

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 16th October, 2024 at 7.00 pm, for the purpose of transacting the business set out in the Agenda below, and you are hereby summoned to attend.

Date this 9 day of October 2024

James Ellis
Head of Legal and
Democratic Services

This meeting will be live streamed on the Council's Youtube page:
<https://www.youtube.com/user/EastHertsDistrict>

AGENDA

1. Chair's Announcements

To receive any announcements from the Chair.

2. Leader's Announcements

To receive any announcements from the Leader of the Council.

3. Apologies for Absence

To receive any Members' apologies for absence.

4. Minutes - 24 July 2024 (Pages 4 - 24)

To approve as a correct record and authorise the Chair to sign the Minutes of the Council meeting held on 24 July 2024.

5. Declarations of Interest

To receive any Members' declarations of interest.

6. Petitions

To receive any petitions.

(A) Folly Island proposed refuse plans_(Pages 25 - 26)

7. Public Questions (Page 27)

To receive any public questions.

8. Members' Questions (Page 28)

To receive any Members' questions.

9. Executive Report - 3 September 2024 (Pages 29 - 30)

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

(A) East Herts Complaints Process and Changes to the LGSCO Code of Practice_(Pages 31 - 33)

(B) East Herts Local Development Scheme_(Pages 34 - 46)

10. Appointment of Interim Chief Executive and Returning Officer (Pages 47 - 51)

11. Community Governance Review - Terms of Reference and Timetable (Pages 52 - 72)

12. Officer delegated authority to make decisions relating to the delivery of the Old River Lane project. (Pages 73 - 76)

13. Motions on Notice

To receive Motions on Notice.

(A) Changes to the Winter Fuel Allowance_(Pages 77 - 78)

Agenda Item 4

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MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON WEDNESDAY
24 JULY 2024, AT 7.00 PM

PRESENT: Councillor M Connolly (Chairman).
Councillors M Adams, D Andrews,
R Buckmaster, P Boylan, C Brittain,
I Devonshire, E Buckmaster, V Burt,
R Carter, N Clements, S Copley, B Crystall,
A Daar, B Deering, T Deffley, J Dumont,
Y Estop, V Glover-Ward, M Goldspink, C Hart,
G Hill, D Hollebon, A Holt, S Hopewell,
C Horner, T Hoskin, D Jacobs, S Marlow,
G McAndrew, S Nicholls, A Parsad-Wyatt,
C Redfern, V Smith, T Stowe, M Swainston,
J Thomas, S Watson, D Willcocks,
G Williams, C Wilson and J Wyllie.

OFFICERS IN ATTENDANCE:

James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Katie Mogan	- Democratic and Electoral Services Manager
Helen Standen	- Deputy Chief Executive

99 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed everyone to the meeting and reminded Members that the meeting was being webcast online.

The Chairman announced that two East Herts residents

had been recognised in the 2024 King's Birthday Honours and she read out a list of achievements for each recipient:

- Stuart Storey – Awarded a Member for the Order of the British Empire (MBE) for services to sport and to the community in East Herts.
- Suzannah Nichol – Awarded an Order of the British Empire (OBE) for services to the construction industry.

Stuart Storey was in attendance and thanked the Council for recognising his achievements.

The Chairman said she had attended 13 events since being in the role including civic events, community events and the D-Day beacon lighting event. She encouraged Members to complete the event form so that the Chairman could attend events or raise the profile of local community groups.

A minute's silence was held for Paul Stevens, Principal Landscaping Officer, who had sadly passed away.

100 LEADER'S ANNOUNCEMENTS

The Leader of the Council said that Councillor Bull was not well and sent the Council's best wishes to him for a speedy recovery.

The Leader ran through some recent highlights. He thanked the Elections team for their work on the parliamentary election on 4 July 2024 and thanked all staff who worked on polling stations and at the count.

The Leader said he had attended the Annual Employee Award Ceremony earlier in the month and said awards were presented to individuals and teams for their outstanding work. He said that it was a genuine

celebration of exceptional staff and passed the Council's congratulations to the winners and those who were nominated.

Finally, the Leader reminded Members that there was a visioning session taking place at Fletchers Lea for the new District Plan and said it was important for everyone to have their say.

101 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bull, Butcher, Cox, Dunlop, Townsend, Watson, Williamson, Woolf and Woollcombe.

102 MINUTES - 15 MAY 2024

Councillor Marlow proposed, and Councillor Hill seconded a motion that the Minutes of the meetings held on 15 May 2024 be approved as a correct record and be signed by the Chairman. On being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meetings held on 15 May 2024 be approved as a correct record and signed by the Chairman.

103 DECLARATIONS OF INTEREST

There were no declarations of interest.

104 PETITIONS

There were no petitions submitted.

105 PUBLIC QUESTIONS

The full responses to the submitted Public Questions can

be found in the supplementary document [here](#).

106 MEMBERS' QUESTIONS

The full responses to the submitted Members Questions can be found in the supplementary document [here](#).

107 EXECUTIVE REPORT - 4 JUNE 2024

The Leader of the Council presented a report setting out recommendations to the Council made by the Executive at its meeting on 4 June 2024. He said that the Executive also met on 9 July 2024, but there were no recommendations to Council.

107 HERTFORDSHIRE DEVELOPMENT QUALITY CHARTER

The Executive Member for Planning and Growth presented the recommendations to Council. She explained that the Charter had been launched by the Hertfordshire Growth Board in 2023 and had been designed to raise the standards of construction in Hertfordshire. She said that the Charter was not a design guide or specific to East Hertfordshire, it was a document designed to cover all ten districts and boroughs and the county council.

The Executive Member for Planning and Growth said that the Charter set out seven pledges focussed on design and sustainability and that two developers had already endorsed the Charter. She said that the Charter did not seek to replace higher standards than current regulations and would help encourage developers be more ambitious in excellence and design.

Councillor Glover-Ward proposed that the recommendations in the report be supported. Councillor Goldspink seconded the proposal.

Councillor Estop said that she welcomed the Charter in

principle but felt it was quite weak and that the Growth Board could have been more challenging to developers across the county. She said that the Charter did not acknowledge the role of Development Management Committees in councils and felt that the Charter did not add anything to what already existed in the District Plan.

Councillor Deering said that the Charter was the first of its kind and felt it was a very positive step. He said he was pleased that the Council were recommending its adoption and said the Conservative group would be voting in favour of the recommendations.

Councillor E Buckmaster said that it was good to have a common approach across Hertfordshire and referred to the pledges in the Charter and said the council were already doing these.

Councillor Goldspink said she strongly supported the Charter and was pleased to see that it encouraged environmentally friendly building. She welcomed that the Charter was raising ambitions within the county.

Councillor Crystall said that it would be great if the ambition was higher but there was a trade off in order to get as many authorities as possible to sign up to it. He said he supported it strongly.

Councillor Hart said she agreed with the comments from Councillor Estop. She said that if the bar was set too low to get developers to sign up to it, it meant there won't be any meaningful impact. She said it was good to hear that East Herts were ahead of the game in balancing the need for housing and protecting the natural world but felt the council should stay ahead and not sign up to a watered-down charter.

Councillor McAndrew said that the review of the District Plan would help the council raise the bar again. He said

that this Charter let developers know that there was a minimum standard across all the districts and boroughs and would stop developers moving across the county to take advantage of lower standards.

The motion to support the recommendations having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

RESOLVED – that (A) the Hertfordshire Development Quality Charter be agreed as a material consideration for Development Management purposes; and

(B) Developers, landowners and housing associations in the district be encouraged to voluntarily sign and commit to the design and sustainability pledges set out in the Quality Charter.

107 WALKERN NEIGHBOURHOOD PLAN FIRST REVISION - ADOPTION

The Executive Member for Planning and Growth presented the recommendation to Council. She said that Neighbourhood Plans gave communities the power to identify local priorities to shape development in their area. She described the changes to the Walkern Neighbourhood Plan and said that it did not allocate sites for development because the District Plan housing target has already been achieved in the village.

Councillor Glover-Ward proposed that the recommendation in the report be supported. Councillor Deffley seconded the proposal.

Councillor Crystall said it was positive that Walkern had got an updated Neighbourhood Plan and the parish council were actively engaged in the process.

The motion to support the recommendation having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

RESOLVED - That the Walkern Neighbourhood Plan First Revision 2021- 2033, be formally made.

108 COMMUNITY GOVERNANCE REVIEW

The Leader of the Council presented the Community Governance Review report. He said that government guidance recommended that a council carried out a Community Governance Review every 10-15 years and referred to paragraph 2.2 of the report which showed what was in the remit of a Community Governance Review.

The Leader of the Council said that in 2022, the Local Government Boundary Commission carried out a review of East Herts Council and recommended that a Community Governance Review be carried out in Ware, Wareside, Thundridge and Rush Green. He said that Council agreed that these reviews be carried out in July 2023, but the timetable had now elapsed due to staff resources and the elections in May and July. He said that this review proposed starting again but taking in all town and parish councils across the district.

The Leader of the Council said that the council wrote to all town and parish councils in May to seek informal views as to whether they'd like to be included in the review and once the statutory process had been triggered, the council would consult with the public on the proposals.

Councillor Crystall proposed that the recommendations in the report be supported. Councillor Horner seconded the proposal.

Councillor Jacobs said he welcomed the review and the approach. He asked for the level of response from the initial write out and said it would be useful to understand the next steps.

Councillor Deering said he echoed the Leader's comments and was supportive of the recommendation.

Councillor Parsad-Wyatt asked if there would be any public consultation in areas where the parish council had not requested any changes.

Councillor Goldspink said that Bishop's Stortford Town Council were interested in the review as they had some anomalies on their boundary.

The Head of Legal and Democratic Services confirmed that adjacent parish councils would be consulted if they were impacted by changes suggested by other councils. He said that the process was laid out at paragraph 2.13 of the report.

Councillor Holt asked about the impact of changing parish boundaries on district and county wards.

Councillor Horner said at the last Community Governance Review, any impacts on district and county boundaries were picked up by the Local Government Boundary Commission at an appropriate time.

Councillor Crystall reminded group leaders to appoint Members to the group.

The motion to support the recommendation having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED.

RESOLVED - That a Community Governance Review working group be established to

commence the review process.

109 LOCAL GOVERNMENT FUNDING

Councillor Goldspink presented her motion on notice. She said that the Local Government Association (LGA) had published a White Paper about funding reform and improving the relationship between central and local government. She said that the government decided each year how much money would be given to each local authority which meant no long-term commitment. She said that the motion called for adequate long-term funding and financial certainty for local authorities.

Councillor Thomas seconded the motion and reserved his right to speak.

Councillor E Buckmaster said it was appropriate to support the motion and said the financial challenge was even more difficult at the county council where there was a £6.2 billion funding gap in social care.

