

MINUTES OF A MEETING OF THE  
EXECUTIVE HELD IN THE COUNCIL  
CHAMBER, WALLFIELDS, HERTFORD ON  
TUESDAY 3 DECEMBER 2019, AT 7.00 PM

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

ALSO PRESENT:

Councillors K Crofton, M Goldspink,  
M Pope, P Ruffles and J Wyllie.

OFFICERS IN ATTENDANCE:

Richard Cassidy	- Chief Executive
Rebecca Dobson	- Democratic Services Manager
Andrew Figgis	- Economic Development Officer
Peter Mannings	- Democratic Services Officer
Sara Saunders	- Head of Planning and Building Control
Kevin Steptoe	- East Herts Garden Town Lead Officer
Alison Stuart	- Interim Monitoring Officer

240 APOLOGIES

Apologies for absence were received from Councillor P Boylan.

241 LEADER'S ANNOUNCEMENTS

The Leader welcomed all those present, and reminded them that the meeting was being webcast.

242 MINUTES - 8 OCTOBER 2019

Councillor G Cutting proposed, and Councillor G McAndrew seconded, a motion that the minutes of the meeting held on 8 October 2019 be approved as a correct record and signed by the Leader. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the minutes of the meeting of the Executive held on 8 October 2019 be approved as a correct record and signed by the Leader.

243 UPDATE FROM OVERVIEW AND SCRUTINY COMMITTEE

Councillor J Wyllie, as Chairman of the Overview and Scrutiny Committee, gave a verbal report. He said the Committee had at its meeting on 5 November 2019, considered a number of items. The subjects which had been considered included Council Tax on long term empty properties, as it was desirable to ensure such properties were returned to use as soon as possible. The Committee had also received an update on the operation of the waste management contract and service level agreements, particularly in relation to missed bins, with which Members

were generally content. Regarding the work of the Parking Task and Finish Group, evidence from a wide range of contributors had been taken, and substantial proposals had been submitted to the Committee, for consideration at its next meeting on 10 December. The Committee would submit a report and make its recommendations on the proposals to the Executive. Councillor Wyllie said in conclusion that the work programme of the Committee included a Task and Finish Group review of aspects of social housing, to take place in the New Year.

The Executive received the report.

RESOLVED – that the report be received.

244 UPDATE FROM PERFORMANCE, AUDIT AND GOVERNANCE OVERSIGHT COMMITTEE

The Executive received a report of the Performance, Audit and Governance Oversight Committee. The items which had been considered were the draft Statement of Accounts for 2018/19, the Treasury Management outturn for 2018/19, the Treasury Management Mid-Year Review for the current year and the Economic Development Strategy.

Councillor M Pope, as Chairman of the Committee, said at the Committee's meeting on 19 November, the Statement of Accounts for 2018/19 had been approved, and he was pleased to say it was available on the Council's website. In addition, the meeting had considered the budget monitoring report for quarter 2, and a draft work programme.

The Executive received the report.

RESOLVED – that the report be received.

245 DECLARATIONS OF INTEREST

The Interim Monitoring Officer said that in relation to Item 8 on the agenda, the Council Tax Empty Homes Premium, Members who had a disclosable pecuniary interest as disclosed on their notice of registrable interests, had been granted a dispensation to enable them to participate in the discussion and voting on that item. The dispensation had been granted by the Members of the Performance, Audit and Governance Oversight Committee.

246 DETERMINATION OF ARTICLE 4 DIRECTION ON EMPLOYMENT AREAS

The Executive Member for Planning and Growth submitted a report on the introduction of Article 4 directions on designated employment sites in the district. The measure would, following 12 months' notice, remove the use of permitted development rights to convert employment land to residential use without planning permission.

Councillor J Goodeve summarised the background to the report and the reasons for the recommendations. Permitted development rights (PDRs) could detrimentally affect employment. There was a need to consider the impact of change of use from employment to residential use, particularly in areas where there was already significant residential development. Councillor Goodeve referred to the detriment if unchecked use of PDR continued, such as avoidance of obligations under section 106 to bring benefits to the community and loss of potential employment land. Proper consideration should

be given through the planning process to development. Giving notice of the intention to use the Article 4 Direction process would be likely to mitigate against potential claims for compensation.

Councillor S Rutland-Barsby welcomed the measure, as employment land in her area was under threat.

Councillor J Goodeve proposed, and Councillor S Rutland-Barsby seconded, a motion to support the recommendations detailed in the report. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED - (A) to approve the making of a non-immediate Article 4 direction to remove Permitted Development Rights to convert buildings or land currently in B1(a), B1(c) or B8 use into C3 use in the Designated Employment Areas in East Herts Council's adopted District Plan, as detailed in Essential Reference Paper 'B' to the report; and

(B) authority be delegated to the Head of Planning and Building Control, acting in consultation with the Executive Member for Planning and Growth, to commence public consultation on the non-immediate Article 4 direction and confirm the Article 4 direction having considered the outcome of the public consultation unless material amendments to the direction are required following public consultation in which case, a report will be brought back to the Executive for consideration.

## 247 COUNCIL TAX LONG TERM EMPTY HOMES PREMIUMS

The Executive Member for Financial Sustainability submitted a report proposing changes to the Council Tax long term empty homes premiums from April 2020. He said since 2013 local authorities had been given the power to increase council tax on some long term empty properties by increasing the Council Tax charge by up to 50%. Legislation had subsequently come into effect to apply a maximum premium at higher rates. A range of options was available to authorities, depending on the duration of the property being left empty. The report invited the Executive to consider such options and recommend the option which had been identified for Council's approval. The preferred option was to increase the premium only to the next tier, so that the impact on re-occupation of the District's empty homes could be reviewed.

