



MEETING : EXECUTIVE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : TUESDAY 21 MARCH 2017
TIME : 7.00 PM

MEMBERS OF THE EXECUTIVE

Councillor Linda Haysey	-	Leader
Councillor Eric Buckmaster	-	Executive Member for Health and Wellbeing
Councillor Tony Jackson	-	Ambassador and Executive Member for Shared Services
Councillor Gary Jones	-	Deputy Leader and Executive Member for Economic Development
Councillor Graham McAndrew	-	Executive Member for Environment and the Public Space
Councillor Suzanne Rutland-Barsby	-	Executive Member for Development Management and Council Support
Councillor Geoffrey Williamson	-	Executive Member for Finance and Support Services

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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

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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 committee.services@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.

AGENDA

1. Apologies

To receive apologies for absence.

2. Leader's Announcements

3. Minutes (Pages 7 - 16)

To approve the Minutes of the meeting held on 7 February 2017.

4. Declarations of Interest

To receive any Member(s) declaration(s) of interest.

5. District Planning Executive Panel: Minutes - 9 March 2017 (Pages 17 - 26)

To consider recommendations on the matters below:

- (A) East Herts District Plan - Regulation 22 Consultation Statement, March 2017

Minute 71 refers

- (B) East Herts District Plan - Duty to Co-operate Compliance Statement, March 2017

Minute 72 refers

- (C) Equalities Impact Assessment of the East Herts District Plan, March 2017

Minute 73 refers

- (D) East Herts District Plan - Proposed Minor Changes, Submission and Examination

Minute 74 refers

(E) East Herts Infrastructure Delivery Plan, February 2017

Minute 75 refers

(F) Transport Modelling - COMET and VISUM Technical Papers

Minute 76 refers

(G) Approach to Master Planning and Delivery of Strategic Sites

Minute 77 refers

6. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

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MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 7 FEBRUARY 2017, AT 7.00 PM

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

ALSO PRESENT:

Councillors S Bull, M Casey, M Freeman,
J Goodeve, J Jones, P Kenealy,
M McMullen, T Page, M Pope and P Ruffles.

OFFICERS IN ATTENDANCE:

Philip Gregory	-Head of Strategic Finance and Property
Martin Ibrahim	-Democratic Services Team Leader
Tess Michaels	-Legal and Democratic Services Apprentice
Helen Standen	-Director
Kevin Steptoe	-Head of Planning and Building Control Services
Adele Taylor	-Director
Liz Watts	-Chief Executive
Kevin Williams	-Acting Head of Legal and Democratic Services

552 **BUDGET REPORT AND MTFP 2017/18 – 2020/21**

**The Executive Member for Finance and Support
Services submitted a report which set out proposals
in respect of:**

- the 2016/17 revenue budget forecast outturn;
- the 2017/18 revenue budget;
- the 2017/18 Schedule of Charges;
- the 2016/17 (revised) to 2020/21 Capital Programme;
- the Medium Term Financial Plan 2017/18 – 2020/21; and
- the Council's Reserves.

He informed the Executive that the joint meeting of Scrutiny Committees, at its meeting held on 17 January 2017, had supported the budget proposals, which included a council tax rise of 2%.

In response to a question, the Head of Strategic Finance and Property assured Members that although the salaries budget appeared overspent, this had been caused by planned fixed term working on specific projects that had been funded from reserves. Officers continued to monitor salaries budgets carefully.

The Leader referred to the impending departure of the Head of Strategic Finance and Property and thanked him for service.

The Executive supported the proposals now detailed.

RECOMMENDED – that (A) the comments of the joint meeting of Scrutiny Committees be received;

(B) the forecast 2016/17 underspend transfer to the Transformation Reserve, as now detailed at paragraph 4.11 of the report submitted, be approved;

(C) the 2017/18 Revenue Budget, including:

- Budget Savings and Growth, set out in Section 6, paragraph 6.2 of the report submitted;
- Contingency Budget, set out in Section 8,

- paragraph 8.3 of the report submitted;
- use of Earmarked Reserves, set out in Section 9 of the report submitted;
- consideration of the advice from the Section 151 Officer on the level of reserves and the robustness of the forecasts in setting the budget as required by Section 25 of the Local Government Act 2003 (section 15);

be approved;

(D) the proposed 2017/18 Schedule of Charges, as detailed at section 7 of the report submitted, be approved;

(E) the East Herts Council element of the Council Tax Demand, as detailed in paragraph 11.4 of the report submitted, be approved;

(F) the Capital Programme for the period 2015/16 (Revised) to 2019/20, the funding of the programme and the consequential revenue budget implications as set out in section 12 of the report submitted, be approved;

(G) the Medium Term Financial Plan covering 2016/17 (Revised) to 2020/21 as set out in section 13 of the report submitted, be approved; and

(H) the Reserves Policy as set out in Section 14 of the report submitted, be approved.

