

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 24 APRIL 2018, AT 7.00 PM

PRESENT: Councillor G Jones (in the chair)
Councillors E Buckmaster, G McAndrew,
S Rutland-Barsby and G Williamson.

ALSO PRESENT:

Councillors A Alder, M Allen, D Andrews,
P Boylan, M Casey, I Devonshire, J Jones,
M McMullen, M Pope, P Ruffles and
M Stevenson.

OFFICERS IN ATTENDANCE:

Simon Aley	-	Interim Legal Services Manager
Jonathan Geall	-	Head of Housing and Health
Martin Ibrahim	-	Democratic Services Team Leader
Liz Watts	-	Chief Executive
John Williams	-	Electoral Services Officer

448 APOLOGIES

An apology for absence was submitted on behalf of

Councillor L Haysey.

449 LEADER'S ANNOUNCEMENTS

The Deputy Leader welcomed Members, Officers and the public to the meeting and reminded everyone that the meeting was being webcast. He reminded Members of the need to undertake a more visual style of decision-making when considering recommendations before them.

450 MINUTES

Councillor G Jones moved, and Councillor S Rutland-Barsby seconded, a motion to approve the Minutes of the previous meeting as a correct record. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the Executive meeting held on 6 February 2018 be approved as a correct record and signed by the Deputy Leader.

451 DECLARATIONS OF INTEREST

In respect of Minute 454 – Community Governance Review of Bishop's Stortford Town Council, Councillors G Jones and G McAndrew asked the meeting to note that they were Bishop's Stortford Town Council Members. Councillor G McAndrew also asked Members to note that he was also a Hertfordshire County Council Member as well as the District Ward Member for the area of the review.

In respect of Minute 459 – Old River Lane Resources, Councillor G McAndrew asked the meeting to note that he

was a Hertfordshire County Council Member.

As these were not disclosable pecuniary interests, both Members remained in the chamber and participated in the consideration of these matters.

452 ISSUES ARISING FROM OVERVIEW AND SCRUTINY COMMITTEE

The Executive received reports from the Overview and Scrutiny Committee detailing its comments and recommendations on various matters considered at its meetings held on 20 February and 17 April 2018, including on:

- Update from Executive Member for Economic Development
- Corporate Service Plans 2018/19
- Draft Health and Wellbeing Strategy 2018 – 2023
- Planning Enforcement Update
- Grounds Maintenance Contract Task and Finish Group Update
- Update from the Leader of the Council
- Presentation on Council Tax Support 2019-20
- Night Time Economy and Public Health: Impact of Alcohol Use
- Climate Change: Update from the Task and Finish Group
- Community Governance Review: Bishop's Stortford
- Community Governance Review: Buntingford
- Community Governance Review: Eastwick and Gilston
- Scrutiny Work Programme 2018/19

Councillor G Jones moved, and Councillor E Buckmaster

seconded, a motion that the reports be received. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED – that the reports be received.

453 ISSUES ARISING FROM PERFORMANCE, AUDIT AND GOVERNANCE SCRUTINY COMMITTEE

The Executive received a report from the Performance, Audit and Governance Scrutiny Committee detailing its comments and recommendations on various matters considered at its meeting held on 13 March 2018, including on:

- Corporate Financial Healthcheck Report - Quarter 3
- General Data Protection Regulations (GDPR) – Update
- External Auditor - Audit Planning Report - Year Ending 31 March 2018
- Shared Anti-Fraud Service Draft Plan 2018/19
- Shared Internal Audit Service (SIAS) Internal Audit Plan 2018/19
- Shared Internal Audit Service - Audit Plan: Update
- Risk Management Strategy Annual Review
- Work Programme 2018/19

Councillor G Jones moved, and Councillor G Williamson seconded, a motion that the reports be received. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

RESOLVED – that the reports be received.

454 COMMUNITY GOVERNANCE REVIEW OF BISHOP'S STORTFORD TOWN COUNCIL

The Executive considered a report detailing the responses received during the initial consultation period for the Community Governance Review (CGR) of Bishop's Stortford Town Council, together with the comments of Overview and Scrutiny Committee. The Executive was invited to forward its comments to Council for its consideration when agreeing the draft recommendations of the review.

The CGR request was based on the issues of the parish boundary between Bishop's Stortford and Thorley and the ward boundaries within the town. The Electoral Services Officer detailed the consultation responses and referred to the comments of Overview and Scrutiny Committee, at its meeting held on 17 April 2018. He advised that Council on 16 May 2018 would be requested to determine draft recommendations which would then be subject to further consultation. These consultation responses would be reported to Council in October 2018, when any Community Governance Reorganisation Order would be made. If any changes to electoral arrangements were required, these would be implemented for the elections in May 2019.