Councillor G Williamson read from a statement submitted by Councillor P Boylan, in relation to implications for the Neighbourhoods Executive portfolio. Councillor Boylan's statement referred to the need to use other options to encourage the owners of such properties to bring them back into use, including measures such as certifying owner's works to properties for reduced VAT liability on works from 20% to 5%. Members were encouraged to work with the Housing and Health team so that owners of properties which could potentially be affected could receive practical advice.

Councillor G Williamson proposed, and Councillor G Cutting seconded, a motion to support the recommendations detailed in the report. After being put

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

RESOLVED – to recommend to Council that for Long Term Empty homes a Council Tax premium of 100% be approved.

## 248 BENINGTON CONSERVATION AREA CHARACTER APPRAISAL

The Executive Member for Planning and Growth considered a report on the Benington Conservation Area appraisal and management plan, following public consultation. She referred to representations which had been received, some of which had expressed concern regarding the exclusion of land east of Duck Lane from the conservation area. These concerns had been addressed with the additional paragraphs which had been included in the plan to reflect the protection afforded by the adopted District Plan.

The Leader thanked all involved for their excellent work, and acknowledged the work of the parish councils in highlighting any issues.

Councillor J Goodeve moved, and Councillor S Rutland-Barsby seconded, a motion to support the recommendations to Council now detailed.

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

(B) the Head of Planning and Building Control, in

consultation with the Executive Member for Planning and Growth, be authorised to make any further minor and consequential changes to the document which may be necessary; and

(C) the Benington Conservation Area Appraisal and Management Plan be adopted.

## 249 HARLOW AND GILSTON GARDEN TOWN STEWARDSHIP OBJECTIVES AND PRINCIPLES

The Executive considered a report submitted by the Leader of the Council on the Stewardship objectives and principles in relation to the development coming forward at the Harlow and Gilston Garden Town (HGGT).

The Leader said the objectives and principles for the HGGT Vision were high level guidelines for standards, and reflected the need for that development to be informed by the Town and Country Planning Association Garden City principles. The stewardship work that was being undertaken now, in relation to the Garden Town, could provide the basis of guidelines for other sites across the District.

Councillor E Buckmaster agreed that the principles and objectives would ensure a consistent approach. The focus was on community cohesion, environmental sustainability and community wellbeing. The guidelines could be adapted as necessary. Speaking as the local Ward Member he looked forward to the community being at the heart of the stewardship objectives. It was important that the stewardship guidelines should work as intended.



The Leader supported these comments. She moved, and Councillor E Buckmaster seconded, a motion that the recommendations now detailed, be supported. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – to recommend to Council that the Stewardship objectives and principles, relating to development proposals coming forward as part of the Harlow and Gilston Garden Town, be endorsed.

## 250 HERTFORDSHIRE GROWTH BOARD

The Executive considered a report submitted by the Leader of the Council on the Hertfordshire Growth Board Memorandum of Understanding. The report sought approval of the objectives, principles and scope of the collaborative work undertaken through the Hertfordshire Growth Board.

The Leader said the 10 district councils and the County Council would work together to meet key growth challenges for Hertfordshire, identify programmes of work and key features of an emerging proposition to government. The document was not legally binding, but was a step towards putting a cohesive argument to government.

Councillor E Buckmaster said the Memorandum of Understanding empowered the authorities to work collectively. Each authority would retain its current powers.

Councillor M Pope asked how the Council would be

informed of progress.

The Leader said updates would be brought to Members on any significant decisions.

The Leader moved, and Councillor J Goodeve seconded, a motion that the recommendation now detailed, be supported. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Executive agree the Hertfordshire Growth Board - Memorandum of Understanding set out in the accompanying papers.

251 QUARTERLY CORPORATE BUDGET MONITOR - QUARTER 2 2019/20

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The Executive considered a report submitted by the Executive Member for Financial Sustainability on the quarterly corporate budget monitoring for Quarter 2 2019/20.

Councillor G Williamson said the report had been considered by the Performance, Audit and Governance Oversight Committee. He referred Members to the predicted revenue underspend of £37,000 and the fact that there would be a carried forward amount of £62.7m from the capital budget. He said the report also sought agreement to fund, up to £100,000, the planning costs relating to the recent Little Hadham planning application issues from the New Homes Bonus priority spend reserve. Finally, the report sought agreement to the use of equalisation reserves to offset the Planning Service under-achievement of income by £150,000.

Regarding monitoring of performance, Councillor G Williamson drew Members' attention to the fact that missed bin collections were gradually improving. The Overview and Scrutiny Committee had also considered the reasons for not achieving the target at its meeting of 5 November 2019. The target would be reviewed in line with the new corporate strategy.

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

RESOLVED – that the projected revenue budget forecast underspend of £37k in 2019/20 be noted;

(B) the capital budget for 2019/20 is £78.319m, of which £62.787m is to be carried forward to future years be noted;

(C) the reported performance for the period April 2019 to September 2019 be noted;

(D) it is agreed to fund, up to £100k, of planning costs relating the recent Little Hadham planning application issues from the New Home Bonus priority spend reserve; and

(E) it is agreed that equalisation reserves are used to offset the Planning service under achievement of income by £150k.

The meeting closed at 7.35 pm

Chairman .....

Date .....