Councillor Deering said he strongly supported the motion as he was responsible for finances at Hertfordshire County Council, and it was an extremely challenging situation. He encouraged the new government to come up with more funding for local government.

Councillor Wyllie suggested that the proposer and seconder of the motion might wish to include writing to the new MPs representing East Herts to lobby the Minister.

Councillor Daar said the council often received different pots of money and it was a lot more work to make efficient use of it.

Councillor Dumont said that local authorities had less spending power but were being asked to do more. He

said no Member wanted to make cuts and hoped that the new government would change the system.

Councillor Williams said that local authorities needed to be given adequate funding to provide a decent level of service. He said that adequate funding meant that councils could engage early before issues become difficult to resolve. He said that he benefitted from early intervention when he was at school which allowed him to change his behaviour and achieve qualifications. He said the council would save money in the long term if they had the resources to intervene early.

Councillor Wyllie proposed the following amendment:

To add the words "and to the four local MPs" in the last paragraph after 'Local Government'

Councillor Glover-Ward seconded the amendment.

Councillor Goldspink said she was happy to accept the amendment.

The motion to support the amendment having been proposed and seconded was put to the meeting and upon a vote being taken, was declared CARRIED. The amended motion then became the substantive motion as follows:

"This Council recognises that Local Government nationally is facing a £6.2 Billion funding gap over the next 2 years, and this will have a big impact on the financial situation in East Herts.

This council also notes that Central government relies on Local government to provide essential community services – like collecting rubbish bins, cleaning the streets, providing new homes, providing social care and much more.

It is clear that a much better relationship is needed

between Central and Local Governments, - one which would provide long-term financial certainty and confidence for Local Authorities.

This Council further notes that the Local Government Association, (LGA) of which this Council is a member, published on 7 June 2024 a Local Government White Paper on funding reform and also on improving the relationship between Central and Local government. The paper sets out 6 of the Challenges which are facing the country at the moment, and which are all relevant to the residents of East Herts District. They are:- Delivering Inclusive Financial Growth, Building the Homes we need, Supporting our Children and Young People, Reforming and Sustainably Funding Social care, Supporting Place-making, and Backing Local Climate Action. In this paper it makes detailed proposals about the actions which could be taken to tackle these challenges.

The LGA is calling on Central Government to provide adequate, longer-term funding for Local Authorities which would give them long-term financial certainty and sustainability in the provision of services. There should be an end to the proliferation of different funding pots and to the competitive bidding for grant funding.

This Council resolves to express its strong support for this White Paper. This Council also calls on our new central Government to respond positively to the White Paper, and to demonstrate this by providing adequate, long-term funding for all Local Authorities.

Accordingly, it will write to the LGA Senior Vice-Chairman, and also to the government's Secretary of State for Housing, Communities and Local Government and to the four local MPs expressing these views."

The Chairman said that Members could now debate the substantive motion.

Councillor Goldspink responded to points raised in the debate. She thanked Members for the support across the Chamber and said all Members wanted to do the best and were frustrated by a lack of funds.

Having been proposed and seconded, the substantive motion was put to the meeting and upon a vote being taken, was declared CARRIED.

RESOLVED – that

This Council recognises that Local Government nationally is facing a £6.2 Billion funding gap over the next 2 years, and this will have a big impact on the financial situation in East Herts.

This council also notes that Central government relies on Local government to provide essential community services – like collecting rubbish bins, cleaning the streets, providing new homes, providing social care and much more.

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Local Climate Action. In this paper it makes detailed proposals about the actions which could be taken to tackle these challenges.

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110 THE ECOLOGICAL AND BIODIVERSITY CRISIS

Under paragraph 3.22.7, Councillor Hoskin presented an altered motion to Council following cross party discussions.

The altered motion was as follows:

This Council recognises that there is an ecological and biodiversity crisis, and the natural world is under threat. In our county alone 76 species became extinct in the last 50 years¹. Insect populations have suffered drastic declines, with far-reaching consequences for both wildlife and people. With a third of our food crops pollinated by

insects, there is a lot to lose. Much of our wildlife relies on insects for food. Without them, we risk the collapse of our natural world.

This growing ecological crisis is intrinsically linked to climate breakdown which is beginning to seriously affect the health of our environment and the wellbeing of residents.

In East Herts we have special responsibility for valuable wetland areas found in the Stort Valley, and the internationally important, Lea Valley Special Protection Area (SPA) and Ramsar Site. Our chalk rivers are not yet protected by statutory designations but are under increasing threat from water abstraction and pollution, and so need special protection. A recent chalk stream survey by Salmon and Trout Conservation UK showed that numbers of mayflies, a key indicator species for river health, were down by 44 per cent when compared with 1998 data.

This Council believes that the consequences of biodiversity loss and ecological impacts, alongside the climate emergency, are so severe that one of our top priorities must be to put actions in place that help prevent these impacts from getting worse. We have already started to review what can be done to conserve and enhance biodiversity, as required under the Biodiversity Duty of the Environment Act 2021. Furthermore, the Council has contributed to the formulation of the Hertfordshire Climate Change and Sustainability Partnership's Biodiversity Action Plan and is working with partners across the county on the Local Nature Recovery Strategy which is due to be finalised within the coming 18 months. The council has fully incorporated the Biodiversity Net Gain requirements, also introduced by the 2021 Act, into its planning requirements, with detailed guidance available to developers on the Council's website.

Despite the activity, however, this Council recognises it must continue to change practices and both listen to the voices of and use its own voice to advocate on behalf of, our residents, rural and urban communities, businesses, farmers, landowners and our precious species, habitats, and ecosystems to protect our critical natural capital. Across its own estate this Council will lead change, improve resilience, inspire the community and collaborate with all interested parties and organisations to promote the recovery of biodiversity.

This Council reaffirms its commitment to protecting our environment, as follows:

1. This Council declares an Ecological and Biodiversity Crisis (EBC).
2. We commit to embedding nature's recovery at the heart of its strategic plans (including the East Herts Local Plan), policy areas, service contracting and decision-making processes.
3. We support the goal defined by the Wildlife Trusts to protect 30% of land for nature by 2030, in line with national and international commitments to biodiversity.
4. We commit to tackling the climate and nature emergencies together and prioritising investment in nature-based solutions to climate change.
5. We resolve to use an evidence-based approach to protect critical natural capital, build back and reverse losses to our nationally and internationally important species, habitats and ecosystems including our rare chalk streams.
6. We resolve to set up a Biodiversity Forum, consisting of elected members (cross party), officers and co-

optees from expert bodies, to examine the ecological and biodiversity needs of the district and put forward proposals for the Council's consideration. The output from the East Herts forum and Hertfordshire's Nature Recovery Strategy be used to establish potential delivery mechanisms and to leverage government funding towards achieving the crucial recovery of nature in our area.

Councillor Nicholls seconded the motion and reserved her right to speak.

Councillor E Buckmaster said he was grateful for Councillor Hoskin reaching out to him. He said that the declaration of an ecological and biodiversity crisis was complimentary to the Local Nature Recovery Partnership. He said the partnership were looking to encourage investment and bring skills. He said that the government needed to be influenced and that he had written to the Secretary and State and the 12 Hertfordshire MPs as the Chair of the Local Nature Recovery Partnership.

Councillor Deering said that the Conservative group would be supporting the motion. He said that he was supportive of protecting chalk streams in the district as they were really important assets. He said he was concerned over the new government's plans to designate areas as grey belt and this could have a serious impact on nature.

Councillor Glover-Ward said that she was anticipating having further clarity on what grey belt meant in the next week. She said, assuming the motion passed, then the council could respond accordingly to any definition of grey belt.

Councillor Carter said that this was an important motion, and that the biological crisis was one of the biggest challenges faced. She said it was important to have practical steps to influence development and protect and

enhance habitats. She hoped that the District Plan could look at ways in which the council could create nature corridors and tiny green landscapes in the towns, as well as rural areas.

Councillor Williams said this motion was good news. He said that there were fantastic groups within East Herts who were raising awareness and lobbying government about the protection of swifts. He said the potential grey belt concerned him as some disused industrial areas were now home to many plants and insect species.

Councillor Estop said that it was important to also think about the threat of industrial agriculture such as the removal of hedgerows to increase field size.

Councillor Swainston said she supported the motion. She said she was concerned about the lack of moths this year.

Councillor Daar said that she was involved with the steering group and said that a third of wildlife sites in Hertfordshire were in East Herts. She said they were great natural assets and should protect and enhance what exists.

Councillor Hart said that little acts could go a long way. She said that in Ware, nesting boxes for barn owls were installed and owls had begun nesting in there. She said it was important to educate people on the little things they could do to help biodiversity.

Councillor Nicholls said that it was a crucial time for nature and there was a public consultation of the Herts Nature Recovery Strategy. She said that there were huge mental and physical benefits of being immersed in nature and healthy diverse habitats migrate against the effects of climate change.

Councillor Hill questioned whether there was any scope to

work with businesses who have premises that were not used overnight and could be a could place for encouraging biodiversity.

Councillor Hoskin responded to the points raised. He said that losing chalk streams was careless and there was a need to work harder to encourage enthusiasm within residents. He said there was an opportunity in the District Plan review to influence what the council wanted to achieve.

Having been proposed and seconded, the substantive motion was put to the meeting and upon a vote being taken, was declared CARRIED.

RESOLVED - This Council recognises that there is an ecological and biodiversity crisis, and the natural world is under threat. In our county alone 76 species became extinct in the last 50 years¹. Insect populations have suffered drastic declines, with far-reaching consequences for both wildlife and people. With a third of our food crops pollinated by insects, there is a lot to lose. Much of our wildlife relies on insects for food. Without them, we risk the collapse of our natural world.

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Salmon and Trout Conservation UK showed that numbers of mayflies, a key indicator species for river health, were down by 44 per cent when compared with 1998 data.

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Despite the activity, however, this Council recognises it must continue to change practices and both listen to the voices of and use its own voice to advocate on behalf of, our residents, rural and urban communities, businesses, farmers, landowners and our precious species, habitats, and ecosystems to protect our critical natural capital. Across its own estate this Council will lead change, improve resilience, inspire the community and collaborate with all interested parties and organisations to promote the recovery of biodiversity.

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6. We resolve to set up a Biodiversity Forum, consisting of elected members (cross party), officers and co-optees from expert bodies, to examine the ecological and biodiversity needs of the district and put forward proposals for the Council's consideration. The output from the East Herts forum and Hertfordshire's Nature Recovery Strategy be used to establish potential delivery mechanisms and to leverage government funding towards achieving the crucial recovery of nature in our area.

