

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 23 NOVEMBER 2021, AT 7.00 PM

PRESENT: Councillor Haysey (Chairman/Leader)
Councillors L Haysey, P Boylan,
E Buckmaster, G Cutting, J Goodeve, J Kaye,
G McAndrew and G Williamson.

ALSO PRESENT:

Councillors M Pope, C Redfern and
P Ruffles.

OFFICERS IN ATTENDANCE:

Richard Cassidy	- Chief Executive
Amy Ditcham	- Policy and Projects Officer
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Jonathan Geall	- Head of Housing and Health
Steven Linnett	- Head of Strategic Finance and Property
Katie Mogan	- Democratic Services Manager
Jane O'Brien	- Senior Environmental Health Officer

Kevin Steptoe (Residential)
- East Herts Garden
Town Lead Officer

234 APOLOGIES

There were no apologies for absence.

235 LEADER'S ANNOUNCEMENTS

The Leader of the Council reminded Members that the meeting was being webcast online. She said that the meeting was the last one in 2021 and wished Members and Officers a Merry Christmas and a Happy New Year.

236 MINUTES - 28 SEPTEMBER 2021

Councillor Haysey proposed, and Councillor Williamson seconded a motion that the Minutes of the meeting held on 28 September 2021 be approved as a correct record and be signed by the Leader. On being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 28 September 2021 be approved as a correct record and signed by the Leader.

237 DECLARATIONS OF INTEREST

There were no declarations of interest.

238 UPDATE FROM OVERVIEW AND SCRUTINY COMMITTEE

The Leader of the Council said comments made by the Overview and Scrutiny Committee on the Private Sector Housing Assistance Policy had been taken into account and reflected in the report recommendation.

The Head of Legal and Democratic Services said that the suggestion made at Overview and Scrutiny was to clarify the wording around grant payments to make it clear that the money would need to be repaid. Therefore, the wording had been amended to 'repayable grant payments' to reflect that expectation.

239 UPDATE FROM AUDIT AND GOVERNANCE COMMITTEE

The Chairman of the Audit and Governance Committee highlighted to the Executive that there was a further delay to the council's external audit which would now take place in January.

The Leader of the Council said that it happened last year and there were national delays to audits. She asked if there was anything the Executive could do to highlight the problem.

The Head of Strategic Finance and Property said that he had made representations to the Audit Manager last week and the delay was a result of a number of resignations within the audit team. He said that the council would closely manage the relationship in the audit as the team were new. They would be coming in early to orientate them through how the council works. The Head of Strategic Finance and Property confirmed

that it was a national problem and the government department responsible were staying with its current ways of working. He said unfortunately there was nothing that the council could do.

The Leader of the Council said she would be happy to help if Officers needed any help from the Council or by way of political leadership to pick up the issue across councils and in the press.

240 PRIVATE SECTOR HOUSING ASSISTANCE POLICY

The Executive Member for Neighbourhoods presented a report on the Private Sector Housing Assistance Policy. He said that the policy had been revised and updated by Officers and been subject to public consultation and reviewed by the Overview and Scrutiny Committee.

The revised policy aimed to ensure that the council is utilising its limited resources to help households less able to carry out repairs or energy efficient improvements. Councillor Boylan said that the key change to the policy is the differentiation of the three repayment policies; grants are for small scale insulation works with no requirement to repay, repayable grant payments which are up to £1,000 to remedy relatively small scale problems which could cause imminent health risks which would need to be repaid when the property was sold and then loans up to £30,000 to ensure the property met the government's empty homes standard which also needed to be repaid on sale of the property. He

assured Members that the repayment requirement was explained to residents at the outset.

Councillor Boylan proposed an amended recommendation as follows "That with the policy amended to make clear that any costs to the council associated with (a) placing a charge on a property to secure repayment of council funding and (b) recouping that funding are added to the sum repayable by the recipient, the Executive recommends the proposed Private Sector Housing Assistance Policy to Council for approval." He explained that this was to ensure there was no ambiguity and for the council to make full recovery of costs associated with transaction.

Councillor Haysey seconded the amended recommendation. She thanked Officers for their hard work on the policy.

Councillor Boylan proposed, and Councillor Buckmaster seconded a motion supporting the amended recommendation. On being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED - That with the policy amended to make clear that any costs to the council associated with (a) placing a charge on a property to secure repayment of council funding and (b) recouping that funding are added to the sum repayable by the recipient, be recommended to Council for approval.