553 **TREASURY MANAGEMENT STRATEGY STATEMENT
2017/18**

The Executive Member for Finance and Support Services submitted a report on the Treasury Management Strategy and Annual Investment Strategy for 2017-18 including the 2017-18 Prudential Indicators.

The Executive noted that the Scrutiny Committees, at their joint meeting on 17 January 2017, and the Audit and Governance Committee, at its meeting held on 25 January 2017, had supported the proposals without making specific comments.

The Executive supported the recommendations now detailed.

RESOLVED – that (A) the report be received;

(B) the Treasury Management Strategy and Annual Investment Strategy detailed in paragraphs 2.1 – 2.2 of the report submitted be approved;

(C) the prudential indicators detailed in paragraph 2.3 of the report submitted be agreed; and

(D) the counter party listings detailed in paragraph 2.4 of the report submitted be agreed.

554 **HERTFORD CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN**

The Executive Member for Development Management and Council Support submitted a report on the Hertford Conservation Area Appraisal following its deferral at the previous meeting. She detailed the outcome of the further consultations that had taken place.

Councillor Ruffles expressed his gratitude for the additional consideration given and for the explanation which gave residents a greater understanding of the boundary line.

In response to a suggestion on using Article 4 directions, the Executive Member reminded Members that this was being tested and would need to be reviewed before any decision was made in the future.

The Executive supported the proposals now detailed.

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

555 APOLOGIES

An apology for absence was submitted on behalf of Councillor E Buckmaster.

556 LEADER'S ANNOUNCEMENTS

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

557 MINUTES

RESOLVED – that the Minutes of the Executive meeting held on 6 December 2016 be approved as a correct record and signed by the Leader.

558 HERTFORD URBAN DESIGN STRATEGY

The Executive recalled that, at its meeting held on 6 September 2016, it had agreed that up to £500k be allocated to fund a project to deliver key improvements to The Wash, Maidenhead Street and Bull Plain in Hertford. The project had emanated from the Hertford Urban Design Strategy, and was

a partnership project between East Herts Council, Hertford Town Council and Hertfordshire County Council. The funding allocation was subject to other partner contributions being made.

The Leader advised that Hertford Town Council had since approved £300k to fund the project. An application was currently being considered by Hertfordshire Local Enterprise Partnership to fund the £200k shortfall. She proposed that East Herts Council's funding be released on the basis set out in the report now submitted.

The Executive approved the recommendation now detailed.

RESOLVED - that East Herts Council releases its funding commitment of £500k to deliver key improvements to Hertford Town Centre, noting that the Council's funding proportion of the total budget will be either 50% or 62.5%, depending on whether the Local Enterprise Partnership funding is secured.

559 DISCRETIONARY GROWTH BUSINESS INCENTIVE SCHEME

The Executive Member for Economic Development submitted a proposal to set up a discretionary business growth incentive scheme funded from the New Homes Bonus. He informed the Executive that this scheme would encourage small business growth within the District, and would have a cap of £10,000 relief. He advised of a minor change in the approval process as detailed at paragraph 2.4 of the report submitted, whereby the money would be transferred to the revenues service as and when it was approved and not at year end.

In response to questions, the Executive Member and the Chief Executive outlined the proposed role of the Business Engagement Manager. In respect of the suggestion that the Council should look at taking equity stakes in start-up businesses, the Executive Member undertook to consider this further. The Leader suggested that the new Business Engagement Manager could look at this.

The Executive approved the proposals as now detailed.

RESOLVED - that (A) the proposal for a discretionary business growth incentive scheme is approved, according to the operating procedures as set out at Essential Reference Paper 'B' of the report submitted; and

(B) £150,000 is allocated from the New Homes Bonus Reserve to fund the scheme.

