

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
MONDAY 16 OCTOBER 2017, AT 7.00 PM

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

ALSO PRESENT:

Councillors M Allen, P Ballam, S Bull,
M Casey, M Freeman, Mrs D Hollebon,
J Kaye, M McMullen, T Page, M Pope,
P Ruffles, T Stowe, N Symonds and J Wyllie.

OFFICERS IN ATTENDANCE:

David Allen	-	Waste Services Manager
Isabel Brittain	-	Head of Strategic Finance and Property
James Byrne	-	Finance Business Partner
Martin Ibrahim	-	Democratic Services Team Leader
Tamara Jarvis	-	Improvement and Insight Manager
Jess Khanom	-	Head of Operations
Andrew Pulham	-	Parking Manager
Helen Standen	-	Director
Alison Stuart	-	Head of Legal and Democratic Services
Liz Watts	-	Chief Executive

ALSO IN ATTENDANCE:

North Herts Councillors J Cunningham, K
Henry, T Hunter, D Levett, B Lovewell, Mrs L
Needham, R Shakespeare-Smith and M
Weeks.

North Herts Council Officers – Ian Couper, Hilary Dineen, Chloe Hipwood, Sarah Kingsley, Gavin Ramtohal, Anthony Roche, David Scholes and Vaughan Watson.

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

The Leader of the Council submitted a report seeking approval to adopt the Bishop’s Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley wards, following the Referendum of 7 September 2017. The Executive noted the outcome of the Referendum with an overall ‘yes’ vote of 2,512 against 680 who had voted ‘no’. Under the Planning and Compulsory Purchase Act 2004 (as amended by the Neighbourhood Planning Act 2017), the Council was now able to make the Neighbourhood Plan as more than half of those voting in the Referendum had voted in favour of the Plan being used to determine planning applications in the area.

The Executive supported the recommendation now detailed.

RECOMMENDED – that the Bishop’s Stortford Neighbourhood Plan for All Saints, Central, South and Part of Thorley wards, as detailed at Essential Reference Paper ‘B’ to the report submitted, be formally ‘made’ and used as part of the Development Plan.

191 QUARTERLY CORPORATE HEALTHCHECK (APRIL - JUNE 2017)

The Executive considered a quarterly report on finance and performance monitoring for East Herts Council for 2017/18. The Executive Member for Finance and Support Services

The Executive supported the recommendation relating to taxi licencing charges and approved the remaining proposals now detailed.

RECOMMENDED – that (A) the schedule of taxi licencing charges presented in section 2.10 of the report submitted be approved;

RESOLVED - that (B) the projected revenue budget forecast overspend of £90k in 2017/18 be noted;

(C) a transfer of £500k from transformation reserve to set up a Housing Benefit Subsidy equalisation reserve, be agreed;

(D) the capital budget forecast underspend of £318k be noted; and

(E) the reported performance for the period April 2017 to June 2017 be noted.

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

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

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

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

and

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

(see also Minute 205)

193 DRAFT AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT (SPD)

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

(see also Minute 205)

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

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

(see also Minute 205)

195 HARLOW AND GILSTON GARDEN TOWN UPDATE

RECOMMENDED – that the ongoing work in

relation to the Harlow and Gilston Garden Town be noted.

(see also Minute 205)

196 LOCAL DEVELOPMENT SCHEME (LDS) SEPTEMBER 2017

RECOMMENDED – that the Local Development Scheme (LDS) September 2017, attached at Essential Reference Paper ‘B’ of the report submitted, be agreed to take effect from September 2017.

(see also Minute 205)

197 EAST HERTS APPROACH TO MASTERPLANNING

In response to a Member’s comments and questions on the strength of masterplans and any impact on the integrity of Development Management Committee, the Leader referred to the importance of a collaborative approach on larger developments and the important role that Development Management Committee would continue to perform. She reminded Members that the overall master planning approach had been agreed in March 2017 and this report sought to add more detail on the process.

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

(see also Minute 205)

198 LEADER'S ANNOUNCEMENTS

The Leader welcomed everyone to the meeting and reminded all present that this meeting was being webcast. She

extended a special welcome to Members of North Herts Council's Cabinet as well as North Herts Officers, who were invited guests for the matter referred to at Minute 200 - Waste, Recycling and Street Cleansing Contract Award.