The meeting closed at 8.40 pm

Chairman
Date

Petition – Folly Island proposed refuse plans

We, the undersigned, are opposed to the proposed changes to Folly Island's refuse collection and the introduction of wheelie bins. We call on East Herts District Council to:

- Reject the proposed changes to Folly Island's refuse collection and keep the current arrangement
- Fully consult with local residents on any future proposals

Folly Island is a historic conservation area that is often referred to as one of Hertford's most 'photographed areas'. It's a residential community which prides itself upon its appearance, with a conscious effort from residents to keep the streets and houses smart and well-presented.

Recently, the Council has proposed changes to Folly Island's bin collection, opting for residents to have wheelie bins (up to 4) with a three week collection. This decision appears to have been made and a contract was signed without any meaningful consultation with the residents.

It is crucial to understand that wheelie bins are an eyesore in areas known for their heritage, with the English Heritage Trust supporting campaigns to prevent the wheelie bin epidemic. Additionally, studies surrounding wheelie bins often cite that such changes lead to an increase in complaints related to visual pollution.

Additional negatives which will arise from such a change include:

- **Reduced Access:** Being a historic town, Folly Island has limited accessibility as is with the current parking arrangements and narrowed pathways. Adding wheelie bins to pathways will only restrict movement through the island further.
- **Pollution:** Wheelie Bins will encourage fly tipping in the area, especially as the majority of gardens on Folly Island are not large enough to house the required bins. This means those stored on streets or left in the alleyways will only lead to an increase in fly tipping and pollution to our streets and waterways.
- **Rats and Pests:** In addition to this the change to a monthly collection means that the sitting waste will only attract Rats and Pests. Living beside the river, these are combated currently with the system which collects waste weekly and prevents build up.
- **Bridge:** The only access to Folly Island is a bridge on and off the Island. In the past a full size lorry was trialled before and quickly switched to a smaller one to best service the area. The new plans take no consideration for the bridge weight limit and also puts it at risk. The bridge has been struck multiple

times before and had to be closed for access. In fact, the new contractor is the one which opted for a smaller truck years ago as a full-size one was 'not possible'. What has changed? Nothing. This is very obviously a cost-motivated decision that has won them back the contract they lost.

- Traffic and Safety: There is also an increased risk of bin lorries causing traffic and safety issues due to the narrow road and on street parking. In other similar areas across the UK, accidents involving bin lorries have risen by an average of 23% following such changes (source: UK Department for Transport's comprehensive road safety report).

Residents of Hertford, it's time we voice our concerns about these proposed changes as it won't just affect Folly Island; they will affect all of us.

This ePetition was started on 4 September 2024 and is still open on the change.org website. As of 7 October 2024, 873 people had signed the petition.

<https://www.change.org/p/help-keep-folly-island-picture-perfect-reject-proposed-refuse-collection-changes>

COUNCIL – 16 October 2024

PUBLIC QUESTIONS

Question 1	Patrick Kane to ask Cllr Ben Crystall, the Leader of the Council
<p>Following EHDC’s purchase of Water Lane Hall in 2019 and its subsequent designation as an Asset of Community Value, the building is falling into a state of serious disrepair. It is our understanding that EHDC is responsible either directly for maintenance (as the building owner) or indirectly (enforcing maintenance actions as the landlord of URC). In particular the toilets are backing up and overflowing because of drainage issues and water is leaking through the roof. Hirers have reported these and other issues to the URC and EHDC, but they have not been addressed and are getting worse. Without this work being done-before the winter the hall will almost certainly become unusable and unsafe, thus failing to remain an Asset of Community Value.</p> <p>Does EHDC intend to conduct essential maintenance on the building before the start of the winter, using the £170k budgeted for this work, or to compel the tenants to do so?</p>	

Agenda Item 8

COUNCIL – 16 OCTOBER 2024

MEMBERS' QUESTIONS

Question 1	Cllr Ian Devonshire to ask Cllr Vicky Glover-Ward, the Executive Member for Planning and Growth
<p>In April 2024, the Five Year land supply Position Statement stated that we had a five year land supply of 5.95 years. However, recently the Planning Inspector has granted permission for 350 houses in Buntingford on appeal. The Inspector disagreed with this Statement and believed that we have much less than 5 years Land supply.</p> <p>This decision now leaves this Authority very vulnerable to further unwanted development, which is a very serious position. How did this Council arrive at this position?</p>	
Question 2	Cllr Graham McAndrew to ask Cllr Ben Crystall, the Leader of the Council
<p>At the Executive meeting on 1st October, I suggested exploring the option of a shared CEO, potentially shared with another authority, given the completion of key projects and streamlined operations. This would provide cost efficiencies and still meet our strategic needs. With the current vacancy, does the Leader agree that we should also review the composition of the Senior Management Team to ensure optimal use of resources?</p>	
Question 3	Cllr David Andrews to ask Cllr Ben Crystall, the Leader of the Council
<p>What can you tell council this evening about how the consultation on Parking is shaping up? Both On-line and at the in-person sessions in each of the towns?</p>	
Question 4	Cllr Tom Deffley to ask Cllr Chris Wilson, Executive Member for Community Engagement
<p>The Council has held various consultations recently on a variety of subjects, which have been held on-line and in person. Does the Executive Member for Community Engagement believe that these consultations have represented good use of resource and value for money?</p>	

Council

Date of Meeting: 16 October 2024

Report by: Councillor Ben Crystall, Leader of the Council

Report title: Executive Report – 3 September 2024

Ward(s) affected: All

Summary

- This report details the recommendations to Council made by the Executive at its meeting on 3 September 2024. There was a meeting of the Executive on 1 October 2024 but there were no recommendations to Council.

1.0 Item considered and recommended to Council

1.1 Since the last Council meeting, the Executive met on 3 September and 1 October 2024. At these meetings the Executive considered and supported a number of recommendations for Council on the following items:

- 1.1.1 Persistent and Unreasonable Behaviour Policy
- 1.1.2 East Herts Local Development Scheme

1.2 This report sets out the recommendation for the above items. The full report, including the Appendix, may be viewed on the council's website.

1.3 This report excludes items also considered by the Executive where those reports are separate agenda items on the Council agenda.

2.0 Persistent and Unreasonable Behaviour Policy

2.1 The Executive was asked to recommend the revised Persistent and Unreasonable behaviour Policy to the Council.

RECOMMENDATION TO COUNCIL:

- (a) That the updated Persistent and Unreasonable Behaviour Policy is adopted.**

3.0 East Herts Local Development Scheme

3.1 The Executive was asked to consider the updated Local Development Scheme which included a timetable for the production of the Council's District Plan Review.

RECOMMENDATION TO COUNCIL:

- (a) That the East Herts Local Development Scheme be agreed to take effect from October 2024; and**
(b) That the Local Development Scheme is published on the council's website.

4.0 Executive Decisions

4.1 Other matters determined by the Executive are detailed in the Minutes of the meeting.

5.0 Background papers, appendices and other relevant material

- 5.1 Executive minutes – 3 September 2024
5.2 Persistent and Unreasonable Behaviour Policy
5.3 East Herts Local Development Scheme

Contact Member

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EAST HERTS COUNCIL

POLICY FOR DEALING WITH UNREASONABLE CUSTOMER BEHAVIOUR

This policy supports front line staff in identifying and dealing with unreasonable behaviour during any form of contact with members of the public. This applies predominantly to officers dealing with general enquiries, accommodating service requests and managing our complaints process.

1. Defining unreasonable customer behaviour:

The following types of behaviour could be considered unreasonable:

- Use of hostile, abusive or offensive language
- Using aggressive or intimidating body language
- An unwarranted fixation on an individual member of staff
- Refusing to specify the grounds of a complaint
- Changing the basis of an existing complaint/request/FOI
- Denying or changing statements made during previous correspondence
- Covertly recording meetings and conversations
- Knowingly providing false information to a member of staff
- Submitting falsified documents (this also applies to documents provided on behalf of others)
- Making excessive demands on the time and resources of Council staff (examples of this include overly lengthy phone calls, groundless or unnecessary visits to Council offices and email spamming)
- Repeatedly contacting the Council about the same issue without allowing the Council ample opportunity to provide a response
- Using multiple contact channels to approaching the Council about the same issue
- Persistently seeking an outcome which the council has already explained is unrealistic for policy, legal or other valid reasons
- Refusing to provide available supporting information or evidence
- Refusing to cooperate with our complaints investigation process (this applies if and when a formal complaint has been submitted)
- Raising numerous, detailed but unimportant questions; insisting they are all answered
- Adopting a 'scatter gun' approach; pursuing parallel complaints on the same issue with a variety of organisations
- Making a vexatious complaint (i.e. without sufficient grounds, but with the intention to create disruption)

2. Managing unreasonable customer behaviour

In cases featuring evidence of unreasonable customer contact, the Council may wish to consider taking appropriate action. This must be proportionate to the nature and frequency of the customer or complainants' behaviour and the individual must be informed of any decision in writing. Any decision to designate a contact as

unreasonable should be recorded in writing, setting out what information has been considered and the reasons for making the decision. This record is important so that the Council can evidence that it has acted in a fair and proportionate way if this later scrutinised (e.g. by the Ombudsman).

If the unreasonable contact adversely affects the Council's ability to do its work or is disproportionately resource intensive and/or adversely affects the Council's ability to provide a service to another customer, one or more of the following may be considered:

- Issuing a warning
 - Warnings may be delivered verbally by Council staff during telephone calls or during face to face visits
 - Warnings may be delivered in writing (such as within email responses or by letter)
 - Warnings may be documented by Council staff and colleagues across front line services should be made aware of these promptly
- Terminating contact
 - Council staff may terminate the telephone call if the caller continues to behave unreasonably, after receiving a warning
 - Visitors to Council offices may be asked to leave the premises if they continue to behave unreasonably, after receiving a warning
 - Emails or web forms received which contain evidence of unreasonable behaviour may be ignored by Council staff
- Restricting future contact
 - Before applying any restrictions, Council staff must ensure via the relevant manager that we have made every effort to satisfy the issue and that these have been dealt with correctly, in accordance with the relevant process and/or statutory guidelines
 - Restrictions may include; refusing to accommodate future contact about the same issue, limiting the customer to specific contact windows or methods, limiting any future contact to a single named member of staff or restricting access to Council offices
 - Any restrictions should be subject to a reasonable, specified period of time, after which they will be reviewed
 - Contact in relation to new enquiries or requests may still be permitted and will be treated on their merits (this is particularly relevant in cases where the complaints process has been exhausted and persistent contact is still being made by the complainant about the same issue)
- Contacting the Police
 - This will generally apply only in the most extreme cases, or where staff safety and welfare appears under threat
 - A customer or complainant perceived to be dangerous may be added to the Cautionary Persons Database

