerned that the potential total amount of parking went against the policies of promoting sustainable transport. HCC Officers felt that the number of spaces should be limited to a similar number of spaces available before the third party car park was taken out of use.

The Head stated that it was desirable to limit access via Anchor Street as this access was poorly configured and was essentially a narrow partly residential street.

Hertfordshire County Council as the lead local flood authority was working with the applicants to resolve concerns about the temporary surface water drainage arrangements. Members were advised that despite initial concerns in respect of the integrity of architectural remains beneath the new car park, the County Council's Historic Environment Advisor was now satisfied there were no practical issues in this regard.

Councillor J Goodeve commented on whether the

provision of cycle storage could be included as a condition. Councillor K Warnell expressed disappointment with the retrospective nature of the application. He commented on water run-off issues and concurred with Officers regarding flooding and the Anchor Street access.

Councillor M Casey commented that the sooner the car park was opened for use the better. The Head stated that the application served an important purpose in allowing people to park satisfactorily. Members were advised that negotiations could be entered into with the developer regarding increasing the amount of cycle storage to encourage cyclists.

The Head also advised that allocating a proportion of the spaces solely for short stay parking would require consultation and negotiation that would further delay the opening of the car park. It could be raised with the applicants in the event that the Committee granted permission for the current application.

At this point, Councillor G Cutting was permitted to address the Committee as a local ward Member. The Chairman referred to the concerns regarding the access via Station Road and Anchor Street. He commented that that there had been no personal injury accidents.

In response to a number of other comments from Members, the Head confirmed that the car park was for 5 years although this could be extended via a further planning application. Members were reminded that allocating a proportion of the spaces solely for short stay at this stage would require consultation and negotiation that would further delay the opening of the car park.

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 in respect of application

3/16/0707/FUL, planning permission be granted subject to the conditions detailed in the report.

162 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; and
- (C) Planning Statistics.

The meeting closed at 8.25 pm

Chairman
Date

MINUTES OF A MEETING OF THE
DEVELOPMENT MANAGEMENT
COMMITTEE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 11 OCTOBER 2017, AT 7.00
PM

PRESENT: Councillor T Page (Chairman)
Councillors M Allen, D Andrews, P Ballam,
R Brunton, B Deering, M Freeman,
J Goodeve, J Jones, P Ruffles, R Standley
and K Warnell.

ALSO PRESENT:

Councillors P Boylan, S Bull, S Cousins,
S Rutland-Barsby and M Stevenson.

OFFICERS IN ATTENDANCE:

Thomas Howe	- Planning Student
Peter Mannings	- Democratic Services Officer
Kevin Steptoe	- Head of Planning and Building Control Services
Victoria Wilders	- Legal Services Manager

179 APOLOGY

An apology for absence was submitted on behalf of Councillor M Casey. It was noted that Councillor P Ballam was substituting for Councillor M Casey.

180 CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced that Councillor J Jones had arranged the latest in a series of ward walks at 10 am on Friday 13 October 2017.

He also advised that a master planning workshop regarding the Bishop's Stortford South site had been arranged in the Charis Centre, Bishop's Stortford at 7 pm on Thursday 19 October 2017.

181 DECLARATIONS OF INTEREST

Councillor P Ruffles declared a disclosable pecuniary interest in application 3/170392/OUT on that the grounds that he had reacted to the application at an early stage in the consultation and was now fettered. He left the room whilst this application was determined.

Councillor Ruffles also mentioned that, in respect of application 3/17/1010/FUL, he was an old boy of Richard Hale School and retained social links with the school. Councillor J Goodeve commented that her son was a pupil at Richard Hale School.

Councillor Goodeve also mentioned that she was the East Herts representative for Hertford Museum which had written to Officers to comment on application 3/17/0392/OUT.

182 MINUTES – 13 SEPTEMBER 2017

RESOLVED – that the Minutes of the meeting held on 13 September 2017, be confirmed as a correct record and signed by the Chairman.

183 3/17/0392/FUL – MIXED-USE REDEVELOPMENT, INCLUDING PARTIAL DEMOLITION OF EXISTING BUILDINGS, TO PROVIDE UP TO 4,694 SQM RETAIL FLOORSPACE (USE CLASSES A1 TO A5), AN 86-BED HOTEL (USE CLASS C1), 70 RESIDENTIAL FLATS (USE CLASS C3), REFURBISHMENT OF EXISTING CAR PARK TO PROVIDE 143 PAY AND DISPLAY, 40 RESIDENTIAL, 5 CAR CLUB (TOTAL OF 188) PARKING SPACES, ENHANCEMENT OF BUS STATION FACILITIES, NEW PUBLIC REALM AND LANDSCAPING TO RIVERSIDE, AND ASSOCIATED WORKS AND IMPROVEMENTS AT

BIRCHERLEY GREEN SHOPPING CENTRE, HERTFORD FOR DIAGEO PENSION TRUST LTD

The Head of Planning and Building Control recommended that in respect of application 3/17/0392/FUL, subject to a legal agreement, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head introduced the application and detailed the context of the site and the relevant planning history. He also detailed the layout of the existing site and the proposed development. He referred to the proposed enhancements to the bus station and the retention of the car park and the greater focus on the riverside location. Members were shown a number of plan elevation drawings and the Head summarised the proposals for new residential and hotel uses.

Miss Potter and Mr Norman addressed the Committee in objection to the application. Mr Harris spoke for the application.

Councillor S Rutland-Barsby addressed the Committee in support of the application as a local ward Member. Councillor M Freeman read out a statement in objection to the application on behalf of local ward Member Councillor L Radford. He stressed that these points represented the views of Councillor Radford and were not his own.

Councillor B Deering emphasised that his aspiration was for the best that could be achieved on this site. He stated that he had walked around Bircherley Green and the surrounding streets on a very regular basis. He referred to the division of opinion regarding this application and commented on the views expressed by the Hertford Civic Society and Hertford Town Council. He also referred to comments he had received from residents and, in particular, from residents of Folly Island.

Councillor Deering felt that it was significant that the

Independent Design Panel was now supportive and he considered it significant that no historic buildings were being demolished and no new roadways were being created. He pointed out that this was a discrete site and approval would not represent a Gascoyne Way moment. He stated that the application would create modern retail floor space whilst opening up the river and improving facilities for bus passengers.

Councillor Deering concluded that the views of the Conservation and Heritage adviser were significant. He referred to the change in parking demand due to the lack of the food store and commented on spare capacity at Gascoyne Way. He highlighted a number of important conditions in the report before stating that he was supportive of the application.

Councillor D Andrews expressed concerns regarding work that had been undertaken with the Environment Agency. He referred to the importance of the area as a habitat and wildlife corridor. He expressed concerns that not enough had been done to improve sustainable transport. He acknowledged that the proposed development would be more attractive than what was already there.

Councillor Andrews commented on a strict time limit for narrow boats being moored close to this site. He commented on the cafe area being in shadow and supported the concerns expressed by the residents of Folly Island. He expressed support for the proposed development of this site and was pleased that the application had matured to its current form.

Councillor K Warnell commented on the 10% affordable housing contribution and referred to the application being not policy compliant with any viability assessment. He highlighted the views of the Landscape Advisor and referred to the policy of the Authority for 40% affordable housing. Councillor J Jones commented on the proposed health centre and whether there had been any dialogue

with the health care provider since the report had been published.

The Head referred Members to the additional representations summary. He highlighted a number of key points and referred to discussions that had taken place between GP surgeries and the Clinical Commissioning Group (CCG). He commented on the likely impacts of a shared health facility on the proposed development. Members were advised of the incompatible objective of the Environment Agency in respect of soft riverside environments given that this was not easily achieved in relation to these proposals which sought to retain the car park buildings on the site.