The Executive Member for Planning and Growth presented a report on the revised Taxi Licensing Points Policy. The policy had been out for consultation with the taxi trade and had been endorsed by the Licensing Committee. The council has responsibility for the regulation of hackney carriage drivers within East Herts and the Council have already adopted a taxi driver suitability policy which set out the standards expected of drivers and sanctions available if they do not meet them. The suitability policy was relevant when dealing with drivers or operators with convictions or cautions for serious crimes. The points scheme was to allow for a wider range of enforcement options for those drivers or operators exhibiting behaviours that was not acceptable but not serious enough for a penalty under the suitability policy.

Councillor Goodeve said that the council had operated a points policy for a number of years but it had been revised in light of updated guidance to the Department of Transport's Vehicle Standards in 2020. By accepting the policy, the council would follow the most up to date guidance, giving Officers a full range of tools to endorse standards.

Councillor Goodeve proposed, and Councillor McAndrew seconded a motion supporting the recommendation in the report. On being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – To recommend to Council the adoption of the Licensing Records Points

Scheme.

242 STATEMENT OF GAMBLING PRINCIPLES

The Executive Member for Planning and Growth presented a report on the Statement of Gambling Principles. The Council was required under the Licensing Act 2003 to adopt the statement every three years. Councillor Goodeve said that if the council did not adopt the statement, then it would be in breach of the Act and would not be able to regulate gambling in the District. The amendments to the statement were minor and gambling activity in the District was relatively small, mainly relating to premises with one or two gambling machines. No representation had been received due to the changes being minor with little or no impact on stakeholders or licence holders.

Councillor Goodeve proposed, and Councillor Kaye seconded a motion supporting the recommendation in the report. On being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – To recommend to Council the adoption of the Statement of Gambling Principles 2022-2025.

243 HARLOW AND GILSTON GARDEN TOWN, ROLLING INFRASTRUCTURE FUND MEMORANDUM OF UNDERSTANDING

The Leader of the Council presented a report on the Harlow and Gilston Garden Town Rolling Infrastructure Fund Memorandum of Understanding. She said that

the Garden Town was able to achieve an infrastructure fund from the Housing Infrastructure Grant of £172 million to be spent on infrastructure. The Memorandum of Understanding set out how the grant, once reclaimed from developers, would be spent through a Rolling Infrastructure Fund. The three planning authorities, East Herts, Harlow and Epping Forest and the two county councils, Hertfordshire and Essex would all be signing up to the Memorandum of Understanding.

The Garden Town Lead Officer said that the proposals being put in place would govern how the initial government funding, once repaid by the developers and would be used by the Garden Town Partners and assigned to additional infrastructure requirements.

Councillor Buckmaster said that he felt the document was very impressive and a sensible approach. Although it was not legally binding, he said that it lays out the process for the five councils to manage the contributions as they come in. He said that the document safeguards and does not negate any statutory duties and avoids any misunderstandings.

Councillor Haysey said that residents often criticise that infrastructure was late coming to new developments so the document anticipated infrastructure that would be key and integral to the Garden Town.

Councillor Haysey proposed, and Councillor Buckmaster seconded a motion supporting the recommendation in the report. On being put to the

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

RESOLVED – that (A) The Memorandum of Understanding relating to The Harlow and Gilston Garden Town Rolling Infrastructure Fund (attached as Appendix 1 to the report) be agreed and its submission to Homes England by the end of November 2021 as required of the Harlow and Gilston Garden Town Authority partners and specifically Hertfordshire County Council (as accountable body for the Housing Investment Grant funding to which the Memorandum of Understanding relates) be agreed;

(B) The set up and operation the Rolling Infrastructure Fund ‘in principle’ be agreed subject to more detailed work and approval of the appropriate governance and operational arrangements for its management;

(C) The Rolling Infrastructure Fund is governed initially in accordance with the approved Memorandum of Understanding as required by Homes England as a condition of the Housing Investment Grant funding and subsequently in accordance with any further governance arrangements that may be put in place following further agreement between the HGGT partners; and

(D) The Head of Planning and Building Control, in consultation with the Leader of the Council,

be authorised to agree any further non-material amendments to the Memorandum of Understanding.

244 HARLOW AND GILSTON GARDEN TOWN TRANSPORT STRATEGY

The Leader of the Council presented a report on the Harlow and Gilston Garden Town Transport Strategy. She said that the document was the final version for endorsement which set out a clear view on the strategy for transport expected into the Garden Town. Once adopted by Council, it would become a material planning consideration.