3. Considerations

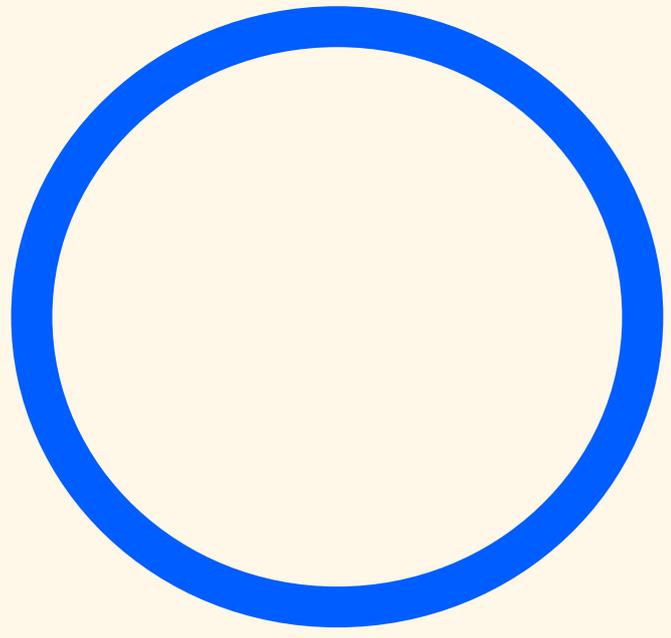
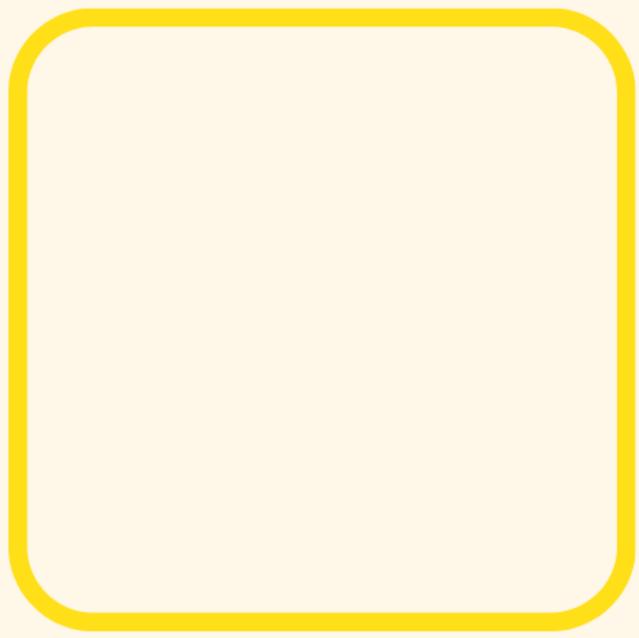
The member of staff has been in contact with the customer or complainant is best placed to judge at what point behaviour becomes unreasonable. They will consult with the relevant Service Manager or Head of Service before a response is agreed. In doing so both the member of staff and responsible Manager will be mindful of:

- The personal circumstances of the individual and whether any reasonable adjustments should be considered or whether any organisations/support agencies (e.g. Citizens Advice Bureau, MIND, advocacy service) can provide advice and assistance to the customer or complainant in accessing services/pursuing their complaint in a reasonable manner
- Whether the individual faces challenges communicating due to a disability or support need. In cases where this applies, the Council should make adjustments where necessary. However, if adjustments are made and the customer or complainant continues to behave unreasonably, they may be managed in accordance with this policy

4. Reviewing unreasonable customer behaviour

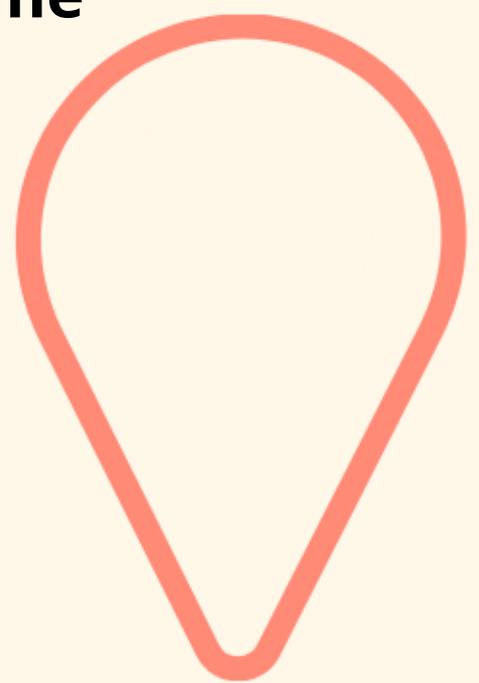
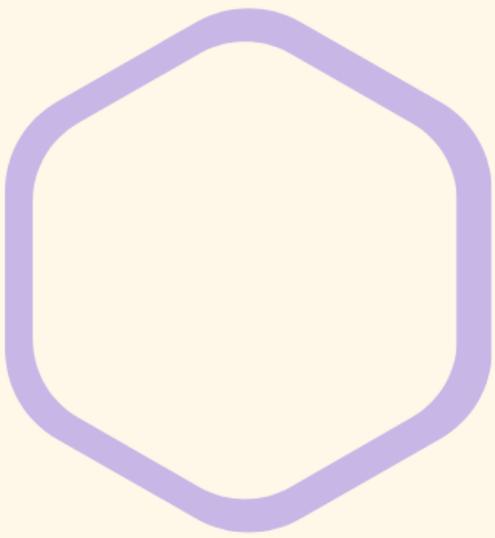
The status of any customer or complainant judged to have behaved unreasonably should be reviewed by the relevant Service Manager and/or Head of Service shortly before the expiry of any specified restriction period. Generally, the customer or complainant should be informed of the outcome of this review in writing (provided the Council holds up to date contact details for that individual). The relevant Service Manager and/or Head of Service is responsible for keeping any records of previous cases.

The Policy for Dealing with Persistent and Unreasonable Contact should be reviewed annually. This is owned by the Customer Services team, with input from all front line services.



East Herts LDS 2024

Local Development Scheme



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1.0 Introduction

1.1 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) requires local planning authorities to prepare, maintain, and make available to the public, a Local Development Scheme¹.

1.2 A Local Development Scheme (LDS) sets out the timetable for the production of the Council's development plan documents. It enables those with an interest in the plan-making process to understand which documents are to be prepared for the district and at what stages they will be able to participate.

1.3 A Local Development Scheme must specify:

- The development plan documents (i.e., local plans) which, when prepared, will comprise part of the development plan for the area.
- The subject matter and geographical area to which each development plan document is to relate.
- Which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities.
- The timetable for the preparation and revision of the development plan documents.

¹ [Planning and Compulsory Purchase Act 2004 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

1.4 Local planning authorities are also encouraged to include details of other documents which form (or will form) part of the development plan for the area, such as Neighbourhood Plans².

1.5 So that it is kept up to date, a local planning authority must revise its LDS at a time it considers appropriate, (or as otherwise directed to do so by the Secretary of State).

1.6 The LDS should be published on the Council's website.

1.7 The Council's previous LDS was agreed in July 2020. The previous LDS is replaced by this new LDS, which sets out the proposed timetable for the East Herts District Plan Review.

1.8 Section 19 of the Planning and Compulsory Purchase Act 2004 (as amended) requires development plan documents to be prepared in accordance with the LDS. As such, progress made against the LDS will be monitored, and a report, known as the Authority Monitoring Report (AMR), will be published annually.

2.0 The Existing Development Plan

2.1 The Development Plan is defined in Section 38(3)(b) and (c) of the P&CP 2004 Act³ as, "*the development plan documents (taken as a whole) that have been adopted or approved in relation to that area*",

² <https://www.gov.uk/guidance/plan-making> - Paragraph: 003 Reference ID: 61-003-20190315

³ [Planning and Compulsory Purchase Act 2004 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2004/24/section/19)

and *“the neighbourhood development plans which have been made in relation to that area.”*

2.2 The Development Plan for an area includes the combination of strategic and non-strategic policies which are in force at a particular time. The Development Plan for East Herts currently comprises:

- The East Herts District Plan (2018)
- The Hertfordshire Waste Site Allocations Development Plan Document (2014)
- The Hertfordshire Waste Core Strategy and Development Management Policies Development Plan Document (2012)
- The Hertfordshire Minerals Local Plan (2007)
- Various Neighbourhood Plans (listed below in paragraph 2.6)

The East Herts District Plan (2018 – 2033)

2.3 The East Herts District Plan sets out the Council’s strategy for delivering growth in East Herts over the plan period up to 2033. It describes the Council’s spatial vision for the district and includes a framework for addressing housing and other economic, social, and environmental priorities.

2.4 The District Plan can be accessed [here](#) and the Policies Map can be accessed [here](#).

Minerals and Waste Local Plans

2.5 Hertfordshire County Council as the Waste and Minerals Planning Authority is preparing a new Waste and Minerals Plan. A draft plan was published for consultation in 2022. The County Council is responsible for preparing, maintaining, and publishing an LDS for the Waste and Minerals Local Plan⁴.

Neighbourhood Development Plans

- 2.6 East Herts currently has 15 adopted Neighbourhood Plans:
- Silverleys and Meads 1st Revision (July 2022)
 - All Saints, Central, South and Part of Thorley 1st Revision (July 2022)
 - Braughing (September 2018)
 - Buntingford Community Area (May 2017)
 - Gilston Area (July 2021)
 - Hertford - Bengo Ward (July 2021)
 - Hertford - Kingsmead Ward (July 2023)
 - Hertford – Sele Ward (July 2021)
 - Hunsdon (November 2022)
 - Much Hadham (November 2022)
 - Standon (September 2019)
 - Thundridge (July 2021)

⁴ [Emerging Minerals and Waste Local Plan | Hertfordshire County Council](#)

- Walkern First Revision (July 2024)
- Ware (December 2023)
- Watton-at-Stone (December 2023)

2.7 Neighbourhood Planning activity in East Herts, including the adopted plans, can be viewed [here](#).

3.0 The East Herts District Plan Review

3.1 Local Planning Authorities are required to complete a review of their local plans at least once every 5-years from the adoption date of a plan. This is to ensure that policies remain relevant, taking into account matters such as changes to local circumstances, conformity with national planning policy, significant economic changes that may impact on viability, whether issues have arisen which impact on the deliverability of key site allocations, and whether any new social, environmental or economic priorities may have arisen.

3.2 In October 2023, the Council agreed that the District Plan needs updating, and a full review of the Plan will be undertaken. The decision can be viewed [here](#).

4.0 Plan-making Reforms

4.1 [The Levelling-Up and Regeneration Act 2023](#) (LURA 2023) paves the way for reforms to the plan-making system.

4.2 Under the new Labour government (elected in July 2024), it is currently anticipated that the new plan-making system will be implemented from summer or autumn 2025⁵.

