

MINUTES OF A MEETING OF THE
COUNCIL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 1 MARCH 2017, AT 7.00 PM

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

OFFICERS IN ATTENDANCE:

Isabel Brittain	-	Head of Strategic Finance and Property
Philip Gregory	-	Head of Strategic Finance and Property (outgoing)
Martin Ibrahim	-	Democratic Services Team Leader
Helen Standen	-	Director
Liz Watts	-	Chief Executive
Kevin Williams	-	Acting Head of Legal and Democratic Services

577 CHAIRMAN'S ANNOUNCEMENTS

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

He advised that this was the last Council meeting to be attended by Philip Gregory, Head of Strategic Finance and

Property. He wished him well for the future. He also welcomed his replacement, Isabel Brittain, to her first Council meeting.

The Chairman expressed his delight to welcome three special local residents who had been recognised in the Queen's 2017 New Year Honours List and were in attendance at the meeting. He introduced Janet Bird, Diane Croston and Diana Gee.

Janet Bird had received a BEM for services to the community. For 20 years, Janet Bird had been organising and managing Christmas Alone, a superb group that provided lunch, entertainment and friendship at Sele School for people on Christmas Day. For those who could not travel to the school, volunteers delivered a meal and company to their home instead. Janet was also one of the founders of the Hertford food bank, reaching out to people in crisis because of cash flow problems. She was also Chairman of Hertfordshire Convalescent Trust which provided grants for people who could not afford a holiday.

Diane Croston had received a BEM for services to education. This was recognition for all the hard work and passion that she had shown at Morgans school in her four years as Chair of Governors. Diane had helped support the staff, children and families and her education background had enabled her to share her experience and skills in creating the happy, stimulating learning environment that was Morgans school.

Diana Gee had received a BEM for services to the community in Hunsdon. She had lived in Hunsdon for the past 35 years. As a former nurse, she had dedicated 30 years to voluntary service with regional and national charities, notably Save The Children and Isabel Hospice. She had been an integral member of the hospice shop in Bishop's Stortford and for more than a decade had acted as Chairman of the Hunsdon over-three score club, a charity that organised trips, activities and lunches for people over the age of sixty. As a nurse, Diana had worked for more than 12 years at the North Middlesex hospital. It was also her role as a former nurse and

until recently a member of the Much Hadham GP patient group that had allowed her to offer support to people throughout the community who struggled with various medical problems.

The Chairman invited each award recipient to come forward and receive a certificate in recognition of their achievements.

The Chairman also referred to other East Herts residents who had been honoured but were unable to attend the meeting. Reginald Smith, better known as Marty Wilde, Cynthia Stroud, the dynamic founder of Pretty Gorgeous Cakes in Hertford, and Jonathan Russell, a civil servant of 28 years' standing who had demonstrated his commitment to public service through working in a variety of posts across Government.

The Chairman detailed some of the highlights of events the Vice-Chairman and he had attended in recent weeks, which had included various civic dinners, two pantomimes, a quiz night in Bishop's Stortford and a film festival in Buntingford. He also looked forward to the East Herts Got Talent event on 12 March 2017, and urged Members to support what would be a great evening.

578 MINUTES

RESOLVED – that the Minutes of the Council meeting held on 14 December 2016, be approved as a correct record and signed by the Chairman.

579 MEMBERS' QUESTIONS

Question 1

Councillor T Page welcomed the new policy for laying Committee Minutes before Full Council after they have been agreed by committee, but could not understand why minutes of the Executive Committee were excluded from this process. He referred to the minutes of the 7th February under Agenda Item 7, and commented that Members were, effectively, being asked to confirm these, unless they were intended to be

included as an essential reference paper. As the Executive Committee afforded backbench Members a scrutiny backstop, and could become a policy enabling vehicle, he asked whether the Leader agreed that the democratic process would be better protected if the Executive minutes also had to be previously agreed before being ratified by Council.

In reply, the Leader clarified the new process and referred to some concerns expressed by Members over committee minutes that had yet to be approved as a correct record being included within the Council agenda. She believed that the new process would provide greater transparency and opportunity for Members to comment on draft minutes before publication. Once approved as a correct record by the relevant committee, the minutes would be included in the next available Council agenda. She emphasised that there was no legal requirement for any committee minutes to be included in the Council agenda and indeed, many Authorities did not. In East Herts, it had been custom and practice over many years and she believed showcased the important work undertaken by all committees.

As for the Executive, firstly, she emphasised that the Executive was not a committee of the Council, but a separate legal entity that had been charged with exercising specific functions under the Leader/Executive model of governance adopted by the Council in 2001. The new process applied to committees only and not the Executive for a very good reason. Members were familiar that an essential component of the Council's decision-making system was for the Executive, on some occasions, to make recommendations to Council. Indeed, at this meeting, there were recommendations on three important issues for Council to determine.