The Head stated that Officers had and would continue to ensure that the best elements of the scheme were retained in terms of landscaping. Members were advised that very detailed and thorough viability assessments had been carried out in relation to affordable housing provision on this site.

The Head reminded Members of policy tests that had to be met with regard to Section 106 agreements and conditions. He concluded by seeking to assure Members that all of the understandable nervousness and concerns of residents should be managed by the range of conditions proposed. He sought delegated authority to further tweak the conditions and matters covered in the legal agreement, subject to consultation with the Chairman of the Development Management Committee and at least one local ward Member.

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 in respect of application 3/17/0392/FUL, subject to a legal agreement, planning permission be granted subject to the conditions detailed in the report submitted, with

authority delegated to the Head of Planning and Building Control to amend, add or delete conditions and matters covered in the legal agreement, subject to consultation with the Chairman of the Development Management Committee and at least one local ward Member.

184 3/17/1055/OUT – OUTLINE APPLICATION FOR UP TO 93 DWELLINGS AND ASSOCIATED PUBLIC OPEN SPACE WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS AT CAFÉ FIELD WEST AT LAND TO NORTH OF STANDON HILL PUCKERIDGE FOR MR J BOND

The Head of Planning and Building Control recommended that in respect of application 3/17/1055/OUT, subject to a legal agreement, outline planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application which was in outline form with access being the only detailed matter for Members to consider. Members were advised that the application site was slightly larger than that proposed to be allocated in the emerging Standon Neighbourhood Plan.

The Head explained that the completion of the District Plan process and the emerging Standon Neighbourhood Plan would be the best control over the future of development in the village and around the site. Members were reminded that matters such as planting and dwelling sizes would be covered by the reserved matters application.

Mr Davies addressed the Committee in support of the application. Councillor D Andrews praised the applicant for making the application better than that which had been previously refused by the Committee. He welcomed the contribution towards the bus stops in the vicinity of the site and potential future contributions towards affordable housing and other matters. He referred to potential

improvements to the Cambridge Road junction and concluded that he now felt in a position to support this application.

Councillor M Freeman referred to Section 278 agreements and the maintenance of roads to acceptable standards. The Head explained the policy approach of Hertfordshire County Council. Members were advised that building roads to an acceptable standard was the best chance of giving the County Council the option of adopting a road.

Councillor J Jones commented that access onto the A10 would have been more acceptable than the proposed access. He expressed concerns regarding the impact of the application on Puckeridge GP Surgery. He referred in particular to the lack of a figure in the Section 106 agreement for medical infrastructure. The Head advised that Officers had pursued the healthcare provider and the use of the word “potential” in the report allowed Officers the flexibility to continue to explore this with the relevant provider.

Councillor K Warnell emphasised that it was good to see the reduction in units from 160 to the proposed 93. He referred to the sustainability of the application regarding transport and in light of the available employment and other facilities in the town. He sought and was given an explanation as to why this application was judged to be sustainable by Officers when they felt that the previous scheme had not been sustainable.

The Head assured Members that Officers would be chasing the healthcare provider in respect of the Section 106 provision towards healthcare. 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 in respect of application 3/17/1055/OUT, subject to a legal agreement,

outline planning permission be granted subject to the conditions detailed in the report submitted.

- 185 3/17/1222/VAR – VARIATION OF CONDITION 2 (APPROVED PLANS) OF 3/14/1369/FP - DEMOLITION OF FILLING STATION CANOPY, KIOSK, WORKSHOP AND PART OF FORMER GROUND FLOOR SHOWROOM. CHANGE OF USE OF FORMER COACHWORKS AND SHOWROOM BUILDING TO 4 HOUSES AND 9 NEW-BUILD HOUSES. NEW OFFICE BUILDING. ASSOCIATED CAR PARKING, REFUSE AND ACCESS - AMENDMENTS TO APPROVED PLOTS 03 AND 04 DUE TO THE STRUCTURAL INTEGRITY OF THE EXISTING CONSTRUCTION OF THE FIRST FLOOR UPWARDS BEING CONDEMNED. CONVERSION OF FIRST FLOOR UPWARDS NOT VIABLE. REPLACE REVISION 'A' DRAWINGS WITH REVISION 'B' AT FORMER WATERS GARAGE SITE, 9 NORTH ROAD HERTFORD FOR MR N TEDDER
-

The Head of Planning and Building Control recommended that in respect of application 3/17/1222/VAR, subject to the completion of a deed of variation under Section 106 of the Town and Country Planning Act assigning the obligations entered into in relation to application 3/14/1369/FP to this application, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application and detailed the relevant planning history. He stated that the applicant considered that the conversion of the whole building was not structurally or financially viable. The upper floors were to be demolished and replaced with replica new build and the conditions had been transposed from the previous application. Officers were now seeking authority to fine tune the conditions as many or all of the original conditions had been complied with and, therefore, did not need to be reapplied.

Councillor P Ruffles commented that on the west face of the building there was a chimney stack with 4 pots that

was significant in that it led into the Georgian regency style development that was evident in North Crescent. He emphasized the importance of these features being reproduced due to their local importance in this area.

The Head assured Members that Officers could ensure that a suitable replica chimney feature was included as part of this application. 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 in respect of application 3/17/1222/VAR, subject to the completion of a deed of variation under Section 106 of the Town and Country Planning Act assigning the obligations entered into in relation to application 3/14/1369/FP to this application, planning permission be granted subject to the conditions detailed in the report submitted and authority delegated to the Head of Planning and Building Control to amend, add or delete conditions and matters covered in the legal agreement subject to consultation with the Chairman of the Development Management Committee and at least one local ward Member.

- 186 3/17/1010/VAR – VARIATION OF CONDITION 4 (LANDSCAPING BUNDS) OF 3/14/0924/FP – ARTIFICIAL TURF PITCH WITH ASSOCIATED FENCING, 6 X14 METRE HIGH FLOODLIGHT COLUMNS AND STORAGE CONTAINER. CREATION OF BUNDS AND AMENDMENTS TO PARKING PROVISION TO PROVIDE 34 PARKING SPACES – PROPOSE TO ALTER AND EXTEND BUNDS AT RICHARD HALE SCHOOL, HALE ROAD, HERTFORD, SG13 8AU FOR MR M BROTHERS
-

The Head of Planning and Building Control recommended that in respect of application 3/17/1010/VAR, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application for a number of modest elements of development on this site. He detailed the relevant planning history. Councillor P Ruffles commented on the current scruffy appearance of the bunds. He stressed the importance of landscaping and planting as well as the importance of the bunds being mowed and maintained.

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 in respect of application 3/17/1010/VAR, planning permission be granted subject to the conditions detailed in the report submitted.

187 3/17/1601/FUL – CONSTRUCTION OF A NEW SCIENCE BLOCK AT HOCKERILL ANGLO EUROPEAN COLLEGE, BISHOP'S STORTFORD FOR HOCKERILL ANGLO-EUROPEAN COLLEGE

The Head of Planning and Building Control recommended that, in respect of application 3/17/1601/FUL, either delegated authority be granted to the Head of Planning and Building Control to further explore the surface water drainage issues associated with the development and, subject to their satisfactory resolution, planning permission be granted subject to the conditions detailed in the report now submitted; or, if the issues relating to surface water drainage had been satisfactorily resolved as at the date of the Committee meeting, planning permission be granted subject to the conditions detailed in the report now submitted.

The Head summarised the application for a new science teaching space on the northern side of the western element of the site. He referred to a building on the site that was of heritage interest as well as other buildings that were either listed or curtilage listed. He stated that a modern building would be introduced into an area of

heritage and conservation area interest.