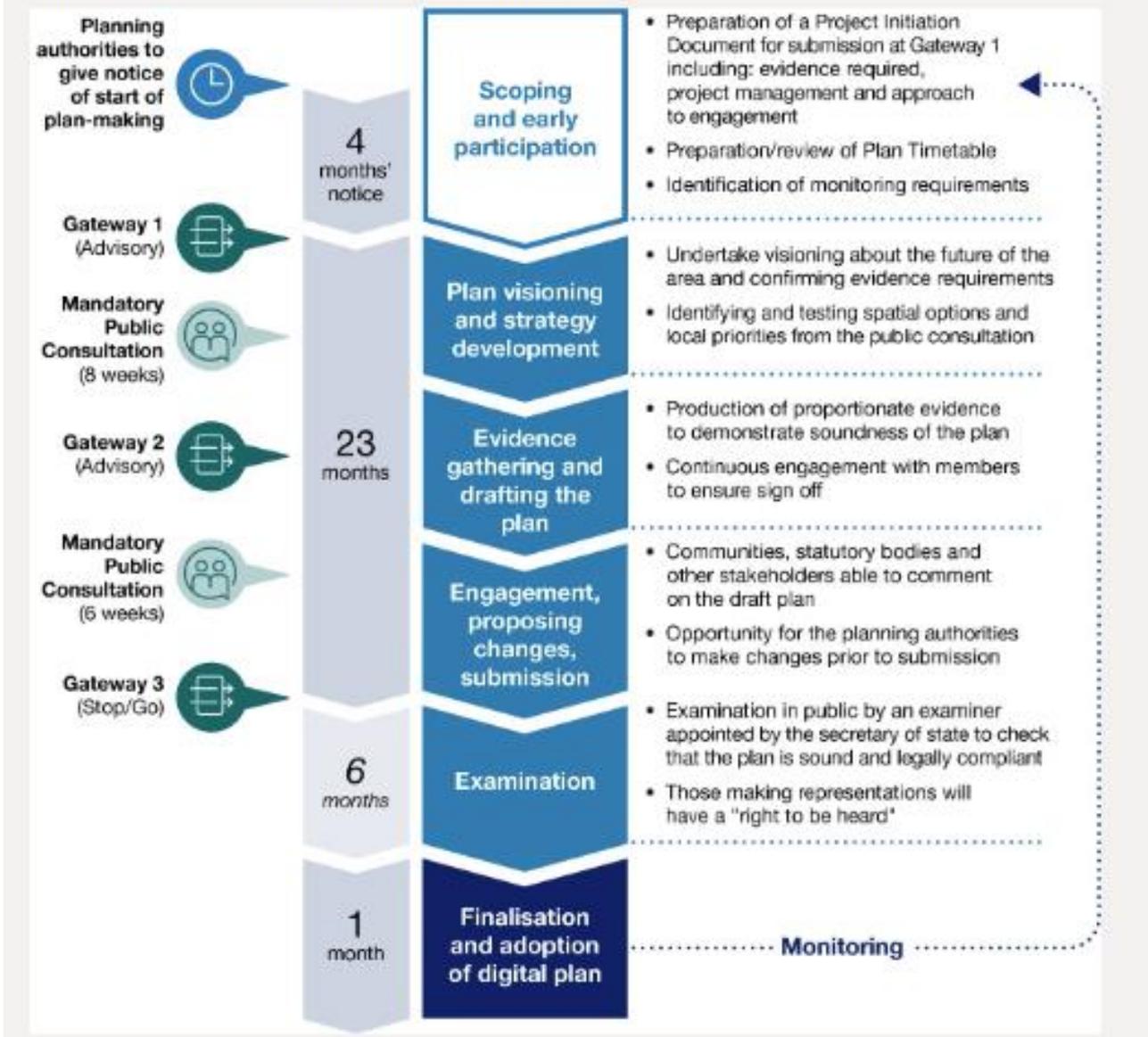
4.3 Authorities should prepare plans over an accelerated 30-month timeframe based on the following key stages and activities:

- Scoping and early participation stage
- Plan visioning and strategy development
- Evidence gathering and drafting the plan
- Engagement, proposing changes and submission of the plan
- Examination
- Adoption

4.4 These stages are shown in Figure 1 below.

⁵ [Proposed reforms to the National Planning Policy Framework and other changes to the planning system - GOV.UK \(www.gov.uk\)](#)

Figure 1: The new 30 month plan timeframe



4.5 Secondary legislation is still necessary to implement these plan-making reforms. The Council will be able to formally commence the District Plan Review process once the secondary legislation is published.

5.0 Timetable for the East Herts District Plan Review

5.1 Table 1 sets out the key plan-making stages and timetable for the East Herts District Plan Review. The key milestones take account of the government's prospective plan-making reforms; as such the timetable set out below is indicative and may be subject to change.

5.2 The Council will consider any changes made to the statutory framework that affects its plan-making timetable and make the necessary changes at the appropriate time.

Table 1: Indicative District Plan Review Timetable

Title	The East Herts District Plan Review	
Subject matter	The District Plan will set out a vision for the district and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure, as well as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places.	
Geographical area	The administrative area of East Herts District Council.	
Plan-making stage	(Indicative) Activity	(Indicative) Timetable
Informal plan-making	Updating evidence base, and other preparatory work including a Call for Sites.	August 2024 – August 2025
Give Notice	The planning authority gives four months' notice of the start of plan-making.	September 2025

Scoping and early participation	Prepare Project Initiation Document (the evidence required, project management and approach to engagement) for submission at Gateway 1. Prepare/review plan timetable. Identify monitoring requirements. Invite early participation on matters that might shape the direction of the plan.	September – December 2025
Gateway 1 – plan making support (advisory)	Takes place at the start of the 30-month process, following scoping stage. Ensures the plan sets off in the right direction. Support for early diagnosis of potential issues (legal and procedural requirements, and soundness).	January 2026 (4 weeks, up to 6 by exception)
Start of 30-month plan-making	Visioning, confirm evidence requirements, strategy development.	January 2026
Plan-production	Proportionate evidence gathering and drafting the plan.	Ongoing
Mandatory Public Consultation (1)	Build on outputs from the early participation at the scoping phase, e.g. vision for the area, identify and test spatial options and local priorities.	Summer 2026 (8 weeks)
Gateway 2 (advisory)	Part-way through plan preparation, between the two mandatory consultation windows. Early resolution of potential soundness issues, where possible. Ensures legal and procedural compliance. Monitors/tracks progress.	Winter 2026/ 2027 (4 weeks, up to 6 by exception)
Mandatory Public Consultation (2)	The planning authority seeks views on the draft plan, which the planning authority intends to submit for examination.	Summer 2027 (6 weeks)

Prior to submission	The planning authority has an opportunity to make changes prior to submission.	Autumn 2027
Gateway 3 (Stop/Go)	Takes place at the end of the plan-preparation process following the second mandatory consultation, at the point the authority intends to submit the plan for examination. Checks that the plan is ready to proceed to examination, ensure legal and procedural compliance, monitor and track progress.	September/October 2027 (4 weeks, up to 6 by exception)
Submit	The planning authority submits the plan for examination.	November 2027
Examination	An examination in public by an independent Inspector. Those making representations will have a “right to be heard”.	December 2027 – May 2028
Finalise and adoption	The District Plan is finalised, and the LPA adopts the digital District Plan.	June 2028

6.0 Next Steps

6.1 The Council will commence formal work on the District Plan Review once the secondary legislation to implement the plan-making reforms has been published.

6.2 In the meantime, the Council will continue to focus on updating the evidence base and other preparatory work needed to support the District Plan Review, including a Call for Sites⁶. This will enable

⁶ [Call for Sites | East Herts District Council](#)

work on updating the District Plan to progress quickly when the new plan-making system formally commences.

6.3 The best way to stay informed about progress on the preparation of the East Herts District Plan Review and associated documents is to sign up to our mailing list. You can do this via the Council's [website](#) or by emailing planningpolicy@eastherts.gov.uk.

East Herts Council Report

Council

Date of meeting: Wednesday 16 October 2024

Report by: Councillor Ben Crystall – Leader of the Council

Report title: Appointment of Interim Chief Executive and Returning Officer

Ward(s) affected: (All Wards);

Summary – Following the departure of the previous Chief Executive, the Chief Officer's Recruitment Committee met on 19th September 2024 to appoint Helen Standen to the role of Interim Chief Executive and Returning Officer for a period of up to 18 months.

RECOMMENDATIONS FOR Council:

- a) That Council ratify the appointment of Helen Standen to the role of Interim Chief Executive and Head of Paid Service for a period of up to 18 months.
- b) That Council appoint Helen Standen as the Electoral Registration Officer and Returning Officer for up to 18 months.

1.0 Proposal(s)

- 1.1 In accordance with Section 4(1) of the Local Government and Housing Act 1989, and part 10.9.1 of the Council's constitution, the Interim Chief Executive is also designated Head of Paid Service.
- 1.2 Pursuant to part 3.3.1(p) of the Council's Constitution, Council must appoint the Electoral Registration Officer and Returning Officer to act in connection with electoral matters such as Parliamentary, District, County, Police Commissioner elections, and referenda.

2.0 Background

- 2.1 The previous Chief Executive left the Council on 15th September 2024.

- 2.2 Part 11.1(f) of the Council's Constitution sets out that the Chief Executive and the Deputy Chief Executive are to be appointed by the Chief Officer Recruitment Committee, with the Chief Executive appointment to be ratified by Council.
- 2.3 Senior officers usually have a notice period of between 3 and 6 months, meaning that a full recruitment process and eventual appointment can have a long lead in time before the new appointment is in place. An interim appointment allows the Council to run a full recruitment process whilst the interim appointment is in place.
- 2.4 The Chief Officer Recruitment Committee therefore met on 19th September 2024 to consider an interim appointment to the role of Chief Executive, and unanimously agreed on appointing the then Deputy Chief Executive, Helen Standen to the role with immediate effect.

3.0 Reason(s)

- 3.1 Helen Standen had been the Deputy Chief Executive at East Herts Council since July 2018 having previously been a Director at the council since 2016. She had deputised for the previous Chief Executive on numerous occasions and has built a reputation for being open and honest and developing good working relationships. She is highly regarded locally and regionally, often representing the Chief Executive, and is well regarded by councillors and staff alike.
- 3.2 The previous Chief Executive undertook the statutory functions of Head of Paid Service, the Returning Officer, and the Electoral Registration Officer. The posts are statutory positions with specific functions to which the Council must appoint Officers to fulfil as well as the post of Interim Chief Executive.
- 3.4 By law, an appointment of Chief Executive and chief officers or deputy chief officer can only be made where there is no "well-founded objection" from a member of the Executive. In accordance with the Schedule 1, Part 2 of the Local Authorities' (Standing Orders) (England) Regulations 2001 the name of the person to be offered the appointment was sent to all Executive Members asking for any well-founded objections to the appointment to be submitted by Tuesday 8th October 2024. No such objections were received.