The Leader believed that this was the most efficient way to deal with these issues, as the alternative would be to regurgitate 350 pages from the last Executive meeting on this agenda, or delay making important decisions like setting budgets on which the council tax would be agreed. She asked Members to note that they were not being asked to

confirm the Executive minutes as their accuracy would be a matter for the Executive to consider at its next meeting.

Finally, the Leader did not accept the suggestion that the role of scrutiny was in the gift of the Executive. It was Council, via its constitution that had defined the important work that scrutiny, and all other committees, carried out. Indeed, the Council would be considering a report later on developing the important role of scrutiny further.

580 EXECUTIVE REPORT - 7 FEBRUARY 2017

The Leader echoed the comments of the Chairman in respect of the Honours recipients. She also expressed her thanks and best wishes to Kevin Williams, Acting Head of Legal and Democratic Services, as this would be his last meeting.

RESOLVED – that the Minutes of the Executive meeting held on 7 February 2017 be received.

(see also Minutes 581 – 583)

581 BUDGET REPORT AND MTFP 2017/18 – 2020/21

The Executive Member for Finance and Support Services presented the Budget and Medium Term Financial Plan (MTFP) proposals for 2107/18 – 2020/21. He referred to the national context and the expectation that the Government would be looking for further savings in the forthcoming Budget. He reminded Members that the Council had been given a four year settlement, but there remained a budget gap, which could only be met by reducing costs and increasing income.

He referred to initiatives, such as Digital East Herts, increasing efficiencies and ongoing staffing restructures that aimed to achieve a better use of the Council's diminishing resources. In terms of increasing income, he spoke of the need to increase investment returns by taking advantage of commercial opportunities that might be available, such as developing a housing property company.

The Executive Member also referred to proposals on fees and charges for the coming year, the Council's use of reserves and the capital programme. He detailed the revised New Homes Bonus regime and the impact this would have on the Council's funding. Finally, he referred to Council Tax levels and reminded Members that this had been frozen or reduced for the past seven years. However, it had always been recognised that this would be unsustainable in the long term and so a rise of 2% for this year would be proposed.

He concluded by thanking Officers across all services for their continued hard work and support, and by stating that whilst the funding position remained volatile for the foreseeable future, there remained challenges and opportunities ahead for the Council.

In accordance with the provisions of The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was taken on the budget proposals now detailed, the result being:

FOR

Councillors D Abbott, A Alder, M Allen, D Andrews, P Ballam, P Boylan, R Brunton, E Buckmaster, M Casey, Mrs R Cheswright, S Cousins, K Crofton, G Cutting, B Deering, I Devonshire, H Drake, M Freeman, B Harris-Quinney, L Haysey, G Jones, J Jones, G McAndrew, M McMullen, P Moore, W Mortimer, D Oldridge, T Page, M Pope, S Reed, P Ruffles, S Rutland-Barsby, C Snowdon, R Standley, M Stevenson, N Symonds, K Warnell, G Williamson, C Woodward, J Wyllie.

AGAINST

None

ABSTENTIONS:

None

For: 39

Against: 0

Abstentions: 0

Council approved the recommendations as now detailed.

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

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

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

- Budget Savings and Growth, set out in Section 6, paragraph 6.2 of the report submitted;
- Contingency Budget, set out in Section 8, paragraph 8.3 of the report submitted;
- use of Earmarked Reserves, set out in Section 9 of the report submitted;
- consideration of the advice from the Section 151 Officer on the level of reserves and the robustness of the forecasts in setting the budget as required by Section 25 of the Local Government Act 2003 (section 15);

be approved;

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

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

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

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

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

(see also Minute 580)

582 TREASURY MANAGEMENT STRATEGY STATEMENT
2017/18

RESOLVED – that (A) the report be received;

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

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

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

(see also Minute 580)

583 HERTFORD CONSERVATION AREA APPRAISAL AND
MANAGEMENT PLAN

The Executive Member for Development Management and Council Support updated Members with two additional items that needed consideration before the final process for adoption could be completed. She advised that the modern development of Greencoates had been nominated for exclusion from the Conservation Area throughout the process, but the area had only been identified as Gwynns Walk. Also, 34 Ware Road, a distinctive 1930s style building, would now be designated in the document as ‘an unlisted building of architectural or historical interest’. The freeholders and owners of both sites would be notified and consulted and any subsequent alterations would be made under the delegated

powers referred to in the recommendations.