The Head advised that the relationship of the proposed development to residential areas was also relevant. He referred to the proximity of the northern boundary of the site to residential areas with particular reference to Foxley Drive. The application was in 2 phases and no new access was proposed.

The Head referred to the dual recommendation detailed in the report and detailed the reasons for this. Members could proceed to approve the first recommendation if they were comfortable with this approach. Mr Markham and Mr Wyard addressed the Committee in support of the application.

In response to a query from the Chairman, the Head advised that the latest drainage scheme proposed a connection to the main sewer which required Thames Water approval. Officers believed that, if this was agreed, then it was understood that the issue would be resolved. If however, Thames Water refused to grant consent for the connection then a further amended drainage scheme would be required. It was, therefore, still suggested that Members grant delegated authority for Officers to continue these discussions and proceed to determine the application.

After being put to the meeting and a vote taken, the Committee accepted the recommendation of the Head of Planning and Building Control that delegated authority be granted to the Head of Planning and Building Control to further explore the surface water drainage issues associated with the development and, subject to their satisfactory resolution, planning permission be granted subject to the conditions detailed in the report submitted.

RESOLVED – that in respect of application 3/17/1601/FUL, delegated authority be granted to the Head of Planning and Building Control to further explore the surface water drainage issues

associated with the development and, subject to their satisfactory resolution, planning permission be granted subject to the conditions detailed in the report submitted.

188 3/17/1882/HH – SINGLE STOREY REAR EXTENSION AT 18 CHANTRY ROAD, BISHOP'S STORTFORD CM23 2SF FOR MR A BROWN

The Head of Planning and Building Control recommended that in respect of application 3/17/1882/HH, planning permission be granted subject to the conditions detailed in the report now submitted.

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 in respect of application 3/17/1882/HH, planning permission be granted subject to the conditions detailed in the report.

189 ITEMS FOR REPORTING AND NOTING

The Head apologised that he had highlighted an incorrect appeal decision at the 19 July 2017 meeting and the appeal had in fact been allowed at a property known as Highfield Barns. A previous appeal had indeed been dismissed for the conversion of an agricultural building to a residential use. A subsequent challenge had led to that decision being quashed and the appeal was reconsidered and allowed on 22 May 2017.

The Head confirmed to Councillor P Ballam that the two appeal decisions relating to 8 Millbrook Court, Collett Road, Ware, differed in that the application where the appeal was dismissed included a dormer window that was significantly larger than what was proposed by the application where the appeal had been allowed.

RESOLVED – that the following reports be noted:

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

The meeting closed at 9.23 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
PERFORMANCE, AUDIT AND
GOVERNANCE SCRUTINY COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON TUESDAY
26 SEPTEMBER 2017, AT 7.00 PM

PRESENT: Councillor M Pope (Chairman)
Councillors A Alder, D Andrews, P Boylan,
S Cousins, R Henson, J Kaye, D Oldridge,
L Radford, S Reed, P Ruffles and T Stowe

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Isabel Brittain	- Head of Strategic Finance and Property
Fiona Corcoran	- Scrutiny Officer
Jonathan Geall	- Head of Housing and Health
Robert Winterton	- Financial Services Manager

ALSO IN ATTENDANCE:

Natalie Clark	- Ernst and Young LLP
Alan Cooper	- SIAS
Debbie Hanson	- Ernst Young LLP

163 APOLOGIES

Apologies for absence were submitted from Councillors P Ballam, K Crofton and J Wyllie. It was noted that Councillor S Cousins was substituting for Councillor Crofton and Councillor D Andrews was substituting for Councillor Wyllie.

164 MINUTES - 4 JULY 2017

RESOLVED – that the Minutes of the meeting held on 4 July 2017 be confirmed as a correct record and signed by the Chairman.

165 CHAIRMAN'S ANNOUNCEMENTS

The Committee Chairman asked that, with Members' consent agenda items 11 (Annual Statement of Accounts 2016-17) and 12 (Audit Result report - shown on the agenda as the Annual Audit Letter) be brought forward. This was supported.

166 ANNUAL AUDIT LETTER

The External Auditor (Ernst Young) submitted a report on the results of the Audit Plan. The External Auditor referred Members to the Executive Summary and advised that, subject to concluding outstanding matters referred to in the report, they expected to issue an unqualified opinion on the Council's financial statements as detailed within Section 3 of their report.

The External Auditor explained the areas of the audit focus and confirmed that they were still completing procedures in relation to the Council's property asset valuations. They referred to the issue in relation to the methodology deployed and confirmed that this was in line with the CIPFA Code of Practice and guidelines. The Head of Strategic Finance and Property explained that this was under review for next year.

In response to a query from the Committee Chairman regarding pension disclosures, the External Auditors confirmed that they were happy with the range of assumptions which had been made.

The Committee Chairman queried the new accounting and regulatory accounting standards referred to within Appendix C of the External Auditor's report. The Head of Strategic Finance and Property assured Members that the Council

would work with the External Auditor to close the accounts within the regulatory timeframe.

In response to a query by the Committee Chairman regarding the Audit Fee, the External Auditor said that this had not yet been completed and that any additional fee requests would be referred back to the Committee as soon as a final figure had been reached.

Members received the Audit Result report.

RESOLVED – that the Audit Result report be received.

167 ANNUAL STATEMENT OF ACCOUNTS 2016-17

The Executive Member for Finance and Support Services submitted a report which set out the background to the 2016/17 Statement of Accounts and provided details of the Council's overall financial position in terms of the Balance Sheet, and revenue activities for the General Fund and the Collection Fund.

The Committee Chairman referred to the briefing on 14 September 2017 regarding the Statement of Accounts and said that this had provided a useful opportunity to review the accounts, adding that the narrative and format of the accounts was informative and helped the document read well. Councillor P Ruffles welcomed the introduction but queried the reference to the 10 museums cited as being under the control of the Council which, he said was incorrect.

Councillor J Kaye referred to the Priority 1 which encouraged residents to live active and healthy lives and stated that having been involved in one initiative, he was impressed with the responses he had received.

The Head of Strategic Finance and Property advised Members that the issue of a valuation in relation to Hill Cress Hostel, Spellbrook remained outstanding and subject to its satisfactory conclusion, asked Members to approve the Statement of Accounts 2016/17 as a fair and true

representation and that the Letter of Representation be approved for signature by the Chairman. This was supported.

The Committee supported the recommendations, as now detailed.

RESOLVED – that (A) the Council’s Statement of Accounts for the financial year 2016/17 be approved and authorised by the Chairman of Performance, Audit and Governance Scrutiny Committee at the conclusion of the meeting; and

(B) the Letter of Representation be approved for signature by the Chairman of Performance, Audit and Governance Scrutiny Committee and the Head of Strategic Finance and Property.

168 SIAS 2017/18 AUDIT PLAN PROGRESS REPORT

The Shared Internal Audit Services (SIAS) submitted a report setting out the progress made in delivering the Council’s Annual Audit Plan for 2017/18 and on performance management information (as at 8 September 2017).

The SIAS Officer provided a summary of the report. In response to a query by Councillor P Ruffles, regarding the introduction of items onto the Audit Plan, the SIAS Officer explained how the process worked, including working with Heads of Service to highlight key areas of risk. The Head of Strategic Finance and Property explained that she had been liaising with SIAS on the issue of future plans and that she would prefer that the next Audit Plan start from a “zero” position and would be reviewing the Council’s risk profile.

Councillor P Ruffles sought and was provided with clarification by the Head of Strategic Finance and Property on the issue of the removal of the risk management plan from the Audit Plan.