4.0 Options

- 4.1 To ratify the appointment of Helen Standen as Interim Chief Executive for up to 18 months, and to also appoint Helen Standen as Returning Officer and

Electoral Registration Officer for the same period. This option is RECOMMENDED as all statutory steps have been followed meaning that there is no good reason for Council not to ratify the appointment.

5.0 Risks

- 5.1 Leaving the role of Chief Executive vacant for a prolonged period would present significant risks to the Council in terms of delivery and successful implementation of the Transformation programme.

6.0 Implications/Consultations

- 6.1 As set out at paragraph 3.4 above, all members of the Executive have been consulted in line with the requirements of the Local Authorities' (Standing Orders) (England) Regulations 2001.

Community Safety

None

Data Protection

None

Equalities

There were no equalities concerns identified in the appointment of then Deputy Chief Executive to the role of Interim Chief Executive.

The eventual full recruitment process will adhere to all relevant equalities and diversity requirements.

Environmental Sustainability

None

Financial

The post of Chief Executive is a fully funded position within the current establishment and as such the cost of this appointment can be met from within existing resources. There are no capital implications arising as a direct result of this proposal.

Health and Safety

There are no health and safety implications associated with this appointment.

Human Resources

The appointment has followed the process set out in the Council's Constitution.

The eventual full recruitment process for the appointment of Chief Executive will be undertaken by the Human Resources team and, latterly, the Chief Officer Recruitment Committee.

Human Rights

There were no Human Rights implications identified in this process.

Legal

In accordance with Section 7 of the Local Government and Housing Act 1989 when appointing a person to a paid office or employment within the Council the appointment shall be on merit. The requirements of the Council's Pay Policy, appointments procedures alongside statutory employment procedures were met.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 None

Contact Member

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Agenda Item 11

East Herts Council Report

Council

Date of meeting: Wednesday 16 October 2024

Report by: Councillor Ben Crystall – Leader of the Council

Report title: Community Governance Review - Terms of Reference and Timetable

Ward(s) affected: (All Wards);

Summary – Following the setting up of the Community Governance Review Working Group at the Council meeting on 24 July 2024, the group met on 2 October 2024 to discuss the informal submissions from town and parish councils about their inclusion in the Community Governance Review. This report presents the terms of reference for the review and the timetable for the review.

RECOMMENDATIONS FOR COUNCIL:

- a) That the Terms of Reference for the Community Governance Review at Appendix A be agreed, signifying the formal start of the Review and commencement of the first stage consultation.**

1.0 Proposal(s)

1.1 To agree the terms of reference and the timetable for the Community Governance Review.

2.0 Background

2.1 The Local Government and Public Involvement in Health Act 2007 ('the 2007 Act') empowers a principal council such as East Herts District Council to review and make changes to community governance within its area. The term 'community governance' in this context relates to town and parish councils.

- 2.2 Changes to community governance arrangements must be made in accordance with the recommendations of a Community Governance Review (CGR) undertaken by the Council. A CGR is a review of the whole or part of the district with a view to making recommendations on one or more of the following:
- Creating, merging or abolishing parishes;
 - Boundary alterations between existing parishes;
 - The naming of parishes and the style of new parishes;
 - The establishment of parish councils;
 - The electoral arrangements for parish councils (the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding), and/or
 - Grouping parishes under a common parish council or de-grouping parishes.
- 2.3 In undertaking a CGR, a principal council must undertake certain actions set out in the 2007 Act and must follow guidance issued by the Secretary of State and the Local Government Boundary Commission for England (LGBCE).
- 2.4 The Council may undertake a CGR at any time either in response to a specific issue such as a change in population resulting from new housing development or as part of a periodic programme of reviews (the guidance states that principal councils should consider undertaking a CGR every 10-15 years). Subject to certain qualifications a principal council must carry out a CGR if it receives a valid community governance petition or formal 'application' under the terms of the 2007 Act.
- 2.5 The Community Governance Review Working Group was established at the Council meeting on 24 July 2024. The group met on 2 October 2024 with the Deputy Elections Manager to discuss the informal responses from town and parish councils about their desire to be part of a CGR. The responses received from town and parish councils are shown at Appendix B.

- 2.6 The group decided that all the suggestions from the town and parish councils at Appendix B should be taken forward for consultation. In addition to this, the group also proposed that warding arrangements be consulted on for Sawbridgeworth and Buntingford Town Councils. Although Sawbridgeworth Town Council stated that they felt the current structure should remain in place, the working group felt it would be amiss of the CGR not to explore if a warding arrangement would be more practical and convenient for electors. The working group felt it would also make sense to apply the same test to Buntingford Town Council.
- 2.7 The terms of reference for the CGR can be found at Appendix A and a timetable for the review is also included in the terms of reference. Members are invited to consider and agree these Terms of Reference. Once approved, the Terms of Reference shall be published, signifying the formal start of the CGR, and a public consultation shall commence.
- 2.8 The broad stages of a CGR are:
- 1) Publication of Terms of Reference, signifying the start of the review.
 - 2) Public consultation, inviting submissions of how parish electoral arrangements could be amended.
 - 3) Analysis of responses, and development of Draft Recommendations (based on the consultation responses and Officer-led considerations of local issues and the statutory criteria) by the Community Governance Review working group, and subsequent agreement by Council.
 - 4) Public consultation of the Draft Recommendations.
 - 5) Analysis of responses, and development of Final Recommendations by the Community Governance Review working group.
 - 6) Consideration of Final Recommendations by Council.
 - 7) Laying of Community Governance Order based on Council decisions.

8) Changes to parish electoral arrangements take effect at the next elections in May 2027.

2.9 When undertaking a CGR, the authority is required to consult with residents and interested parties. The initial consultation invites comments and suggestions to support the CGR, with no prior recommendations or options offered for comment. Details of the CGR and a link to the online consultation form will be sent to residents via the council’s Network newsletter, parish councils, district councillors, all relevant county councillors, and the relevant Members of Parliament. The CGR will also be publicised on the council’s website and social media pages.

2.10 The timetable for the review is proposed as follows:

Timetable for Community Governance Review	
Stage of process	Proposed dates
Publication of terms of reference	16 October 2024
Initial submissions	
Initial submissions invited/ publicity campaign	28 October to 6 January 2025
Deadline for initial submissions	6 January 2025
Consideration of submissions/ preparation of draft recommendations	January/February 2025 (report to Council meeting 26 February 2025)
Consultation on draft recommendations	
Publication of draft recommendations	3 March 2025
Consultation on draft recommendations/publicity campaign	3 March to 12 May 2025
Deadline for consultation responses	12 May 2025

Consideration of responses/ preparation of final recommendations	May/June 2025 (report to Council meeting July 2025)
Decisions & implementation	
Publication of final recommendations	July 2025
Council meeting to make any Reorganisation Order	July 2025
Effective date for any revised electoral arrangements	6 May 2027 (next ordinary town/parish council elections)

3.0 Reason(s)

3.1 Best practice dictates that a principal council should consider conducting a review every 10-15 years.

3.2 The proposed community governance reviews will ensure that parish/town boundaries and wards are reviewed with a view to putting in place governance arrangements at parish/town level that are effective and convenient and reflect community interest and identities.

4.0 Options

4.1 The option exists for the Council to decide not to proceed with the community governance review outlined in the report.

4.2 However, this option is not recommended as a community governance review represents an opportunity to put in place parish/town governance arrangements that reflect community interests and identities and promote efficient and convenient local government and to address any anomalous boundaries. Furthermore, the LGBCE has suggested that the Council should consider taking areas in Ware and Rush Green forward and the list of responses at Appendix B suggest there is a need to undertake reviews in certain areas of the district.

5.0 Risks

- 5.1 Failure to undertake the community governance reviews proposed would carry a risk that community governance arrangements going forward do not fully reflect community interests and identities or promote efficient and convenient local government.
- 5.2 In addition, the 2007 Act provides for local electors to petition for a review, which the Council would have to complete within 12 months of receipt of a valid petition under the Act.
- 5.3 It will be necessary for adequate staff resources within the Electoral Services team or elsewhere in the authority to be allocated to ensure that the reviews can be completed within the timetable required.

6.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

Yes – The proposed community governance reviews will include consultation with local electors and other interested parties including organisations working with and on behalf of under-represented groups. The guidance issued by the Secretary of State and LGBCE states that 'community cohesion is about local communities where people should feel they have a stake in the society, and in the local area where they live by having the opportunity to influence decisions affecting their lives. This may include what type of community governance arrangements they want in their local area. The 2007 Act requires principal councils to have regard to the need to secure that community governance reflects the identity and interests of local communities; the impact on community cohesion is linked strongly to it'.

Environmental Sustainability

No

Financial

Yes – Undertaking the proposed community governance reviews will give rise to costs, in particular relating to staff resources to manage and report on the reviews and the preparation and production of publicity/consultation materials. These costs will be met from within the existing budgets and staffing resources of the relevant council services.

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

Yes – The relevant legal provisions, powers and duties of the Council in relation to the each matter covered by this report are set out in the main body of the report.

Specific Wards

The Community Governance Review will cover all wards in the district.

7.0 Background papers, appendices and other relevant material

7.1 Government guidance on CGRs

[Guidance on community governance reviews \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

7.2 Council report 26 July 2023

[Agenda for Council on Wednesday 26th July, 2023, 7.00 pm - East Herts District Council](#)

7.3 Council report 24 July 2024

[Agenda for Council on Wednesday 24th July, 2024, 7.00 pm - East Herts District Council](#)

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EAST HERTFORDSHIRE DISTRICT COUNCIL

COMMUNITY GOVERNANCE REVIEW

TERMS OF REFERENCE

1. INTRODUCTION

- 1.1 East Hertfordshire District Council ('the Council') has resolved to undertake a Community Governance Review ('the review') in accordance with Part 4 of the Local Government and Public Involvement in Health Act 2007 ('the 2007 Act'), the relevant parts of the Local Government Act 1972 and associated regulations.
- 1.2 The Council is required to have regard to the guidance on Community Governance Reviews published by the government. These terms of reference set out the aims of the review, the matters on which it will focus and policies that the Council considers relevant to the review. The terms of reference will be published on the Council's website and will be made available at the District Council offices and at other venues within the area under review.

Reasons for the review

- 1.5 The Council is undertaking the review at this time in response to suggestions from the Local Government Boundary Commission for England (LGBCE).
- 1.6 The Council has also received a request from Ware Town Council.
- 1.7 Following these suggestions and requests, the Council wrote to all town and parish councils to ask if they would like to be included in the review.
- 1.8 Government guidance states that it is good practice to conduct a full Community Governance Review at least every 10 to 15 years. The Council therefore wishes to review the suggestions from the LGBCE, Ware Town Council and take the opportunity to consult all town and parish councils in East Hertfordshire to ensure that the electoral arrangements of the parishes are appropriate, equitable and understood by the electorate.