The Electoral Services Officer also advised that any changes to parish boundaries would not automatically change the district ward or county division boundaries. Such changes would have to be approved by the Local Government Boundary Commission for England (LGBCE).

Councillor G McAndrew expressed concern over the future

viability of Thorley Parish Council and referred to the cohesion and identity of the local community. He also referred to the level of consultation responses and the evident tensions arising from the emerging District Plan. Various other Members also expressed similar concerns and spoke of the distinct local characteristics of Thorley parish.

Councillor S Rutland-Barsby referred to the number of consultation responses that appeared to have been made on planning grounds rather than governance matters. She acknowledged the concerns for the future of Thorley parish and suggested a compromise whereby only the St Michael's Mead development and the proposed area of further housing development south of Whittington Way be incorporated within Bishop's Stortford.

Other Members supported this view and referred to the anomalies of the boundary cutting through St Michael's Mead.

Councillor G Williamson moved, and Councillor S Rutland-Barsby seconded, a motion that:

(A) the responses received to the initial consultation on the community governance review of Bishop's Stortford Town Council, together with the comments of the Overview and Scrutiny Committee in relation to the review, be noted;

(B) the Council be recommended to include the proposed ward boundary changes in the draft recommendations of the review; and also to recommend the Local Government Boundary Commission for England (LGBCE) to amend the district ward boundaries

accordingly;

(C) the Council be recommended to include in the draft recommendations of the review a change to the parish boundary between Bishop's Stortford and Thorley, such that the whole of the St Michael's Mead development and the proposed area of further housing development south of Whittington Way be incorporated within Bishop's Stortford; and

(D) the Council be recommended that Thorley Street and the areas east of London Road and the railway, including Pig Lane and Twyford Bury Lane should remain part of Thorley parish, reflecting their more rural nature and securing the viability of the revised Thorley parish area.

After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive supported the recommendations as now detailed.

RECOMMENDED - that (A) the responses received to the initial consultation on the community governance review of Bishop's Stortford Town Council, together with the comments of the Overview and Scrutiny Committee in relation to the review, be noted;

(B) the Council be recommended to include the proposed ward boundary changes in the draft recommendations of the review; and also to recommend the Local Government Boundary Commission for England (LGBCE) to amend the

district ward boundaries accordingly;

(C) the Council be recommended to include in the draft recommendations of the review a change to the parish boundary between Bishop's Stortford and Thorley, such that the whole of the St Michael's Mead development and the proposed area of further housing development south of Whittington Way be incorporated within Bishop's Stortford; and

(D) the Council be recommended that Thorley Street and the areas east of London Road and the railway, including Pig Lane and Twyford Bury Lane should remain part of Thorley parish, reflecting their more rural nature and securing the viability of the revised Thorley parish area.

455 COMMUNITY GOVERNANCE REVIEW OF BUNTINGFORD TOWN COUNCIL

The Executive considered a report detailing the responses received during the initial consultation period for the Community Governance Review (CGR) of Buntingford Town Council, together with the comments of Overview and Scrutiny Committee. The Executive was invited to forward its comments to Council for its consideration when agreeing the draft recommendations of the review.

The CGR request was based on the issues of the parish boundaries between Buntingford and Cottered and Aspenden parishes as well as the ward boundaries of the town. The Electoral Services Officer detailed the consultation responses and referred to the comments of Overview and Scrutiny Committee, at its meeting held on

17 April 2018. He advised that Council on 16 May 2018 would be requested to determine draft recommendations which would then be subject to further consultation. These consultation responses would be reported to Council in October 2018, when any Community Governance Reorganisation Order would be made. If any changes to electoral arrangements were required, these would be implemented for the elections in May 2019.

The Electoral Services Officer also advised that any changes to parish boundaries would not automatically change the district ward or county division boundaries. Such changes would have to be approved by the Local Government Boundary Commission for England (LBGCE).

Councillor J Jones expressed his support for the proposed changes in the CGR on the basis that they were logical and identified with Buntingford.

Councillor G Jones referred to the map in Essential Reference Paper 'C' of the report submitted and expressed his support for the inclusion of Area 'A', on the basis that the new housing development north of Park Farm Industrial Estate was closer to the existing built up area in Buntingford than to Cottered village. Also, the area was located within the A10 bypass which served as a natural boundary. However, he opposed the inclusion of Area 'B', a designated area for employment where there were no residential properties, as it fell outside the natural boundary of the bypass.

Other Members supported this view.