Councillor P Boylan expressed concern regarding the Performance Management statistics and commented that it was not until a report was presented to Members with quarter

three figures before Members became aware of possible issues of concern. He asked for assurances that more frequent reporting be put in place. The SIAS Officer commented that he would be happy to write to Members with information and was confident that Internal Audit would meet the targets as set out in the Audit Plan. The Head of Strategic Finance and Property agreed to present a short report to the next meeting.

Members of Performance, Audit and Governance Scrutiny Committee noted the Internal Audit Progress report and the status of high priority recommendations.

RESOLVED – that (A) the Internal Audit progress report and amendments to the Audit Plan as at 8 September 2017 as now submitted, be noted; and

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

169 ANNUAL SIAS BOARD REPORT 2015-16

The Shared Internal Audit Services (SIAS) submitted the annual report of its activity of the service for the financial year 2016/17. The Officer from SIAS provided a summary of the key issues.

The Committee Chairman sought and was provided with clarification regarding the issue of salaries and salary related partner and consultancy costs on the SIAS Cost Centre papers and why the deficit had come about.

The Committee noted the report, as now detailed.

RESOLVED – that the report be noted.

170 THE ROLE, RESPONSIBILITY AND PREPAREDNESS OF EAST HERTS COUNCIL IN A MAJOR EMERGENCY SITUATION

The Head of Housing and Health submitted a report setting

out the key elements of the Council's Emergency Plan and how the Council would react to a major incident. The report set out work currently under review. The Head of Housing and Health provided a summary of the report.

Councillor D Andrews commented that following the Grenfell Tower incident, he was not sure about Members' roles and responsibilities in the wake of any such future emergency event. He referred to the reliance on electricity and telephony and queried what would happen if all means of communication were "down". He cited by example, the constant difficulty he had in trying to get through to the Council's own telephone systems. He asked that more information be included in the Plan regarding Members' roles and responsibilities. Councillor Andrews referred to a "test" whereby evacuees were sent to the Sports Centre, Wodson Park, Ware. He agreed that although lessons had been learned from the exercise, many issues had not been thought through properly, e.g., the absence of food for the volunteers, etc.

The Head of Housing and Health explained how emergencies were classified and how volunteers were issued with credit cards to buy things and "Grab Bags" and emergency power connections and the various categories of emergencies. He explained that alternative incident rooms (rather than Wallfields) were being investigated.

In response to a query from Councillors A Alder and P Boylan, the Head of Housing and Health explained that Town and Parish Councils were involved in the development of an Emergency Plan and the role of Hertfordshire County Council in working across boundaries. Assurances were provided by the Head of Service regarding competency training for Officers generally and that Officers who were included on the duty rota received appropriate training.

Councillor D Oldridge queried whether the Council could take a proactive approach in getting email addresses from all residents in order to disseminate information. It was noted that the Council could collate email addresses as part of the

electoral process but that Data Protection legislation might preclude the Council from using this information. The Head of Housing and Health stressed the need for the Council to co-ordinate with appropriate agencies.

Councillor P Ruffles raised the issue of terrorism and stated that radicalisation was happening in outlying areas. He urged the prevention of working in “silos” and to work with a cross agenda approach. The Head of Housing and Health explained that his role enabled him to take a cross partnership approach and that he was in regular contact with the Police. He explained his role in terms of pro-activity and in helping develop continuity of management.

Councillor S Cousins referred to the issue of “swallow holes” and urged the Council to ensure that it had a list of current specialist contractors to call on in any emergency.

Councillor P Boylan emphasised the issue of a clear lines of communication (“not tweeting”) and of the expectation of clear guidelines in the event of a major incident. Councillor D Andrews reminded Members that communication and IT could be viewed as a potential target and that the Police could turn off mobile networks if necessary. The Head of Housing and Health stated that the Council had a priority SIM card system should anything happen.

The Committee supported the remit of review so far and asked Officers to report back with a revised version of the Emergency Plan.

The Committee Chairman suggested that recommendation (A) be amended slightly to acknowledge that the review was underway and that Officers would report back with a revised version of the Emergency Plan. This was supported.

RESOLVED – that (A) Members acknowledge the review currently underway and request Officers to submit a revised version of the Emergency Plan for further consideration by Members;

(B) the issues for consideration as detailed in paragraph 3.3 of the report be endorsed as part of the review of the Plan; and

(C) any additional proposed issues identified be forwarded to the Head of Housing and Health for future consideration by Members.

171 RISK MANAGEMENT MONITORING REPORT (APRIL - JUNE 2017)

The Executive Member for Finance and Support Services submitted a report on the action taken to mitigate and control strategic risks during the period April to June 2017. The Head of Strategic Finance and Property provided a summary of the report.

The Committee Chairman queried whether, in relation to 5b (Information Management: Cyber Risk) the Council was being complacent in relation to residual and inherent risks and the levels of protection. The Head of Strategic Finance and Property assured Members that she would report this matter back to Leadership Team.

Councillor A Alder referred to item 10 on the Strategic Risk Register (Compliance with the Children's Act 2004) and requested the Head of Strategic Finance and property to provide feedback on the Awareness Raising Session held on 20 July 2017. She also sought further information in relation to item 15 (Referendum Vote to leave the EU) in terms of information about unspent funds.

The Committee noted the controls implemented and those planned and received the report, as now detailed.

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

(B) the Executive be advised of Members' concerns in relation to 5b (Information Management: Cyber risk).

172 QUARTERLY CORPORATE HEALTHCHECK - JUNE,
QUARTER 1 2017/18

The Head of Strategic Finance and Property and the Head of Communications, Strategy and Policy submitted a report updating Members on finance and performance monitoring for East Herts Council for 2016/17 as at 30 June 2017. Officers provided a summary of the report in relation to revenue budget forecasts, capital schemes and performance indicators.

It was noted that of the 37 Performance Indicators reported corporately, 17 of the 28 indicators had achieved or sat within their target range. Three results were not available and eight did not meet their target, the detail of which was set out in the report.

The Head of Strategic Finance and Property explained why the overspend in Legal and Democratic Services had occurred and that the underspend in Housing related to staff vacancies. The Head of Housing and Health assured Members that targets were being achieved despite some “pinch points” within the service.

In relation to schemes within the remit of the Head of Shared Business and Technology Services (Essential Reference Paper E), the Head of Strategic Finance and Property assured Councillor D Oldridge that there were a lot of complex projects being pursued across two authorities, but that economies of scale were being achieved. She commented that some of the schemes might require a longer timeframe.

Councillor D Andrews referred to the issue of contaminated loads and queried whether this was getting worse. The Head of Strategic Finance and Property stated that she would refer the issue to the Head of Operations.

The Committee Chairman referred to the Capital Programme adding that there were a lot of old schemes still included in this. The Head of Strategic Finance and Property provided an update and in relation to the housing benefit subsidy scheme.

Councillor P Boylan drew Members' attention to Table 2 (Revenue Forecast Outturn) in that the total net cost of services was £13,945,000 and not as detailed in the report.

Officers responded to a number of detailed queries from the Committee. Members received the report and supported the recommendations, now detailed.

RESOLVED – that (A) the report be received;

(B) the projected revenue budget forecast overspend of £90k in 2017/18, as detailed in paragraph 2.1 of the report, be reviewed;

(C) a transfer of £500k from earmarked reserves to set up a Housing Benefit Subsidy equalisation reserve as detailed in paragraphs 2.8.1 and 4.7 be supported;

(D) the capital budget forecast underspend of £318k, as detailed in paragraph 6.1 of the report submitted, be reviewed; and

(E) the reported performance for the period April to June 2017 as detailed in paragraph 8, be noted.