Community Governance Reviews

- 1.9 A Community Governance Review is a review of the whole or part of the district to consider one or more of the following:
- Creating, merging, altering or abolishing parishes;
 - The naming of parishes and the style of new parishes;
 - The electoral arrangements for parishes (the ordinary year of election; council size; the number of councillors to be elected to the council, and parish warding), and/or

- Grouping parishes under a common parish council or de-grouping parishes.

The aims of the review

- 1.10 In accordance with the 2007 Act the Council will have regard to the need to secure community governance within the area under review which:-
- Is reflective of the identities and interests of the community in that area;
 - Provides for effective and convenient local government; and
 - Takes into account any other arrangements for the purposes of community representation or community engagement in the area.
- 1.11 When considering the above criteria, Government guidance states that the Council should take into account:-
- The impact of community governance arrangements on community cohesion; and
 - The size, population and boundaries of a local community or parish.
- 1.12 The guidance emphasises that ‘the recommendations made in a community governance review ought to bring about improved community engagement, better local democracy and result in more effective and convenient delivery of local services’.

Areas under review

- 1.12 The whole of the East Hertfordshire District Council area will be included in the Community Governance Review. However, a number of parish councils have expressed an interest during the informal consultation to be included in the review. These town and parish councils are as follows:
- Aston Parish Council
 - Bishop’s Stortford Town Council
 - Buntingford Town Council
 - Great Amwell Parish Council
 - Hertford Town Council
 - Hertingfordbury Parish Council
 - Stanstead Abbots Parish Council
 - Thorley Parish Council

The Review will not automatically mean there will be changes but it will examine whether there is a case for change.

- 1.13 The Council had previously received representations from Ware Town Council to consider reviewing the boundary between Ware, Wareside and Thundridge parish councils. There is also an officer suggestion to un-ward Tewin Parish Council and that there may be a benefit to warding Sawbridgeworth Town Council.

- 1.14 The review will consider the bigger-picture across the entire District to ensure that small changes in one area, do not impact others disproportionately. By taking a wider view of the bigger picture, it is hoped that any proposals ensure effective representation at Town and Parish levels across the entire District.

Who will undertake the review?

- 1.15 As the principal authority, East Hertfordshire District Council is responsible for undertaking CGRs within its area. Full Council has established a Community Governance Review working group to consider the responses from the consultation and propose draft and final recommendations to Council.

- 1.16 The primary contacts for the review are:

- The Interim Chief Executive
- The Head of Legal and Democratic Services
- The Democratic and Electoral Services Manager
- The Deputy Elections Manager

2. CONSULTATION

- 2.1 In coming to its recommendations in the review, the Council will take account of the views of local people and stakeholders. Legislation requires the Council to consult the local government electors for the area under review and any other person or body who appears to have an interest in the review, and to take the representations that are received into account by judging them against the criteria in the 2007 Act.

- 2.2 The Council wishes to promote community engagement and transparency in decision-making. In relation to the review the Council will:

- Publish these terms of reference and accept submissions by post or via e-mail or the Council's website;
- Publicise the review by providing information to the relevant town and parish councils and by other printed and electronic means;
- Consult residents, local organisations and elected representatives in the areas under review.
- Make key documents available at the District Council offices and at other venues in the parishes affected;
- Consider all submissions received; and
- Publicise the outcome of the review.

- 2.3 The Council will notify Hertfordshire County Council that a review is to be undertaken; the County Council is a formal consultee of this process.

- 2.4 The Council will consider each case on its merits and on the basis of the information and evidence provided during the course of the review. The Council is mindful that proposals which are intended to reflect community

identity and local linkages should be justified in terms of sound and demonstrable evidence of those identities and linkages.

3. THE TIMETABLE FOR THE REVIEW

3.1 Publication of these terms of reference formally begins the review.

Timetable for Community Governance Review	
Stage of process	Proposed dates
Publication of terms of reference	16 October 2024
Initial submissions	
Initial submissions invited/ publicity campaign	28 October to 6 January 2025
Deadline for initial submissions	6 January 2025
Consideration of submissions/ preparation of draft recommendations	January/February 2025 (report to Council meeting 26 February 2025)
Consultation on draft recommendations	
Publication of draft recommendations	3 March 2025
Consultation on draft recommendations/publicity campaign	3 March to 12 May 2025
Deadline for consultation responses	12 May 2025
Consideration of responses/ preparation of final recommendations	May/June 2025 (report to Council meeting July 2025)
Decisions & implementation	
Publication of final recommendations	July 2025
Council meeting to make any Reorganisation Order	July 2025
Effective date for any revised electoral arrangements	6 May 2027 (next ordinary town/parish council elections)

4. ISSUES FOR CONSIDERATION IN THE REVIEW

- 4.1 The review will consider current and projected patterns of population, development, community identify and linkages in the area under review; and whether these give rise to the need for any changes to town/parish boundaries and/or electoral arrangements.
- 4.2 In reviewing the community governance arrangements of any town/parish in its area, the Council is required to consider the number of local government electors in the area under review, and any change in that number or the distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts.
- 4.3 Electorate forecasts for September 2028, taking into account information on developments underway or planned based on planning permissions granted

and the draft District Plan will be published to inform the consultation process during the review and provided to the town and parish councils concerned.

- 4.4 As part of the consultation process the Council will also make available information on the Council Tax precept (Band D equivalent) currently applicable in each of the parishes under review.

5. POLICIES THAT WILL GUIDE THE REVIEW

Parishes

- 5.1 The Council considers that towns/parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity and that electors should be able to identify clearly with the town/parish in which they are resident. The feeling of local community and the wishes of local inhabitants are therefore important considerations in the review.
- 5.2 The Council will give careful consideration both to traditional community identities and historic town/parish arrangements; and to any changes that have happened over time, for example population movements or new development, that may have led to a different community identity in an area.
- 5.3 The Council wishes to ensure that towns/parishes should be viable as an administrative unit and should possess a precept that enables them effectively to promote the well-being of their residents and contribute to the provision of services in their areas.

Boundaries

- 5.4 The Council considers that the boundaries between towns/parishes will normally reflect the distinct community identities of the respective areas. Boundaries will often follow areas of low population between settlements or pronounced physical barriers (either natural or built) such as watercourses, marshland or moorland; parks, canals, railways or major roads.
- 5.5 The Council considers that 'natural' settlements or settlements as they are defined in the District Plan should not in normal circumstances be partitioned by town/parish boundaries.
- 5.6 Should a reorganisation of town/parish boundaries occur as a result of the review, the Council will aim to select boundaries that are and are likely to remain easily identifiable.

6. ELECTORAL ARRANGEMENTS

Electoral cycle

- 6.1 Any changes to town/parish electoral arrangements will come into effect at the next scheduled ordinary town/parish elections. Town/parish elections will next take place in East Hertfordshire in May 2027 and every four years thereafter.

The number of parish councillors

- 6.2 Legislation provides that the number of councillors for each town/parish council shall not be fewer than five. There is no maximum number. Government guidance is that 'each area should be considered on its own merits, having regard to its population, geography and the pattern of communities.
- 6.3 When considering the number of councillors to be elected for a town/parish the Council will, as required by the 2007 Act, have regard to the number of local government electors for the town/parish; and any change in that number which is likely to occur in the next five years. The Council will also have regard to existing levels of representation, the broad pattern of existing council sizes which have stood the test of time and the take-up of seats at elections in its consideration of this matter.

Town/parish warding

- 6.4 The Council may also consider whether a town/parish should be, or should continue to be, divided into wards for the purposes of elections to the town/parish council and the number and boundaries of town/parish wards, taking account of population distribution and community identity and interests in the area.
- 6.5 Where a town/parish is warded and continues to be so, the Council will give consideration to the number of councillors to be elected from each ward and the number of electors they represent. The Council notes that the Local Government Boundary Commission for England (LGBCE) believes it is not in the interests of effective and convenient local government, either for voters or councillors, to have significant differences in levels of representation.

7. REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT

- 7.1 The review will be completed when the Council agrees its final recommendations. At the conclusion of the review the Council may make a Reorganisation of Community Governance Order. Copies of this order, the map(s) that show the effects of the order in detail, and the document(s) which set out the reasons for the Council's decisions (including where it has decided to make no change following a review) will be deposited at the Council's offices and copies provided to the clerk of each town or parish council affected. The information will also be published on the Council's website.
- 7.2 In accordance with Government guidance the Council will issue maps to illustrate each recommendation at a scale not smaller than 1:10,000. These maps will be deposited with the Secretary of State and prints will also be supplied in accordance with regulations to Ordnance Survey, the Registrar General, the Land Registry, the Valuation Office Agency, the Boundary

Commission for England, the Local Government Boundary Commission for England and Hertfordshire County Council.

- 7.3 The provisions of any Order will take effect for financial and administrative purposes on 1 April of the year specified in the Order. Any revised electoral arrangements for a new or existing parish council will come into effect at the next ordinary parish council elections.

8. CONSEQUENTIAL MATTERS

- 8.1 A Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the order. These may include the transfer and management or custody of property, the setting of precepts for new parishes, provision with respect to the transfer of any functions, property, rights and liabilities and/or provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.
- 8.2 In these matters, the Council will be guided by the relevant regulations issued under the 2007 Act. In particular, the Council notes that the regulations regarding the transfer of property, rights and liabilities require that any apportionments shall use the population of the area as estimated by the proper officer of the Council as an appropriate portion.
- 8.3 In the event that the review results in proposals to alter the electoral arrangements for a parish whose existing electoral arrangements were put in place within the previous five years by an order made either by the Secretary of State, the Electoral Commission or the LGBCE, the consent of the LGBCE will be required.

Principal area boundaries

- 8.4 Any changes made to parish boundaries as a result of this review will not automatically change the corresponding district ward or county division boundaries. In the event of a Reorganisation Order making such a change the Council may recommend to the LGBCE that the district and county boundaries are realigned along the revised parish boundary and it would be for the LGBCE to decide if related alterations should be made.
- 8.5 The LGBCE would require evidence that the Council has consulted on the recommendations as part of the review. The Council will therefore seek to include any such draft recommendations for consultation at the earliest possible opportunity should they appear desirable.
- 8.6 Where such consequential matters affect Hertfordshire County Council, the Council will also seek the views of that council with regard to alterations to electoral division boundaries in accordance with Government guidance.

