

MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
TUESDAY 3 SEPTEMBER 2024, AT 7.00
PM

PRESENT: Councillor (Chairman/Leader)
Councillors B Crystall, M Goldspink,
C Brittain, A Daar, J Dumont, V Glover-Ward,
T Hoskin and C Wilson.

ALSO PRESENT:

Councillors N Cox, B Deering, Y Estop,
D Jacobs, G McAndrew, C Redfern and
J Thomas.

OFFICERS IN ATTENDANCE:

Alex Cook	- Customer Services Team Leader
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Jonathan Geall	- Head of Housing and Health
Jess Khanom- Metaman	- Head of Operations
Steven Linnett	- Head of Strategic Finance and Property
Katie Mogan	- Democratic and Electoral Services Manager
Claire Sime	- Service Manager (Planning Policy, Design and Conservation)
Helen Standen	- Deputy Chief Executive

Alison Street

- Financial Planning
Manager

120 APOLOGIES

Apologies for absence were received from Councillor Hopewell.

121 LEADER'S ANNOUNCEMENTS

The Leader welcomed everyone back after the summer break. He reminded Members and Officers that the meeting was being webcast.

The Leader said he would be changing the order of the agenda and that Item 7 – East Herts Complaints Process and Changes to the LGSCO Code of Practice would be moved to Item 5. The items are minuted in the order they were heard.

122 MINUTES - 9 JULY 2024

Councillor Goldspink proposed, and Councillor Glover-Ward seconded a motion that the Minutes of the meeting held on 9 July 2024 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 9 July 2024 be approved as a correct record and signed by the Leader.

123 DECLARATIONS OF INTEREST

There were no declarations of interest.

124 EAST HERTS COMPLAINTS PROCESS AND CHANGES TO THE LGSCO CODE OF PRACTICE

The Executive Member for Corporate Services presented

the report. He said that the report provided an update on complaint handling for 2023-24 and that the Local Government Ombudsman (LGO) had launched a new complaint handling code.

The Executive Member for Corporate Services highlighted that the council had received 159 complaints at stage 1 in 2023-24 and only 26 had been escalated to stage 2. He said that the common themes from the complaints were issues with communication and a lack of supporting evidence such as telephone interactions.

The Executive Member for Corporate Services said that the new complaint handling code had been launched by the LGO in February 2024 and was designed to bring a consistent approach across all councils towards complaints. He said this code introduced new timescales for handling complaints which would need to be adjusted in the council's own policy. East Herts were already compliant with the Code but adjustments needed to be made on the Unreasonable and Persistent Behaviour Policy which was attached to the report.

Councillor Dumont proposed that the recommendations in the report be supported. Councillor Goldspink seconded the proposal.

Councillor Wilson asked if there were plans to communicate to residents about the role of the LGO.

Councillor Dumont said the council's complaint policy was on the website and it explained the three stages of the complaints process. He said the Stage 2 response template made the complainant aware that if they were still not satisfied, they could refer their complaint to the LGO.

Councillor Brittain said that the number of complaints that had been upheld were low. He asked if the council had benchmarked themselves against other councils.

Councillor Dumont said that had not been done but all councils were now required to publish their complaint data.

The Customer Services Manager said he would be able to provide benchmarking data in the Annual Review.

Councillor Glover-Ward referred to the Unreasonable and Persistent Behaviour Policy and said it specifically referred to front line staff. She said that she attended public meetings with planning officers which could involve lots of members of the public. She asked if this policy could be extended to cover that work and councillors.

Councillor Dumont said it was a valid point and said the new community forums were not necessarily a customer service responsibility but would take the point away and see how it could be incorporated.

Councillor Daar noticed that a lot of complaints referred to the LGO were around planning and therefore can't be upheld. She said it would be interesting to see if the number of planning complaints decreased with the new mechanisms for the public to have their say. She asked what else could be done to make clear to the public what constituted a legitimate complaint.

Councillor Dumont said that he would look at the webpage and see how the council were communicating with residents.

Councillor Glover-Ward said the planning team were extending the information on the website around planning and how the public could interact in the forums and try to explain the complexities of the planning system.

Councillor Goldspink referred to paragraph 1.5 and felt the figures were misleading.

The Customer Services Manager responded and said that the Local Government Ombudsman dictated how they

measured the data.

Councillor Jacobs referred to the Persistent and Unreasonable Behaviour Policy and it mentioned the Cautionary Persons Database. He asked if this was available to councillors.

The Head of Legal and Democratic Services said he would need to understand the level of sensitivity around the information included on the database before he could provide clarification on whether councillors could access this information.

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) a) the self-assessment against the LGSCO Code is agreed (Appendix A) and updated annually; and

(B) the updated Persistent and Unreasonable Behaviour Policy is recommended for adoption by The Council.

125 FINANCIAL MANAGEMENT 2024/25 - Q1 FORECAST TO YEAR END

The Executive Member for Financial Sustainability presented the financial forecast for 2024/25 at the conclusion of Q1. He said that the council were currently predicting a £1.1 million overspend in the revenue budget with a £50,000 underspend in the capital programme. He said the values presented were disappointing but said that efforts were being made to reduce the impact of the additional costs. He said that the circumstances that have led to a projected overspend were unforeseen at the time of budgeting and for reasons outside the council's control.