173 ANNUAL TREASURY MANAGEMENT REVIEW 2016-17

The Executive Member for Finance and Support Services submitted a report setting out the Council's treasury management activities for 2016/17, the prudential indicators and the associated impact on the 2017/18 treasury management strategy. The Head of Strategic Finance and Property provided a summary of the report.

The Committee Chairman queried the Overall Treasury Position (as at 31 March 2017) and whether the income from property could be left in the outturn figures. The Head of Strategic Finance and Property said that she would provide Members with a written response.

The Committee approved the 2016/17 Treasury Management Activity and Prudential Indicators.

RESOLVED – that the 2016/17 Treasury Management Activity and prudential Indictors, be approved.

174 WORK PROGRAMME 2017/18

The Committee Chairman submitted a report detailing the proposed work programme for the Committee.

The Scrutiny Officer provided an update on topics that had been suggested so far. It was suggested that Members could receive a training item from the Shared Anti-Fraud Service at their next meeting. This was supported.

Performance, Audit and Governance Scrutiny Committee supported the revised work programme, as now amended.

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

The meeting closed at 9.01 pm

Chairman
Date

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EAST HERTS COUNCIL

COUNCIL –13 DECEMBER 2017

REPORT BY THE EXECUTIVE MEMBER FOR FINANCE AND SUPPORT SERVICES

COUNCIL TAX - CALCULATION OF COUNCIL TAX BASE 2018/19

WARDS AFFECTED: All

Purpose/Summary of Report

- 1.1 To recommend to the Council the calculation of the council tax base for the whole district, and for each parish and town council, for 2018/19

<u>RECOMMENDATIONS FOR COUNCIL:</u> that:	
(A)	the calculation of the Council’s tax base for the whole district, and for the parish areas, for 2018/19 be approved.
(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 2018/19 shall be 59602.8 and for the parish areas listed below for 18/19 shall be as follows:

ALBURY	281.94	HIGH WYCH	333.55
ANSTEY	163.76	HORMEAD	329.31
ARDELEY	209.31	HUNSDON	480.18
ASPENDEN	121.38	LITTLE BERKHAMPSTEAD	268.55
ASTON	429.17	LITTLE HADHAM	524.46
BAYFORD	228.81	LITTLE MUNDEN	416.41

BENGEO	289.39	MUCH HADHAM	940.05
BENNINGTON	402.11	SACOMBE	91.06
BISHOP'S STORTFORD	15184.12	STANSTEAD ST. MARGARETS	693.35
BRAMFIELD	111.67	SAWBRIDGEWORTH	3743.21
BRAUGHING	621.75	STANDON	1815.60
BRENT PELHAM / MEESDEN	143.72	STANSTEAD ABBOTTS	691.25
BRICKENDON	323.73	STAPLEFORD	254.56
BUCKLAND	120.07	STOCKING PELHAM	80.18
BUNTINGFORD	2620.92	TEWIN	861.00
COTTERED	406.31	THORLEY	304.80
DATCHWORTH	724.88	THUNDRIDGE	663.81
EASTWICK / GILSTON	425.02	WALKERN	614.57
FURNEUX PELHAM	262.44	WARESIDE	309.99
GREAT AMWELL	967.83	WARE TOWN	7336.23
GREAT MUNDEN	139.43	WATTON - AT - STONE	1057.73
HERTFORD	11858.81	WESTMILL	157.91
HERTFORD HEATH	955.00	WIDFORD	243.57
HERTINGFORDBURY	320.67	WYDDIAL	79.23

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:

Tax base = A x 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:-

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 2 October 2017, 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

G “Band D” equivalent.

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 2018/19 it is assumed that there will be limited new completions with a net addition of 778 new properties by 31 March 2019. 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 three 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 219 properties will qualify for disabled persons reductions, based on experience in the current year.

2.4 A figure of 667 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 2018/19. For 2018/19 this will be 98.9%, which is the same as 2017/18.

2.6 This gives an overall tax base of 59602.8

2.7 Should any Member have detailed questions or comments on the assumptions it would be of great benefit to advise the Head of Revenues and Benefits Shared Service or the Executive Member for Finance & Support Services 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)

Contact Member: Councillor Geoffrey Williamson - Executive
Member for Finance & Support Services
geoffrey.williamson@eastherts.gov.uk

Contact Officer/
Report Author: Su Tarran - Head of Revenues and Benefits
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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	Prosperity 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
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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COUNCIL – 13 DECEMBER 2017

MOTION ON NOTICE

Princess Alexandra Hospital

The Council recognises the conscientious commitment of staff at Princess Alexandra Hospital (PAH) and notes with extreme concern their current recruitment needs and physical infrastructure needs.

Staff shortages, including a nurse vacancy rate of 25 per cent, have left wards struggling to cope with the number of patients. The A & E Department also struggles to deliver the national four-hour standard. Two other local hospitals have changed into Urgent Care Centres which deal only with minor injuries. This creates an additional demand for services on PAH which deals with both major and minor injuries, life threatening chest pains, and head injuries.

Many parts of the physical infrastructure at PAH are beyond its designed life and it is unable to accommodate patients in a manner appropriate for a 21st Century health facility. Indeed, water ingress and sewage egress, in some vital areas, present a real risk to the integrity of the hospital.

The Council believes that urgent investment is required now to address the challenges faced by the hospital, and that there needs to be a commitment for the provision of a new hospital. A new hospital, as part of a health and wellbeing campus, should provide adequate services for East Herts, Harlow and surrounding areas. This is to ensure that the residents will benefit from emergency and GP services, physiotherapy units, social care, a new ambulance hub, and a training centre for nursing and healthcare.

The Council resolves, together with Mark Prisk, MP for Hertford and Stortford, to urge the Government to:

- (A) ensure that the Princess Alexandra Hospital is treated as a priority case for investment to address its current physical infrastructure challenges;
- (B) support the hospital Trust in working with other public sector and private sector bodies to develop a business case for the

investment necessary to achieve a new hospital as part of a health and wellbeing campus; and

- (C) instruct NHS England and NHS Improvement to work positively with the health economy, and with the Councils of West Essex and East Hertfordshire, to deliver a plan to secure financially sustainable, appropriate and sufficient access to health services for the communities served by PAH and the West Essex CCG.

Proposed by Councillor E Buckmaster
Seconded by Councillor R Brunton

EAST HERTS COUNCIL

COUNCIL – 13 DECEMBER 2017

REPORT BY EXECUTIVE MEMBER FOR FINANCE AND SUPPORT SERVICES

OLD RIVER LANE LAND USE

WARD(S) AFFECTED: ALL BISHOP’S STORTFORD

Purpose/Summary of Report

- To provide a detailed update on the progress of the Old River Lane site in Bishop’s Stortford, and to provide additional indicative costing required to proceed with the next stage of the development.

<u>RECOMMENDATIONS:</u> That:	
(A)	<p>the land at Old River Lane and adjoining Northgate End should be used to develop a mixed town centre scheme, as set out in option 1a, to include:</p> <ul style="list-style-type: none"> • a significant new Arts/Cultural Centre that includes a 500 seat theatre, 3-4 cinema screens, shared reception space, potentially the Bishop’s Stortford library, a one-stop-shop for Council services, hot-desking work space, cafe/bar • housing • retail and • parking provision for the whole site;
(B)	<p>funding of £225,000 be allocated to the next stage of scheme feasibility, in line with the requirements as set out in Exempt Essential Reference Paper ‘E’ (funding to be allocated from the NHB Priority Spend Reserve); and</p>
(C)	<p>delegation to Heads of Service for any general matters arising within their individual remits in order to progress the next stage of this project, including submission of a planning application for a new multi-storey car park, be authorised.</p>

1.0 Background

1.1 The Bishop's Stortford Town Centre Planning Framework was commissioned by the Council in January 2016 in order to provide a long term, coherent vision for the development of the town centre, taking into account the key site of Old River Lane amongst other strategic sites. The framework was completed in March 2017 and subsequently adopted by the Council at its meeting in July 2017.