Date of publication of these terms of reference: (to insert)

How to contact us

Enquiries regarding the review process and/or comments on the matters set out in these terms of reference should be directed to:

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Hertford,
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Telephone: 01279 655261

DRAFT

DRAFT

Community Governance Review (CRG) 2024 Initial Discussion Paper

1. Background

- 1.1. On 16 November 2022 the Council received a report on the outcome and implementation of the LGBCE's Electoral Review of East Herts. This review resulted in changes to ward boundaries and names across East Herts at district council level, which came into effect at the local elections on 4 May 2023.
- 1.2. Although the LGBCE may make consequential changes to the warding arrangements of town and parish councils as part of an Electoral Review – and did so in this case in relation to the electoral arrangements for the town or parish councils of Bishop's Stortford, Hertford, Ware and Wareside - it is not empowered to change the external boundaries of parishes themselves. Rather it is East Herts Council using its powers as above under the 2007 Act that has responsibility for reviewing and making any changes to parish boundaries.
- 1.3. Council on 16 November 2022 agreed in principle to undertake the community governance reviews suggested and that the Head of Legal and Democratic Services should bring forward after the May 2023 local elections draft terms of reference for consideration by the Council.
- 1.4. A subsequent report went to council on 26 July 2023 recommending CGRs be undertaken for the area of the Rush Green Roundabout and Ware as a change of staff in the Electoral Services Team meant this review did not take place.
- 1.5. On 24 July 2024 Council agreed to restart the CGR process the setting up of a working group
- 1.6. All Parish and Town Councils were written via email on 7 May 2024 and 15 August 2024 asking them for any proposals they would like the working group to consider and take to Council on 16 October 2024 for inclusion in the forthcoming CGR.
- 1.7. The responses plus the CGRs raised in the 2023 Report are shown below.

Parish/Town Council	Submission	Other Parishes Affected	District Wards and County Divisions Affected	Other Information
Aston Parish Council	The setting up of separate community council for the new development at Hazel Park	None		
Bishop's Stortford Town Council	1. Extension of the town boundary to include the development(s) currently in Thorley Parish 2. Or the absorption of Thorley Parish into Bishop's Stortford	Thorley		Thorley Parish Council have suggested that they take over the development. See below
Brent Pelham/Meesden Parish Council	Asked not to be included	None		
Buntingford Town Council	Feel that a review would only be necessary if planning consent is given for the proposed development on the outside of the town.	Aspenden Cottered Wyddial		
Cottered Parish Council	Asked not to be included	None		
Datchworth Parish Council	Asked not to be included	None		
Great Amwell Parish Council	Change the boundary between Great Amwell and Stanstead St Margarets so it follows the B181	Stanstead St Margarets		See Stanstead Abbots below See Hertford Town Council below
Hertford Heath Parish Council	Asked not to be included			See Hertford Town Council below

Hertford Town Council	The LGBC suggested that a CGR could be used to move the whole of the Rush Green Roundabout into a single Parish or Town Council areas. This would then allow the area to be placed into a single district ward.	Hertford Heath Ware Great Amwell		The reason behind this was to place the whole roundabout in a single ward and county division so that issues such as littering could be dealt with more efficiently.
Hertingfordbury Parish Council	<ol style="list-style-type: none"> 1. To extend the parish boundary to include the village of Hertingfordbury 2. Move the boundary to exclude the development at Birchall Garden Suburb 3. If 1 is accepted increase the number of cllrs to 9 	Hertford		
Sawbridgeworth Town Council	No changes to the current structure			In the 2023 Report to Council suggested that Sawbridgeworth Town Council should be consulted on creating a ward structure for the town.
Stanstead Abbots Parish Council	<ol style="list-style-type: none"> 1. Merge with Stanstead St Margarets and possibly Great Amwell 2. Group with Stanstead St Margarets and possibly Great Amwell 	Stanstead St Margarets Great Amwell		
Tewin Parish Council	The LGBC report suggested there could be a rationale to un-ward the parish.			
Thorley Parish Council	<ol style="list-style-type: none"> 1. Increase from 6 to 8 cllrs 2. Change to the boundary between Thorley and Bishop's Stortford to 	Bishop's Stortford		See above Bishop's Stortford have suggested the moving on the boundary the other way see above

	<p>move the whole of the St James Park Development into the parish</p> <p>3. The LGBC report suggested there could be a rationale to un-ward the parish.</p>			
Ware Town Council	The LGBCE and Ware Town Council both suggest a realignment of the on the boundary with Wareside.and Thundridge	Thundridge Wareside		

East Herts Council Report

Council

Date of meeting: 16th October 2024

Report by: Councillor Ben Crystall – Leader of the Council

Report title: Officer delegated authority to make decisions relating to the delivery of the Old River Lane project.

Ward(s) affected: Bishop's Stortford North

Summary

- The officer delegation for Old River Lane requires changing due to staff changes and this report recommends delegation to the Head of Communications, Strategy and Policy.

RECOMMENDATIONS FOR COUNCIL:

(A) To delegate to the Head of Communications, Strategy and Policy, in consultation with the Old River Delivery Board operating in line with its Terms of Reference and the S151 Officer (or Deputy S151 in their absence), the authority to make decisions relating to the delivery of the Old River Lane project.

1.0 Proposal(s)

- 1.1 Due to staff changes, Council is recommended to change the delegation for the Old River Lane project to ensure there is continuity of delegation for the project.
- 1.2 There are no changes proposed to the terms of delegation, so it remains in consultation with the Old River Lane Delivery Board.
- 1.3 The Head of Communications, Strategy and Policy is responsible for the Programme Manager and support to the Project and

supports the Delivery Board.

2.0 Background

2.1 At an Extraordinary Council meeting on Thursday 18th March 2021 ([Item 435](#)) Council resolved to delegate to the Head of Strategic Finance and Property, in consultation with the Old River Delivery Board operating in line with its Terms of Reference as contained at [Appendix 1](#), the authority to make decisions relating to the delivery of the Old River Lane project.

2.2 Due to the Head of Strategic Finance and Property leaving the Council's employment at the end of November, Council is recommended to change the delegation to the Head of Communications, Strategy and Policy in consultation with the S151 Officer (or their Deputy).

3.0 Reason(s)

3.1 To ensure that delegated decisions can continue to be made in relation to the Old River Lane project.

4.0 Options

4.1 RECOMMENDED – change the officer delegation to the Head of Communications, Strategy and Policy.

4.2 NOT RECOMMENDED – change the officer delegation to another officer. This is not recommended as there is no other officer that is closely involved with the project other than the Head of Legal and Democratic Services. As the Head of Legal and Democratic Services and the Legal Services Manager are the only officers who can sign under seal and require a decision to sign but cannot make that decision and sign to provide separation of duties.

4.3 NOT RECOMMENDED – end the delegation arrangements which would mean all decisions in relation to Old River Lane reverting to Council. This would require Council to make decisions about very minor items and the frequent convening of meetings, most of which would need to be held with the press and public excluded.

5.0 Risks

5.1 Agreeing the delegation will mitigate the risk of decisions not being made quickly and at the appropriate level.

6.0 Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

Yes – Bishop’s Stortford North, which is where Old River Lane is located.

7.0 Background papers, appendices and other relevant material

7.1 None

Contact Member

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Motion Regarding Changes to the Winter Fuel Allowance

This Council expresses deep concern regarding the Government's decision to amend the eligibility criteria for the Winter Fuel Payment (WFP) as outlined in the Social Fund Winter Fuel Payment Regulations 2024, which were presented to Parliament on 22nd August 2024 and came into effect on 16th September 2024.

Under the new regulations, beginning in the winter of 2024/2025, households in England and Wales will only qualify for the Winter Fuel Payment if they are recipients of Pension Credit or other means-tested benefits specified by the Chancellor of the Exchequer. This change raises significant concerns, as the Government has not conducted a full impact assessment or initiated public consultation.

Age UK has estimated that 2 million pensioners who rely on this crucial support to stay warm during the winter months may be ineligible under the new criteria. Locally, in East Hertfordshire, 27,486 pensioners could lose access to this vital financial assistance, creating severe financial strain for many elderly residents and exacerbating existing health and wellbeing challenges, particularly for those just above the Pension Credit threshold.

This Council Observes:

- 1. Impact on Vulnerable Pensioners:** The removal of the Winter Fuel Payment for pensioners not receiving Pension Credit or other designated benefits is likely to disproportionately impact vulnerable elderly residents, particularly those living in rural areas where access to services and support is already limited.
- 2. Rural Housing Challenges:** Pensioners in rural areas often reside in older, less energy-efficient homes, with over 70% of rural properties in the UK built before 1980. These homes typically suffer from inadequate insulation and outdated heating systems, making them more costly and difficult to heat.
- 3. Health Impacts of Cold Weather:** Excess winter deaths (EWDs) remain a significant public health issue, with over 30,000 EWDs occurring in the UK each year, a majority of which affect older populations. Public Health England has reported a 1.5% increase in EWDs for each degree Celsius drop below 18°C, highlighting the vital need for sufficient home heating.
- 4. The Right to Warmth:** Every pensioner should have the right to live in a warm and secure home. The decision to means-test the Winter Fuel Payment risks increasing cold-related illnesses and excess winter deaths among elderly residents who may not qualify for additional support despite being just above the Pension Credit threshold.

This Council Resolves to:

1. **Oppose the Removal of Winter Fuel Payments:** Strongly oppose the Government's decision to restrict the Winter Fuel Payment to pensioners receiving Pension Credit or certain means-tested benefits, and recognise the disproportionate negative impact this policy will have on some of our most vulnerable elderly residents, particularly in rural areas.
2. **Call for a Government Review:** Instruct the Leader of the Council to write to the Chancellor of the Exchequer, urging a full review of the decision to means-test the Winter Fuel Payment. The Council will advocate for ensuring that all pensioners, especially those not receiving Pension Credit but still vulnerable to fuel poverty, continue to receive essential winter fuel support.
3. **Engage Local MPs:** Instruct the Leader of the Council to write to the four Members of Parliament representing East Hertfordshire, urging them to lobby the Government for a reversal of this decision and to ensure protections are in place for vulnerable pensioners who are at risk of fuel poverty. This action is crucial given that 27,486 local pensioners may be affected by this change.
4. **Promote Benefit Awareness:** Instruct the Leader of the Council to write to the Secretary of State for Housing, Communities and Local Government to seek additional funding for a local outreach and awareness campaign. This campaign will aim to inform pensioners about their eligibility for Pension Credit and other related benefits, particularly targeting those who are eligible but not currently claiming. This effort is intended to ensure that no pensioner misses out on support due to lack of awareness.

In summary, this Council believes the proposed changes to the Winter Fuel Payment system will cause undue hardship to many elderly residents in East Hertfordshire and calls on the Government to reconsider this decision in the interest of public health, financial stability, and the wellbeing of our pensioners.

Motion proposed by Councillor Aubrey Holt and seconded by Councillor Angus Parsad-Wyatt