Councillor G Jones moved, and Councillor G Williamson

seconded, a motion that:

(A) the responses received to the initial consultation on the community governance review of Buntingford Town Council together with the comments of the Overview and Scrutiny Committee in relation to the review, be noted; and

(B) the Council be recommended to include the boundary change proposed by Buntingford Town Council for its boundary with Cottered parish in the draft recommendations of the review; and also to recommend the Local Government Boundary Commission for England (LGBCE) to amend the district ward and county division boundaries accordingly.

After being put to the meeting, and a vote taken, the motion was declared CARRIED.

Councillor G Jones moved, and Councillor S Rutland-Barsby seconded, a further motion that the Council be recommended not to include in the draft recommendations of the review the change proposed by Buntingford Town Council in relation to its parish boundary with Aspenden parish.

After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive supported the recommendations now detailed.

RECOMMENDED – that (A) the responses received to the initial consultation on the community governance review of Buntingford Town Council

together with the comments of the Overview and Scrutiny Committee in relation to the review, be noted;

(B) the Council be recommended to include the boundary change proposed by Buntingford Town Council for its boundary with Cottered parish in the draft recommendations of the review; and also to recommend the Local Government Boundary Commission for England (LGBCE) to amend the district ward and county division boundaries accordingly; and

(C) the Council be recommended not to include in the draft recommendations of the review the change proposed by Buntingford Town Council in relation to its parish boundary with Aspenden parish.

456 COMMUNITY GOVERNANCE REVIEW OF EASTWICK & GILSTON PARISH COUNCIL

The Executive considered a report detailing the responses received during the initial consultation period for the Community Governance Review (CGR) of Eastwick and Gilston Parish Council, together with the comments of Overview and Scrutiny Committee. The Executive was invited to forward its comments to Council for its consideration when agreeing the draft recommendations of the review.

The CGR request concerned increasing the size of the Parish Council from six to seven parish councillors. The Electoral Services Officer advised that the consultation

period was ongoing and the final outcome would be reported to Council. He also referred to the comments of Overview and Scrutiny Committee, at its meeting held on 17 April 2018. He advised that Council on 16 May 2018 would be requested to determine draft recommendations which would then be subject to further consultation. These consultation responses would be reported to Council in October 2018, when any Community Governance Reorganisation Order would be made. If any changes to electoral arrangements were required, these would be implemented for the elections in May 2019.

Councillor G Jones moved, and Councillor G McAndrew seconded, a motion that:

(A) the responses received to date to the initial consultation on the Community Governance Review of Eastwick and Gilston Parish Council, together with the comments of the Overview and Scrutiny Committee in relation to the review, be noted; and

(B) the Council be recommended to include the increase of the size of Eastwick and Gilston Parish Council in the draft recommendations of the review.

After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive supported the recommendations now detailed.

RECOMMENDED – that (A) the responses received to date to the initial consultation on the Community Governance Review of Eastwick and Gilston Parish

Council, together with the comments of the Overview and Scrutiny Committee in relation to the review, be noted; and

(B) the Council be recommended to include the increase of the size of Eastwick and Gilston Parish Council in the draft recommendations of the review.

457 WALKERN NEIGHBOURHOOD PLAN - EXAMINER'S REPORT AND REFERENDUM

The Leader of the Council submitted a report detailing the proposed modifications to the Neighbourhood Plan made by the independent Examiner, which also sought agreement for the Plan to proceed to Referendum. Approval was also sought for future decisions on examiners' recommendations to be made via the non-key decision route, in order to comply with statutory deadlines.

Councillor G Jones moved, and Councillor G McAndrew seconded, a motion that the recommendations now detailed, be approved. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive approved the recommendations now detailed.

RESOLVED - that (A) the recommendations and modifications made by the Independent Examiner of the Walkern Neighbourhood Plan, as detailed at Essential Reference Paper 'B' to the report submitted, be received;

(B) the Walkern Neighbourhood Plan, as modified

and detailed in Essential Reference Paper 'C' to the report submitted, should proceed to a referendum; and

(C) all future decisions on examiner's recommendations be made via the non-key decision route to ensure compliance with the timeline set out in The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016.

458 ARDELEY PARISH CONSERVATION AREA APPRAISAL AND MANAGEMENT PLANS INCORPORATING THE THREE CONSERVATION AREAS OF ARDELEY, MOOR GREEN AND WOOD END

The Executive Member for Development Management and Council Support submitted a report on the Ardeley Parish Conservation Area Appraisal and Management Plans incorporating the three conservation areas of Ardeley, Moor Green and Wood End. She detailed the outcome of the further consultations that had taken place.