1.2 A report was submitted to Council in February 2017 setting out the initial indicative budget requirements for the project.

1.3 Since then, work has been led by the Old River Lane Delivery Board, established in March 2017, and comprising the following members:

Cllr Linda Haysey
Cllr Gary Jones
Cllr Eric Buckmaster
Cllr Keith Warnell
Cllr Geoffrey Williamson

1.4 The final stage of the planning framework involved an extensive consultation process at the end of 2016. Old River Lane site was an essential part of the consultation and specific feedback was provided on Culture and Leisure, Retail, Public Spaces and Parking. A summary of the feedback relevant to Old River Lane is set out below:

- 65% of responses rated the ideas for improving the culture and leisure offer as excellent or good.
- Some felt the location of the Rhodes Arts Centre was too far out of town and that there was insufficient parking. It was suggested that a new purpose built facility near the restaurants in the centre of town would support activity and vitality.
- 56% of consultees rated the ideas for improving the retail offer as excellent or good.
- 62% of consultees rated the ideas for new or improved public spaces as excellent or good.
- A number of respondents were excited by the potential of the Old River Lane site to encourage people to use Castle Park more.

- A number of respondents suggested that there needed to be better parking for local workers in the town centre.
- 1.5 Following the completion of the town centre planning framework Allies & Morrison were commissioned to undertake a more detailed options appraisal on the Old River Lane site, including the Northgate End car park area (a plan can be found in **Essential Reference Paper 'G'**), to inform a decision on preferred land use for the site. At the same time, property consultants – Montagu Evans – were commissioned to undertake a high level viability assessment of the options proposed by Allies & Morrison. Additional studies were / are being undertaken to inform the options study and future decisions including:
- Arts Centre Outline Business Case – completed in August 2017
 - A Parking demand / supply review study for the BS Town Centre – completed in July 2017.
 - A Transport Strategy for the town centre (sits with Shaping Stortford board) – still underway; due to be complete in February 2018.
- 1.6 The core site is presently characterised by low intensity uses: namely a large surface car park. Other uses include Waitrose and its associated car park, office accommodation within Charringtons House, including the provision of a customer contact centre for the Council, and three residential units which are currently let. No 1 The Causeway has been demolished and construction works to build a temporary surface car park are underway.
- 1.7 The core site extends to around 1.7 hectares (4.3 acres). To the north of the site on the other side of the A1250 lies Northgate End car park (0.4 hectares), also owned by East Herts Council. This would form part of the development opportunity. An area of open ground immediately to the north of Northgate End car park and owned by HCC may also form part of the Council's development proposals. East Herts Council has engaged with the County Council to explore options for the possible use of this land. The development opportunity might also extend into land to the east of Northgate car park, presently owned by BS Town Council. Surrounding uses to the core ORL site include the Waitrose food-store, the United Reform Church building and Coopers of Stortford. Overall the broader site (core site and land to the north of the site) is a package of land which creates the potential for a significant

development opportunity which, depending on the uses proposed could substantially rejuvenate the wider town centre.

1.8 The following report details the progress undertaken so far on the masterplan for the site and recommends a preferred land use in order to proceed with further work on the scheme.

2.0 The Vision for ORL

2.1 The Options Study sets out a vision for Old River Lane which is defined by a series of principles for development on the site.

These are summarised below:

- Deliver a cultural and learning centre creating activity throughout the day and evening, providing an anchor within the area. The new mix of uses will drive footfall into Old River Lane, creating a welcoming destination for residents and visitors to Bishop's Stortford. A mix of uses could include a theatre or cinema, Council civic facilities such as a one-stop-shop and library, a cafe and workspaces.
- The scheme should deliver a small number of high quality retailers in a pedestrianised environment, a new destination which creates spaces for restaurants, bars and cafes with outdoor seating, generating activity and vibrancy within the area.
- New and enhanced green spaces as well as new tree planting and landscaping should be created within the development.
- The development will improve the connectivity to Castle Gardens, opening up attractive routes to this high quality green space on the edge of the town centre.
- A key aspiration is to rebalance the proportion of the site that is for people rather than cars, confining vehicles to the outer edges of the scheme.
- High quality and accessible car parking should be delivered to serve the new development, existing uses and the wider town centre.

- Any development should be in keeping with the town's existing scale and massing, reflecting the varied roofscape, building type and features of the town.

The Concept Masterplan

- 2.2 The concept Masterplan for the site establishes the principle of a strong north-south spine which acts as the focus for a mix of leisure, civic and commercial uses. This effectively extends the existing town centre, linking in to key existing points including Waitrose, Jackson Square, Coopers and the wider hinterland of North Street. An illustrative plan is set out overleaf.
- 2.3 As set out in 1.4 above, Allies and Morrison was commissioned to undertake an options appraisal for the site. Three options were presented. It should be noted that these options were for modelling purposes only, in order to assist in arriving at a land use decision. They are not definitive and the final option is likely to vary in some parts, depending on negotiations with partners, acquisition of tenants, and other factors, not least of which is a viable funding package.
- **Option 1a – Full Arts offer**
A large Arts Centre that includes a new theatre (relocating the Rhodes Arts Centre business), niche cinema operator, shared reception space, potentially the library, one-stop-shop for Council services, hot-desking work space, cafe/bar, plus housing, retail and parking
 - **Option 1b – Full Arts offer**
A new arts venue on Old River Lane *as well as* the existing Rhodes Arts Centre (in situ). The new arts venue to offer a complementary offer to the current Rhodes programme focusing on a music programme, niche cinema operator, shared reception space, library, one-stop-shop for council services, hot-desking work space, café/bar
 - **Option 2 – Smaller Arts offer**
A niche cinema operator, shared reception space, library, one-stop-shop for council services, hot-desking work space, cafe/bar, plus housing, retail and parking.
 - **Option 3 – No Arts offer**

This would be a residential scheme as there would be less scope / traction for retail/leisure use on the site without an associated arts offer.



OLD RIVER LANE
BISHOP'S STORTFORD
Illustrative plan
Allies and Morrison
November 2017

- 2.4 While it is acknowledged that a scheme with purely residential accommodation would generate a higher capital receipt, this would offer little in terms of supporting the future functioning of the town centre, and particularly diversifying the range of present uses. This option was therefore excluded early on in the deliberations of the Old River Lane board.
- 2.5 Of the remaining options (1a, 1b and 2), the Old River Lane Board agreed the following at their meeting on 8 August 2017:

“The decision from the options presentation by Fourth Street at the last meeting was to move forward with option 1a. This was on the basis that the provision of a high quality, multi-purpose arts centre in Bishop’s

Stortford, rather than a specialist music venue alongside the Rhodes, would create a better outcome for the residents of Bishop's Stortford and would reduce the possibility that the two venues compete for audiences. A single purpose built venue could be designed in order to deliver a wide, high-quality programme capturing those artistic areas which are already well provided for in the Rhodes, whilst filling the gaps for those areas which do not currently work well and the larger shows which Rhodes cannot currently programme due to financial constraints related to the size of the auditorium. A single venue would require less subsidy from the public sector overall compared to creating a new venue alongside the Rhodes, and would therefore provide better value for money to the tax payer."