The Leader clarified that the Executive meeting would be held simultaneously to a meeting of the North Herts Cabinet. The two meetings would run simultaneously before separating into different rooms for each Council to make its own decision.

199 MINUTES

RESOLVED – that the Minutes of the Executive meeting held on 5 September 2017, be approved as a correct record and signed by the Leader.

200 WASTE, RECYCLING AND STREET CLEANSING CONTRACT AWARD

The Executive recalled that in July 2016, it had agreed to seek to procure a shared waste, recycling and street cleansing service with North Herts District Council. The Executive Member for Environment and the Public Space submitted a report detailing the procurement process and the outcome of the tendering.

It was noted that the procurement process had sought a new waste and street cleansing contract (Lot 1) and recycling contract (Lot 2) on behalf of both Councils to start in May 2018 for 7 years with the option to extend for a further 7 years. The new contract would provide combined services for North Herts and East Herts as both Councils looked to achieve economies of scale and efficiencies through joint working.

The Executive Member proposed the acceptance of the most economically advantageous tender (MEAT) for the Lot 1 contract waste collection and street cleansing. He also sought decisions and recommendations on various options for the contract.

The Executive noted that the tender period for Lot 2 had been extended and was asked to delegate authority for the award of this contract, on the basis that this would be awarded to the most economically advantageous tender (MEAT).

The Executive Member thanked Officers in both Councils for their efforts throughout the project. He also corrected paragraph 1.1 of the report which should have quoted Minute 157 of the Executive on 19 July 2016. The Executive Member referred to the consideration given by the Overview and Scrutiny Committee to the option of a weekly food collection service separated from the chargeable green waste service and the subsequent advice of Officers. In the part of the meeting where the press and public had been excluded, the Executive Member also corrected some of the figures set out in Essential Reference Papers 'C' and 'D' of the report submitted.

Officers also gave a presentation in support of the report submitted and answered Members' questions.

The Executive considered the option of introducing a chargeable green waste service and whether to make a recommendation to Council for decision. The Executive Member for Health and Wellbeing proposed, and Councillor S Rutland-Barsby seconded, a proposal to recommend to Council the introduction of a chargeable green waste service alongside a weekly food collection service at £40 per year.

The Executive Member for Economic Development opposed this on the basis that this was already funded by the council tax and had been rejected in the public consultation. Other Members also spoke against this proposal citing concerns over affordability for some households, increased fly-tipping, more landfill and increased vehicle movements. Some Members supported the introduction of the charge on the basis of the challenging times ahead for the Council and the need to fill the Council's funding gap.

At 7.57pm, during consideration of this report, the Executive resolved to exclude the press and public under Section

100(A)(4) of the Local Government Act 1972, on the grounds that part of the report contained exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act. However, Members and Officers of North Herts Council were allowed to remain in the chamber.

At 8.08pm, the meeting was adjourned and Members of North Herts Council and North Herts Officers left the chamber.

At 8.13pm, the meeting reconvened.

At 8.17pm, the Executive agreed that the meeting should return to a public meeting and the press and public were readmitted to the chamber.

The Executive approved the proposals now detailed.

RESOLVED - that (A) approval be provided to award the Waste Collection and Street Cleansing (Lot 1) Contract based on the Most Economically Advantageous Tender;

(B) subject to recommendation (A), it be agreed that North Herts District Council are authorised to issue notification of intention to award and subsequently award the Lot 1 contract to the bidder upon conclusion of the standstill period on behalf of East Herts Council;

(C) options for the contract and recommendations as described in paragraphs 4.1 and 4.2 of the report submitted, be approved;

(D) the Executive note that the request to fund vehicles previously agreed in principle by Council through capital funding is no longer required;

(E) the option to introduce a chargeable green waste service alongside a weekly food collection service at £40 per year be recommended to Council for a decision;

(F) delegated authority be given to the Chief Executive in consultation with the Executive Member for Environment and Public Space to accept the MEAT for Lot 2;

(G) subject to recommendation (F), it be agreed that North Herts District Council is authorised to issue notification of intention to award and subsequently award the Lot 2 contract to the bidder upon conclusion of the standstill period on behalf of East Herts Council; and

(H) in principle, a change in the way that materials are collected, from separated paper to separated glass, be approved if this provides material financial savings.