560 OLD RIVER LANE PROJECT GOVERNANCE STRUCTURE

The Executive Member for Economic Development submitted a report seeking approval for the initial indicative costing to commence the development of the Old River Lane Site and to confirm board and accountability arrangements.

The Leader advised that should it be necessary, the press and public could be excluded from the meeting, if Members wished to make any detailed reference to Essential Reference Paper 'E'.

In response to questions, the lead Director advised on the outline timescales for the project. She emphasised that in view of ongoing negotiations with different landowners, some dates were less firm. The Leader added that it was important to take care with the project and to get it right so that residents could look forward to a high quality development that was appropriate.

The Executive approved the proposals as now detailed.

RESOLVED - that (A) the revised governance structure, including the establishment of a Board to oversee the Old River Lane Project be approved and the allocation of Board membership be delegated to the Leader of the Council and lead Director; and

(B) the initial indicative budget requirements of

£450k be approved.

561 BUNTINGFORD COMMUNITY AREA NEIGHBOURHOOD
PLAN 2014 - 2031

The Leader of the Council submitted a report detailing the proposed modifications to the Neighbourhood Plan in part according to the Examiner's recommendations, but also with additional modifications from Officers. As well as this, she sought agreement for the Plan to proceed to Referendum.

Various Members congratulated the neighbourhood teams involved in developing this project to this stage. It was also noted that Buntingford parish had been wrongly omitted from the recommendations.

Councillor J Jones queried the settlement boundary line to the north of the Ward Freman site. In response, the Head of Planning and Building Control acknowledged a slight anomaly and suggested that this could be amended later under delegated powers. The Executive approved an additional recommendation to this effect.

The Executive approved the recommendations now detailed.

RESOLVED - that (A) the Buntingford Community Area Neighbourhood Plan is modified in part according to the Examiner's recommendations, as detailed at Essential Reference Papers 'C' and 'D' to the report submitted, but also with additional modifications recommended by Officers, as detailed at Essential Reference Paper 'D' to the report submitted;

(B) Officers be requested to make the necessary arrangements to hold a Neighbourhood Plan Referendum for the Parishes of Aspenden, Buckland & Chipping, Buntingford, Cottered, Hormead and Wyddial on 23 March 2017; and

(C) authority to review and finalise the settlement boundary line be delegated to the Head of Planning

and Building Control, in consultation with the Leader of the Council and a local Member.

The meeting closed at 7.43 pm

Chairman
Date

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MINUTES OF A MEETING OF THE
DISTRICT PLANNING EXECUTIVE PANEL
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON THURSDAY
9 MARCH 2017, AT 7.00 PM

PRESENT: Councillor L Haysey (Chairman)
Councillors E Buckmaster and G Jones.

ALSO PRESENT:

Councillors A Alder, D Andrews, R Brunton,
S Bull, M Freeman, G McAndrew, T Page,
M Pope, S Rutland-Barsby, N Symonds and
J Wyllie.

OFFICERS IN ATTENDANCE:

Chris Butcher	-	Principal Planning Officer
Martin Ibrahim	-	Democratic Services Team Leader
James Mead	-	Assistant Planning Officer
Kay Mead	-	Principal Planning Officer
Laura Pattison	-	Senior Planning Officer
George Pavey	-	Planning Officer
Jenny Pierce	-	Principal Planning Officer
Claire Sime	-	Planning Policy Manager
Kevin Steptoe	-	Head of Planning and Building Control Services
Liz Watts	-	Chief Executive

**71 EAST HERTS DISTRICT PLAN - REGULATION 22
CONSULTATION STATEMENT, MARCH 2017**

The Panel considered a report on the Regulation 22 Consultation Statement, March 2017, which sought support to include this as a companion document to the East Herts District Plan for submission to the Planning Inspectorate.

The Statement had been prepared in order to comply with the requirements of Regulation 19 and Regulation 22 (1) part (c) of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Panel recalled that an Interim Consultation Statement had been considered at the Panel meeting held on 22 October 2016.

Officers referred to the tabled amendment text relating to paragraphs 4.5 – 4.7 of the Statement set out at Essential Reference Paper 'B' of the report submitted, which highlighted updated figures on the number of comments received.