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.

Councillor S Rutland-Barsby referred to page 337 of the report submitted which highlighted the unusual design of the war memorial and the advantages of removing

selected vegetation.

Councillor S Rutland-Barsby moved, and Councillor G Jones seconded, a motion that the recommendations now detailed, be supported. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

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 Ardeley Parish Conservation Area Appraisal and Management Plans 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 Ardeley Parish Conservation Area Appraisal and Management Plans incorporating the three conservation areas of Ardeley, Moor Green and Wood End be adopted.

459 OLD RIVER LANE RESOURCES

The Executive Member for Finance and Support Services submitted a report requesting additional resources to support the Old River Lane project. He detailed the progress of the project and referred to the key activities in the next phase, whereby an additional project manager on

a three year fixed term contract was needed. In addition, specialist legal support to ensure effective delivery would also be required, as detailed in the report submitted.

The Executive noted the proposed timeline for the recruitment and that this would be subject to achieving planning permission for the construction of the multi-storey car park at Northgate End.

In response to Members' questions, the Chief Executive clarified the employment status and reporting lines for the proposed project manager.

Councillor G Jones moved, and Councillor S Rutland-Barsby seconded, a motion that the recommendations now detailed be supported. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive supported the recommendations now detailed.

RECOMMENDED – that (A) up to £161,893 from the Priority Spend Reserve is allocated for recruiting a project manager on a 3 year fixed term contract (subject to the outcome of the Northgate End planning application) for the Old River Lane Project; and

(B) up to £100,000 from the Priority Spend Reserve is allocated for any ancillary legal costs for Old River Lane.

460 PROPOSED CHANGES TO EAST HERTS COUNCIL HACKNEY CARRIAGE FARES TARIFF

The Executive Member for Environment and the Public Space submitted a report which considered a proposal to change the fares tariff that can be charged by East Herts Licensed Hackney Carriages.

He referred to the consultation undertaken with the taxi trade and the consideration by the Licensing Committee, at its meeting held on 14 March 2018 (Minute 407 refers). The Committee's recommendation was to only raise the flag fare (the initial charge for hiring a taxi) at this time, rather than varying the yardage and waiting amounts as well. This gradual increasing in the fares was also the approach advocated by parts of the trade. The Executive noted that although the proposal amounted to a 10% increase, the table of fares had not been varied for seven years.

Councillor G McAndrew moved, and Councillor G Jones seconded, a motion that the recommendation now detailed be approved. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive approved the proposal now detailed.

RESOLVED - that the variation to the table of fares set out at paragraph 2.8 of the report submitted, be approved.

461 RISK MANAGEMENT STRATEGY ANNUAL REVIEW

The Executive Member for Finance and Support Services

submitted a report on the annual review of the Risk Management Strategy.

He detailed the key changes that had been made and also referred to the Performance, Audit and Governance Scrutiny Committee, which had considered the matter at its meeting held on 13 March 2018 (Minute 398 refers). The Committee suggested one small deletion from the risks listed in the table at the end of the document.

Councillor G Williamson moved, and Councillor G Jones seconded, a motion that the recommendations now detailed be approved. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive approved the proposals now detailed.

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

(B) the Risk Management Strategy, as now submitted, be approved.

462 QUARTERLY CORPORATE HEALTHCHECK - QUARTER 3
(DECEMBER 2017)

The Executive Member for Finance and Support Services submitted a quarterly report on finance and performance monitoring for the Council as at 31 December 2017. This indicated a projected revenue budget forecast overspend of £86k for 2017/18. The Executive Member advised that this figure had been reducing throughout the year as a result of mitigating actions and the end of year position

indicated a zero or near zero outturn.

The Executive Member also referred to the comments of the Performance, Audit and Governance Scrutiny Committee, who had considered the report on 13 March 2018. He advised that Officers would be reporting on the Castle Weir micro hydro scheme in due course. He also advised that recommendation (D) relating to strategic risks had been withdrawn as this had been addressed separately earlier in the meeting.

Councillor E Buckmaster commented on the reference to a £90k underspend on capital community grants and suggested that this was a timing issue and that the budget had been spent.

Councillor G Williamson moved, and Councillor G Jones seconded, a motion that the recommendations now detailed be approved. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

The Executive approved the recommendations now detailed.

RESOLVED – that (A) the projected revenue budget forecast overspend of £58k in 2017/18 be noted;

(B) the capital budget forecast underspend of £2.166m be noted; and

(C) the reported performance and actions for the period October 2017 to December 2017 be noted.

The meeting closed at 8.21 pm

Chairman
Date