RESOLVED – that (A) the responses to the public consultation be noted and the Officer responses and proposed changes to the Hertford Conservation Area Appraisal and Management Plan be supported;

(B) authority be delegated to the Head of Planning and Building Control, in consultation with the Executive Member for Development Management and Council Support, to make any further minor and consequential changes to the document which may be necessary; and

(C) the Hertford Conservation Area Appraisal and Management Plan be supported for adoption.

(see also Minute 580)

584 DEVELOPMENT MANAGEMENT COMMITTEE: MINUTES - 11 JANUARY 2017

RESOLVED – that the Minutes of the Development Management Committee meeting held on 11 January 2017, be received.

585 JOINT MEETING OF SCRUTINY COMMITTEES: MINUTES - 17 JANUARY 2017

RESOLVED – that the Minutes of the joint meeting of Scrutiny Committees held on 17 January 2017, be received.

586 PROPOSED CHANGES TO SCRUTINY

The Chief Executive submitted a report seeking approval for changes to the way in which the Council undertook scrutiny, in order to deliver high quality and value for money scrutiny.

Council considered the detail of the proposed changes and noted the comments of the joint meeting of scrutiny

committees held on 14 February 2017. Two key proposals relating to the way scrutiny work plans were set and the number of scrutiny committees were detailed, as were various other recommendations at paragraph 3.17 of the report submitted. Members also noted the proposals relating to the establishment of a Community Wellbeing Forum.

Council approved the recommendations now detailed.

RESOLVED – that (A) the new scrutiny arrangements, as now detailed, including the two key proposals of:

- improving the way scrutiny work plans are set; and
- reducing the number of scrutiny Committees from five to two,

be approved and implemented from May 2017;

(B) the further proposals for ways to improve scrutiny, as detailed in paragraph 3.17 of the report, be noted;

(C) the plans to set up a Community Wellbeing Forum, as detailed in paragraph 3.19 of the report, be noted.

587 COUNCIL TAX 2017/18

The Executive Member for Finance and Support Services submitted a report proposing Council Tax levels in 2017/18. Council noted the precepts set by Hertfordshire County Council (HCC), Hertfordshire Police Authority (HPA) and the revised list for Parish and Town Councils, which had been detailed in the supplementary report submitted.

In accordance with the provisions of The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was taken on the Council Tax resolution, the result being:

FOR

Councillors D Abbott, A Alder, M Allen, D Andrews, P Ballam, P Boylan, R Brunton, E Buckmaster, M Casey, Mrs R Cheswright, S Cousins, K Crofton, G Cutting, B Deering, I Devonshire, H Drake, M Freeman, B Harris-Quinney, L Haysey, G Jones, J Jones, G McAndrew, M McMullen, P Moore, W Mortimer, D Oldridge, T Page, M Pope, S Reed, P Ruffles, S Rutland-Barsby, C Snowdon, R Standley, M Stevenson, N Symonds, K Warnell, G Williamson, C Woodward, J Wyllie.

AGAINST

None

ABSTENTIONS:

None

For: 39

Against: 0

Abstentions: 0

Council approved the recommendations as now detailed.

RESOLVED – that (A) the Council Tax resolution, as now submitted, be approved;

(B) the local precepts as set out at Essential Reference Paper 'C' of the report be noted; and

(C) the Hertfordshire County Council and Hertfordshire Police Authority precepts be noted.

588 MOTION OF CENSURE

The Monitoring Officer submitted a report advising that the Standards Sub-Committee, at its hearing meeting held on 13 December 2016, had considered a report by the Investigating Officer which had concluded that former Councillor James Cartwright had breached the Authority's Code of Conduct in relation to the matters identified. The Standards Sub-Committee had decided that the Member had failed to comply

with the Code and decided that formal censure by motion was appropriate.

Councillor B Harris-Quinney commented that, whilst not condoning the actions detailed in this particular case, free speech via modern social media channels should not be compromised.

Council approved the censure motion as now detailed.

RESOLVED - that former Councillor James Cartwright be censured for his conduct in respect of the matter detailed by the Investigating Officer in his report to the Standards Sub-Committee meeting of 13 December 2016.

589 APPOINTMENT OF CHIEF FINANCIAL OFFICER

Council received a report advising on the appointment of the new Chief Financial Officer and s151 responsibilities within the Authority, following the recent resignation of the current post-holder. Isabel Brittain, the new Head of Strategic Finance and Property Services, had commenced her duties on 20 February 2017 and would assume the s151 responsibilities from 2 March 2017.

RESOLVED – that the appointment of the new Head of Strategic Finance and Property Services as the Council’s s151 Officer be noted.

The meeting closed at 7.57 pm

Chairman
Date