The Panel supported the recommendation now detailed.

RECOMMENDED - that the Regulation 22 Consultation Statement, March 2017, as detailed at Essential Reference 'B' to the report submitted and now amended, be agreed as a companion document to the East Herts District Plan, for submission to the Planning Inspectorate.

**72 EAST HERTS DISTRICT PLAN - DUTY TO CO-OPERATE
COMPLIANCE STATEMENT, MARCH 2017**

Consideration was given to a report setting out the Duty to Co-operate Compliance Statement, March 2017. The Panel noted that a Compliance Statement was required, in order to help ensure that East Herts was able to demonstrate to an Inspector at Examination that it had met the requirements of the Duty.

The Statement identified how the Council had engaged with neighbouring authorities and other organisations throughout the plan making process in order to address strategic cross boundary issues. The Panel recalled that an interim version had been considered at its meeting held on 13 October 2016.

In response to Members' comments, Officers explained that in respect of discussions with Uttlesford District Council on education provision, a Memorandum of Understanding would be agreed in due course. It was also explained that the letters of support referencing regeneration of Harlow related to the wider Gilston and Harlow Town Garden Town project. The Panel Chairman commented on the need to differentiate between the housing development on the Gilston Area site, which was wholly within East Herts and the broader project area involving Epping Forest and Harlow Councils.

The Panel supported the recommendations now detailed.

RECOMMENDED – that (A) the Duty to Co-operate Compliance Statement be agreed in support of the Pre-Submission District Plan; and

(B) the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to agree any further amendments to the Duty to Co-operate Compliance Statement as required.

73 EQUALITIES IMPACT ASSESSMENT OF THE EAST HERTS DISTRICT PLAN, MARCH 2017

The Panel considered a report on an Equality Impact Assessment (EQIA) of the East Herts District Plan. It was noted that, in line with the Council's commitment to ensuring that its policies improved the quality of life within East Herts and that the District Plan policies were inclusive, met the needs of diverse communities and had outcomes and opportunities that were the same for all, an

EQIA of the Plan had been undertaken. This was detailed at Essential Reference Paper 'B' of the report now submitted.

The Panel supported the recommendation as now detailed.

RECOMMENDED – that the Equality Impact Assessment, March 2017, as detailed at Essential Reference Paper 'B' of the report submitted, be agreed.

74 EAST HERTS DISTRICT PLAN - PROPOSED MINOR CHANGES, SUBMISSION AND EXAMINATION

The Panel considered a report seeking support for a schedule of Proposed Minor Changes to the District Plan. The Panel also considered support for the submission of the District Plan and its supporting documents to the Planning Inspectorate on 31 March 2017, and the process, including indicative timelines, following submission of the Plan.

The Panel considered feedback on the Regulation 19 Consultation that had been undertaken between 3 November and 15 December 2016, and noted the next steps in the process, including submission of the District Plan to the Planning Inspectorate and the subsequent examination.

The Panel supported the recommendations as now detailed.

RECOMMENDED – that (A) the schedule of Proposed Minor Changes, as detailed at Essential Reference Paper 'B' of the report submitted, be agreed, with any further additions authorised by the Head of Planning and Building Control, in consultation with the Leader of the Council;

(B) the submission of the District Plan and

supporting documents to the Planning Inspectorate on 31 March 2017, be agreed;

(C) the process following submission of the District Plan be noted; and

(D) the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to agree any further information required for the Examination.

**75 EAST HERTS INFRASTRUCTURE DELIVERY PLAN,
FEBRUARY 2017**

Consideration was given to a report on the East Herts Infrastructure Delivery Plan (IDP), February 2017. The Panel noted that in order to successfully deliver the identified level of growth across the District, new housing would need to be supported either by improvements to existing infrastructure or by the creation of new infrastructure. Therefore the identification of required schemes was a fundamental part of the plan making process. The Council was required to prepare an IDP in order to support the implementation of a local plan.

Various Members commented and asked questions on a number of different infrastructure issues.

In response to Councillor S Bull's comments in respect of the A10 southbound dualling at Buntingford, Officers acknowledged local concerns and advised that discussions with HCC would continue.

Regarding Councillor M Pope's comments on the Spine Road in the development proposed to the north and east of Ware, the Panel noted that no exact route had yet been agreed and Officers advised that the trigger point for its provision was indicative and could be updated once the outcome of updated modelling work to be agreed by Hertfordshire County Council was known.