201 PRIORITIES FOR PARKING ENFORCEMENT

The Executive Member for Economic Development submitted a report reviewing the Council's parking enforcement priorities. It was noted that East Herts Council's parking enforcement contract was being re-tendered and the new contract would commence on 16 January 2019, for five years with the possibility of a maximum two year extension.

The preparation of this new contract had provided an opportunity to review parking enforcement priorities to ensure they remained fit for purpose. A Member Task and Finish Group had been established in May 2017 to assist with this review. Its findings were reported to the Overview and Scrutiny Committee on 12 September 2017, where its recommendations were agreed in full. These recommendations were set out in paragraph 3.1 of the report submitted.

The Executive Member thanked Officers and the Task and Finish Group.

The Executive approved the proposals as now detailed.

RESOLVED - that in respect of parking enforcement

priorities when the new contract commences in January 2019, the key recommendations of the Overview and Scrutiny Committee, as detailed at paragraph 3.1 of the report submitted, be adopted.

202 HERTFORDSHIRE 100% BUSINESS RATES RETENTION PILOT 2018-19

The Executive Member for Finance and Support Services submitted a report on the Department for Communities and Local Government's invitation for Authorities to bid to become 100% Business Rates retention pilots. The bid needed to come from all the Authorities within Hertfordshire. Indications were that there could be gains for Hertfordshire of £6-8 million. Further work would be carried out to confirm the level of benefits and the Executive Member sought delegated authority to decide on whether to proceed with a bid once this further work had been undertaken.

In response to Members' questions, the Head of Strategic Finance and Property Services commented that the pilot was for one year only and that no Council would be worse off financially. She stated that if the bid was successful, updates would be provided within the corporate healthcheck.

The Executive approved the recommendation now detailed.

RESOLVED - that the Executive Member for Finance and Support Services be given delegated authority to decide whether East Herts Council should be part of the application for a Business Rates pilot.

203 GENERAL FUND REVENUE AND CAPITAL OUTTURN 2016/17

The Executive Member for Finance and Support Services submitted a report advising on the General Fund Revenue Outturn for 2016/17 and providing explanations for significant variances against the approved Budget. He also advised on the financing arrangements for the 2016/17 Capital Outturn and the updated 2017/18 Capital budget allowing for the

approved slippage from 2016/17. The Executive Member also detailed the annual position against the Council's performance indicators.

The Executive approved the proposals as now detailed.

RESOLVED - that (A) the General Fund revenue outturn of £166k overspend funded from the General Reserve, be agreed ;

(B) the Capital budgets of £1,899k re-profiled from the 2016/17 capital programme to 2017/18 programme to fund ongoing capital schemes, be agreed;

(C) the Capital Programme for 2017/18 to 2020/21 as set out in paragraph 4.5 be agreed; and

(D) the Annual Performance results be noted.

204 RISK MANAGEMENT MONITORING (APRIL - JUNE 2017)

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

The Executive approved the recommendation now detailed.

RESOLVED - that the risk management controls implemented be approved.

205 DISTRICT PLANNING EXECUTIVE PANEL: MINUTES - 21 SEPTEMBER 2017

RESOLVED – that the Minutes of the District Planning Executive Panel meeting held on 21 September 2017, be received.

(see also Minutes 192 – 197)

206 EXCLUSION OF PRESS AND PUBLIC

RESOLVED – that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the discussion of Minutes 200 (part) and 207 on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act.

207 DEVELOPMENT OF MAIDENHEAD STREET, HERTFORD

The Executive Member for Finance and Support Services submitted a report on the development of Maidenhead Street, Hertford and a potential opportunity to purchase a property that would assist the existing plans to pedestrianise the Street, as part of the Hertford Urban Design Study.

The Executive approved the proposals as now detailed.

RESOLVED - that (A) in principle, support is granted for the purchase of the property identified in the report submitted; and

(B) authority is delegated to the Head of Finance and Property, acting in consultation with the Leader of the Council and the Executive Member for Finance and Support Services, to negotiate the terms of the purchase in line with an independent valuation, with approval of the final negotiated purchase price and terms, if forthcoming, to be sought from full Council in due course.

The meeting closed at 9.20 pm

Chairman
Date