Councillor McAndrew added that it was a big document and thanked Officers for their time and commitment. He referred to page 224 of the report and highlighted the example of how people with restricted mobility would be able to move around in a new development and said that this was often forgotten.

The Garden Town Lead Officer said that it was a much stronger document after going through the consultation process. He said that there was a focus on consulting with an audience that are not normally reached as the Garden Town was a development for the future and the next generation so it was important to get their views.

Councillor Haysey proposed, and Councillor McAndrew seconded a motion supporting the recommendation in the report. On being put to the meeting and a vote

taken, the motion was declared CARRIED.

RESOLVED - That (A) the HGGT Transport strategy be recommended to Council for adoption as a material consideration in the planning process for the preparation of masterplans, pre-application advice, assessing planning applications and any other development management purpose for sites within the Garden Town area;

(B) delegation is given to the Head of Planning and Building Control, in consultation with the Director of the Harlow and Gilston Garden Town, to make any minor text or design amendments to the Transport Strategy prior to its publication should there be necessity for clarification or changes proposed by the respective decision makers of East Herts, Harlow and Epping Forest Districts and Essex and Hertfordshire Counties in order to ensure a consistent document; and

(C) The Executive acknowledge that the ambition, mode share objective and principles in the Transport Strategy should help shape existing and future work programmes of the Highway Authorities across the Garden Town, and can provide supporting justification for funding submissions and spending commitments in relation to transport.

245 TRANSFORMING EAST HERTS PROGRAMME AND PROPOSED REVISED FEES AND CHARGES POLICY

The Executive Member for Financial Sustainability presented a report on the Transforming East Herts Programme and the proposed revised Fees and Charges Policy. He said that the Executive had previously approved the go ahead for Officers to start a comprehensive Transformation Programme so that by 2025 East Herts Council will be a customer focused, financially sustainable, effective organisation with flexible, empowered employees. The report provided an update on the programme and recommended that a proper governance structure be created with a Member Stakeholder Group to consider options on the Modern Workspace stream as they emerged.

The Executive Member for Financial Sustainability presented the proposed update to the Fees and Charges Policy which set out a new approach to setting fees so that the council's costs were fully recovered where ever possible. The policy had taken into account equalities issues and the policy would not exploit those paying for a service that the council provides, any surplus in income would be reinvested to meet the council's priorities.

Councillor Redfern referred to Appendix A of the report and asked about the modern front of house and the footfall reported. She queried whether the comparison from before the pandemic and now was fair as the opening hours had been changed.

Councillor Cutting confirmed that the opening hours

had been revised and the footfall figures are representative of the time it was open.

Councillor Redfern asked for further clarification as she said that the opening hours were less so would expect less people to turn up.

Councillor Cutting said that the opening hours were more than adequately coping with the footfall being received and every resident that turned up were able to have their business dealt with.

Councillor Haysey said that it would be useful to know if councillors were being contacted by residents and if there was anything in particular that they were not able to do online.

Councillor Williamson proposed, and Councillor Haysey seconded a motion supporting the recommendation in the report. On being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that (A) The progress of the Transforming East Herts programme as presented in Appendix A be considered;

(B) Approve the governance structure for the Transforming East Herts programme, as presented in Appendix B be approved, including the Member Stakeholder Group whose remit is to include receiving and advising on options for the Wallfields building as they emerge; and

(C) the revised Fees and Charges Policy,

included at Appendix C be recommended to Council for approval.

246 HERTFORDSHIRE BUILDING CONTROL COMPANY DEVELOPMENT

The Executive Member for Planning and Growth presented a report on the Hertfordshire Building Control Company Development. She said that East Herts joined with six other authorities in 2016 to form Hertfordshire Building Control Company. The report was requesting Members agree to delegate the decision making to a shareholder as set out in the recommendation.

The Chief Executive said that the reason for the report was to ensure that decisions could be made as quickly as possible. The report recommended delegating that function to the Chief Executive, in consultation with the Executive Member for Planning and Growth.

Councillor Goodeve proposed, and Councillor Williamson seconded a motion supporting the recommendation in the report. On being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED - That all the decisions reserved to the shareholder relating to the effective operation of the Company, be delegated to the Chief Executive, acting as East Herts Council's appointed company shareholder representative to Hertfordshire Building Control Company to, in consultation with the Executive Member for

Planning and Growth.

247 URGENT BUSINESS

There was no urgent business.

The meeting closed at 7.36 pm

Chairman
Date