In respect of Councillor J Wyllie's comments on the absence of London Road, Bishop's Stortford from any transport measures, Officers advised again that HCC's modelling work was awaited, but that initial evidence had demonstrated that the highway network in that area would be able to cater for the proposed level of development.

Councillor T Page referred to the map showing healthcare locations in Bishop's Stortford and suggested this needed correcting, which Officers undertook to address.

Councillor G Jones made a number of comments relating to developers' viability issues, the absence of off-street car parking as an infrastructure measure, the difficulties in persuading Network Rail to carry out station improvements in Hertford and the absence of special schools provision in Ware. Officers commented that the schemes in the IDP were viable and had been evidenced by the studies undertaken. It would be difficult to include off-street car parks in the IDP as parking generally was considered a part of much wider issues, such as sustainable transport. As for special schools, this was difficult as HCC did not make forecasts as with other schools.

The Panel supported the recommendations as now detailed.

RECOMMENDED – that (A) the East Herts Infrastructure Delivery Plan, February 2017, as detailed at Essential Reference 'B' of the report submitted, be supported as part of the evidence base to support the East Herts District Plan; and

(B) the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to update the Infrastructure Delivery Plan as required for the Examination.

76 TRANSPORT MODELLING - COMET AND VISUM TECHNICAL PAPERS

The Panel considered a report which sought support for the COMET Technical Paper, January 2017, as part of the evidence base to support the East Herts District Plan and detailed the main outputs of VISUM modelling.

The Panel was advised that transport modelling formed an integral part of the evidence base in support of local plan preparation. The development strategy contained within the East Herts District Plan had been shaped by ongoing advice from both Hertfordshire County Council and Essex County Council in respect of highway capacity issues. Each of the County Councils had prepared a strategic transport model which considered the impact of proposed growth on the highway network and identified mitigation measures that could alleviate any issues identified.

The Panel Chairman expressed her disappointment that the technical studies supporting the VISUM modelling had yet to be published by Essex County Council. However, Officers provided the Panel with a verbal update with regards to emerging outputs.

The Panel supported the recommendations as now detailed.

RECOMMENDED – that (A) the COMET Technical Paper, January 2017, be agreed as part of the evidence base to support the East Herts District Plan;

(B) the outputs of VISUM modelling be noted;

(C) the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to agree the VISUM Technical Paper prior to the submission of the District Plan to the Planning Inspectorate; and

(D) further transport modelling be undertaken prior to the District Plan Examination Hearing Sessions.

77 APPROACH TO MASTER PLANNING AND DELIVERY OF STRATEGIC SITES

The Panel considered a report setting out the background and advantages of adopting a Masterplanning approach to development within East Herts.

The Panel noted that the District Plan included a series of site specific policies which established the principle of development in locations across the District and identified what a planning application was expected to address. For the strategic sites, generally those over 500 homes, the District Plan set out a specific policy requirement that, prior to the submission of any planning application, a Masterplan should be prepared.

The Panel considered the role of Masterplans and supported a process whereby Masterplans were collaboratively prepared and agreed to ensure high quality, well designed, sustainable places which embraced new technologies and construction techniques and had been developed with full community involvement.

The Panel Chairman emphasised the importance of this paper as it demonstrated the Council's commitment to seeking high quality design and build in future developments. Officers advised that these principles would be applied widely across large and small sites including sites those with affordable housing.

In response to a comment from Councillor T Page on the need for guidance, Members were advised that training would be provided, including tours of sites that would demonstrate good and bad examples.

The Panel supported the recommendation as now detailed.

RECOMMENDED – that the approach to Masterplanning set out in the report submitted, be agreed to support the delivery of sites allocated for development in the emerging District Plan.

78 CHAIRMAN'S ANNOUNCEMENTS

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

She commented that this would be the last Panel meeting before the submission of the District Plan and advised that recommendations from this meeting would be submitted to meetings of the Executive and Council on 21 and 29 March 2016 respectively.

79 MINUTES

RESOLVED – that the Minutes of the meeting held on 13 October 2016 be approved as a correct record and signed by the Chairman.

The meeting closed at 8.01 pm

Chairman
Date

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