- 2.6 A mixed development including an arts centre would create a very significant attraction in the centre and, subject to high quality design, provide a very strong addition to the town centre mix. This is particularly relevant given that town centres are facing significant challenges as purely retail destinations. A well held view is that a much greater emphasis needs to be placed on leisure and community oriented activities and excellent place-making if towns are to remain strong, vibrant and healthy destinations which residents want to use and people want to visit.

ORL in partnership with HCC, BSTC and RBT

- 2.7 Bishop's Stortford Town Council and the Rhodes Birthplace Trust (RBT) have been engaged in the options appraisal process and there is broad support for Option 1a, subject to a solution being found for the Rhodes museum. A series of working meetings have been held between the three parties to deliver a Heads of Terms which sets out the broad parameters guiding the delivery of this option. The draft Heads of Terms is set out at exempt **Essential Reference Paper 'C'**. This document will be considered by the Rhodes Birthplace Trust at a trust meeting on 28 November and by the Bishop's Stortford Town Council at a Finance Sub-Committee meeting on 4 December. The Heads of Terms is exempt, but can broadly be summarised as a significant joint venture between the three parties, with both councils contributing financially (capital and revenue) and the Rhodes Birthplace Trust relocating all of its arts centre business (including the majority of community use and hires) to the new arts centre.

This would provide an excellent opportunity to build upon the success of the Rhodes Arts Complex to meet the growing population of the town.

- 2.8 It should be noted that the existing, very successful, Rhodes Arts Centre business will continue as it is now, and that any rumours that have arisen about its imminent closure should be dispelled.
- 2.9 There have been positive talks so far with HCC about the potential relocation options for the library in the Arts Centre proposed in Option 1a.
- 2.10 Discussions with other stakeholders, including Waitrose, the United Reform Church, Coopers of Stortford have been ongoing since the initial Town Centre Planning Framework was drawn up.

3.0 **Benefits of ORL development**

Section 3 of this report has been written by the Council's advisors, Fourth Street, which specialises in placemaking and destination development.

- 3.1 The vacancy rate in the town centre is below the national average and the typical line of high street chains is punctuated by a few good quality independent operators, suggesting that there is enough affluence in the town and its environs to support a healthy retail offer in the town centre. The existing Arts Centre has built up a loyal audience and is well-attended by residents, schools and community groups. Set against these attractive features of the town are a number of key challenges, many of which are typical of towns that are within easy commuting distance of London:

- Facilities in the town have not kept pace with the significant planned growth of housing
- The town centre is ringed by wide, busy and – in places – seemingly impenetrable roads
- Although there is sufficient affluence in and around the town to support a substantial town centre retail offer, the town centre lacks the character and ambience of smaller towns and villages in the surrounding Hertfordshire countryside, which are likely to attract more affluent buyers and renters
- While there is ample public realm in and around the town centre, there is no real focal point for people to congregate – i.e. the place 'where the city celebrates'

- There is a perception amongst shopkeepers and other stakeholders that the town centre has an underdeveloped evening economy in particular.
- 3.2 Because of its location and its strong road and rail connections, Bishop's Stortford will invariably be popular as a place to live for people who require short, frequent and reliable connections into London. In that respect it is and, as it grows, will increasingly be in competition with that whole category of town in London's commuter belt that benefits from the "push" factors that incentivise young professionals, in particular, to look outside of London for places to rent or purchase their first homes.
- 3.3 The key challenge that towns such as Bishop's Stortford then face is the possibility of becoming transient "dormitory" towns for people who then move on when their financial circumstances improve. This has a number of damaging consequences, including the possibility that towns lapse into a vicious cycle of underinvestment, due to a lack of local spending – on one hand – and insufficient pressure from local stakeholders to improve conditions and amenities within the town. We see this pattern repeated across a whole range of commuter towns throughout London's hinterland.
- 3.4 It follows that the key placemaking challenge for Bishop's Stortford – and the signal it needs to send to the market – is the fact that this is a vibrant and distinctive town with a clear sense of its own identity and not a staid, sterile town defined by its 'convenience' or connectivity.
- 3.5 Hertfordshire LEP's Strategic Economic Plan places an overwhelming focus on concentrations or clusters of businesses in the life science and pharmaceutical industries, as well as advanced engineering and film, media and creative industries. These are all high value added 'knowledge' industries that rely on easy access to the best talent. Attracting and retaining that talent – and ensuring that it remains in Hertfordshire, even as their career paths advance and their economic circumstances improve – is central to achieving this important pillar of the strategy. This puts an added premium on the sense of place and quality of life that is engendered through arts, culture, heritage, leisure and sport.
- 3.6 From that perspective, objectives for Bishop's Stortford could be the following, several of which are well served by a well-designed,

residential-led mixed use development that is anchored by a multi-use arts centre:

- To attract those residents that are more likely to stay in Bishop's Stortford longer
- To add character and a unique sense of place to the town centre such that it fulfils its full potential and does not look and feel like a non-descript, suburban commuter hub
- To encourage residents to become active and "invested" stakeholders in their local community
- To encourage new arrivals to "graduate" to other parts of the town, as their economic circumstances improve or their personal / family circumstances change
- To encourage residents to spend more of their leisure time and money in the town, as opposed to London, Cambridge or surrounding villages (and, by extension, to attract more leisure spending into the town from its hinterland)

An integrated mixed use development of scale that not only relocates the Arts Centre to an improved town centre location, but also introduces high quality public realm, a critical mass of new town centre residents and new drivers of evening trade could make a material impact in place making terms.

- 3.7 A key priority within East Herts Council's Corporate Plan is to "enable a flourishing economy" with the intended outcome of "vibrant town centres". A number of the specific actions underneath this area relate to Old River Lane. The priorities are currently being refreshed by Members to reflect progress made through the ORL project and the measures below will be captured in the new plan. A copy of the current version can be found here: <https://www.eastherts.gov.uk/article/34767/Vision--Corporate-Priorities>

3.8 Quantifiable economic impact

This section summarises a preliminary Economic Impact Assessment for the Old River Lane project in Bishop's Stortford Town Centre. Its main purpose is to provide a reasonable and substantiated projection of the employment that is likely to be created by the project generally and, in particular, by a relocated and expanded Arts Centre. This work is still high-level and if support is gained from the Executive and Council to proceed to the next stage, further detailed work will be undertaken.

3.9 The economic effects can be summarised as follows:

- Construction Employment: Jobs created by the capital project itself
- Direct Economic Impact: On-site employment created by the operation of the facility and surrounding commercial units
- Indirect Economic Impact: Off-site employment created as a result of the facility’s expenditure on goods and services

3.10 A detailed explanation of how the numbers in the table below are derived is set out in exempt **Essential Reference Paper ‘D’**.

Figure 1: Summary of Construction, Direct and Indirect Employment

TYPE OF IMPACT	DESCRIPTION	DIRECT	INDIRECT	TOTAL
Temporary Construction Employment	Employment created on a temporary basis during the capital project. Some of this is direct and some is indirect through the additional jobs supported in the local construction industry supply chain. HM Treasury guidelines used to convert “person years” of employment into FTEs and a supply chain multiplier of 0.2 was used to estimate the indirect effect.	73.0	13.6	86.7
Direct Employment	Jobs created on-site by the new BSAC and other A1-A3 businesses within the development. Gross estimate is simply the anticipated headcount of all business units. Allowance is made for displacement to arrive at a Net Direct impact. This would normally be high for the reference area and further allowance is made for the fact that BSAC is a relocation of operational RAC.	54.8		54.8
Indirect Employment	Additional benefits generated through the operational spending of BSAC and other A1-A3 businesses as they purchase goods and services from suppliers. These indirect benefits are calculated on the basis of supply chain multipliers.		19.1	19.1
TOTAL		127.8	32.7	160.5

4.0 The Viability Assessment

4.1 A high level breakdown of the viability assessment is set out in exempt **Essential Reference Paper B**.

5.0 Work programme

5.1 The Old River Lane Delivery Board has approved the work programme for the development of the site based on four work packages:

1. **No 1 The Causeway** – tasks including: demolition and construction of a temporary car park

2. **Multi-Storey Car Park (MSCP)** – tasks including: land negotiations, design, planning, procurement, construction.
3. **Old River Lane** – tasks including: masterplanning, viability assessment, consultations, design, planning, procurement, construction.
4. **The Rhodes Arts Centre relocation** – tasks including: business case, agreement with BSTC and Rhodes Trust, concept design.

5.2 There are two drivers for the work programme – funding and sequencing.

5.3 Funding

While package one (demolition of 1 The Causeway) is already underway, packages two, three and four are contingent on funding being in place for the overall scheme. Therefore, while package two (the multi-storey car park) can proceed as far as the planning application, no construction would start on site until funding for the whole scheme is in place.

A summary of funding opportunities is set out in Exempt **Essential Reference Paper ‘C’**.

5.4 Sequencing

The completion of the tasks envisaged in the first work-package triggers the planning application for the MSCP. Subsequently the completion of the MSCP unlocks the core site. It is therefore assumed that construction works on the core site may start only once the MSCP is up and running to avoid any distress to local residents with regards to parking (notwithstanding the comments in 5.3 above about funding).

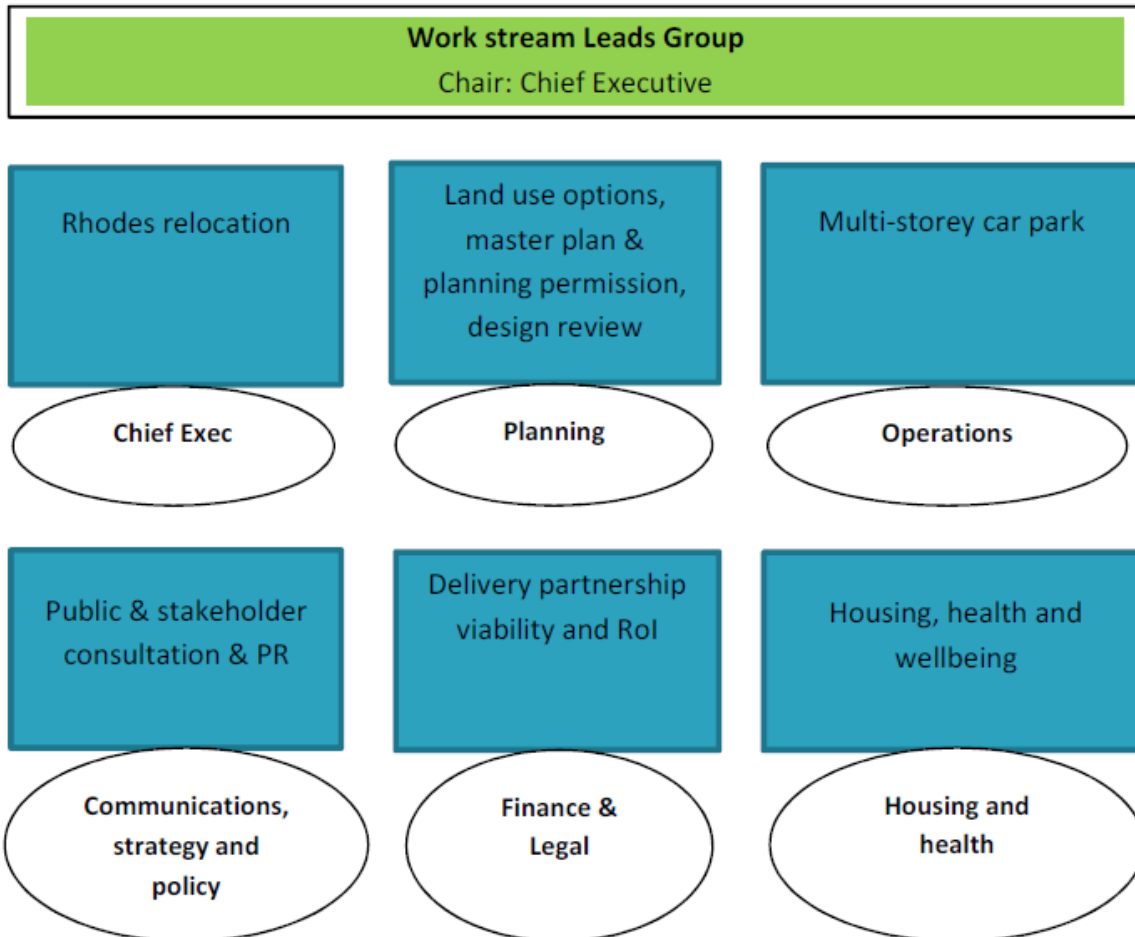
5.5 The third and the fourth work-packages run in parallel. The fourth work-package is however complementary to the main one – Old River Lane.

5.6 The work programme is monitored and reviewed by a dedicated ORL officer group established in March 2017 and leads have been appointed to specific work streams deriving from the work programme (set out overleaf):

5.7 Approval is requested for an additional £225k in order to advance the next stage of the project up to the submission of the planning

application for the MSCP. The breakdown of this can be found at Exempt **Essential Reference Paper E**.

5.8 The funding source for this activity is the NHB Priority Spend Reserve.



6.0 Other Options

6.1 As set out in 2.3 above, a number of options were considered by the Old River Lane Delivery Board. If the chosen option (1a) were not pursued for any reason, it would be possible to revisit the other options. There is also a 'do nothing' option available to the Council.

7.0 Executive

7.1 The Executive on 28 November 2017 considered this report and agreed to:

- support the continued discussions with Bishop's Stortford Town Council and the Rhodes Birthplace Trust to create a

delivery model for the Arts/Cultural centre which transfers the existing Rhodes Arts Centre business to the new building;

- note the work programme set out in section 5 of this report, including the likely timeframes for submission of a planning application for a new multi-storey car park, and soft market testing for a development partner for the rest of the development.

7.2 Further, the Executive supported the recommendations at the head of the report.

8.0 List of Essential Reference Papers

ERP A	Implications/consultations
Exempt ERP B	High Level Viability assessment and Indicative Delivery Options
Exempt ERP C	Funding opportunities and Heads of Terms with BSTC and RBT
Exempt ERP D	Economic benefits
Exempt ERP E	Funding breakdown (committed and next stage of project)
Exempt ERP F	Risk Register
ERP G	Plan of the site

Background Papers

None

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	Priority 1 – Improve the health and wellbeing of our communities Priority 2 – Enhance the quality of people's lives Priority 3 – Enable a flourishing local economy
Consultation:	Extensive consultation was carried out, as referred to in 1.3 of the report.
Legal:	Legal services should be consulted to report on all restrictions/covenants on land use and land transfers as well as any housing issues to be considered.
Financial:	The financial impact is currently a request of a further £225,000 budget to take the project to the next stage of development as set out at Exempt Essential Reference Paper 'D' .
Human Resource:	Potential human resources implications will be considered throughout the process.
Risk Management:	The latest risk register for the project was approved by the Old River Lane Board on 4 th October 2017 and is set out at Exempt Essential Reference Paper 'F' .
Health and wellbeing – issues and impacts:	The Council will comply with its obligations and responsibilities under the Equality Act and associated legislation.

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