Councillor Brittain proposed that the recommendations in

the report be supported. Councillor Daar seconded the proposal.

Councillor Deering referred to paragraph 2.7 of the report and asked for clarification about the council's intentions with Charrington's House as the report seemed to suggest it would be disposed of.

Councillor Brittain said that the paragraph related to business rates on Charrington's House. He said if it was demolished, the rate liability would go away.

Councillor Deering said the position was confusing because the council could not afford to demolish it but would not be disposing of it.

Councillor Brittain said the report was highlighting that it had been considered as an option.

The Head of Housing and Health clarified and said that if it was disposed of before the end of the year, the business rate liability would fall away. He said demolishing it was another way of potentially getting rid of the business rate liability.

Councillor Jacobs asked at which point did Charringtons House move from council ownership into developer ownership.

Councillor Brittain said it would transfer on the signing of the Development Agreement.

Councillor Estop asked if the developer disposed of it once it had ownership would it reduce the income to the council.

The Head of Strategic Finance and Property said that the Development Agreement would contain a Section 123 agreement. It would not affect the development value of the capital receipt.

Councillor Daar asked the value of the loan that the council had borrowed to fund the capital programme and what the interest rate was.

Councillor Brittain replied that £36million was the current value of council borrowing. He said this was funded from short term finance with various packages of loans with differing interest rates.

Councillor Jacobs referred to page 13 of the supplementary agenda and questioned why the £170,000 forecast on the United Reform Church Hall had not been spent.

The Head of Strategic Finance and Property explained that the £170,000 was to complete works on the hall. The council had expected the lease with the church to have ended but the works to the building had been delayed due to a land dispute. He expected the church to continue with the lease until March 2025 and the £170,000 expenditure would move into the 2025/26 financial year.

Councillor McAndrew asked about the bad debt arrangements at paragraph 2.5. He said the issue had been discussed for a number of years and the outstanding debt had actually increased since 2021. He asked why this debt had not been tackled previously.

The Head of Strategic Finance and Property said the restructure of the finance team was complete with all staff in post at the end of the 2023/24 financial year. He said they had commissioned the Credit Protection Association to purge the old debt and were hoping for a 40-50% recovery rate. He said the team were concentrating on debt that came onto books immediately. He said he was confident that there would be a significant decrease in the debt at the end of this financial year.

Councillor Deering said that bad debt should always be managed and said the number might decrease but it would be useful to know if this debt had been collected or

written off.

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 reasons for the net revenue budget end of year projected overspend of £1.1m be considered; and

(B) The capital programme forecast outturn of £50k be considered.

126 ADVERTISING AND SPONSORSHIP POLICY

The Executive Member for Financial Sustainability presented the Advertising and Sponsorship Policy. He said that due to the decline in government funding, the council needed to maximise its income on its assets through sponsorship. He said that the opening of BEAM was an opportunity to earn extra income and the framework presented in the report was to ensure consistency and to protect the reputation of the council.

Councillor Brittain proposed that the recommendations in the report be supported. Councillor Wilson seconded the proposal.

Councillor Wilson referred to paragraph 5.1 and the exemption list. He asked if this list could be added to.

Councillor Brittain said the council would review the exemption list annually.

Councillor Jacobs asked if vaping could be included in the exemption list.

Councillor Brittain said this was an interesting point and would take away to look at.

Councillor Thomas asked if this policy would extend to

covering sports and leisure centres as currently SLM were allowing advertisements from sports gambling companies on their digital advert boards.

The Head of Strategic Finance and Property said that the leisure centres were leased buildings and so the council did not have any control over their advertising.

The Head of Operations said that the commercial contract with SLM generates income for the council and gives the leisure operator flexibility on how to generate that income.

Councillor Thomas said that was concerning because the East Herts Council logo sits next to adverts for gambling companies.

The Head of Operations said she was happy to take the conversation back to the leisure providers.

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 Advertising, Sponsorship and Donations Policy as shown at Appendix A be approved.

127 EAST HERTS LOCAL DEVELOPMENT SCHEME

The Executive Member for Planning and Growth presented the report. She said that the council undertook a review of the District Plan in October 2023 and decided that it needed to undergo a full review. The change in government meant the secondary legislation on the revised National Planning Policy Framework was not expected until Spring/Summer 2025, and so the council had updated the East Herts Local Development Scheme to show how the District Plan would be updated in the future.

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

Goldspink seconded the proposal.

RESOLVED - To recommend to Council that (A) the East Herts Local Development Scheme, attached at Appendix 'A', be agreed to take effect from October 2024; and

(B) the Local Development Scheme is published on the Council's website.

128 WARD FREMAN POOL UPDATE

The Executive Member for Financial Sustainability outlined the options available for Members to consider the future use of the pool. He said that the council continued to work with the Ward Freman Community Pool Group and Hertfordshire County Council to try and find funding to keep the pool open. The Community Pool Group had applied to several external funding bodies, but the current agreement could not continue indefinitely and there would be a further review in March 2025 to see if funding had been found.

Councillor Brittain proposed that the recommendations in the report be supported. Councillor Daar seconded the proposal.

Councillor Daar asked if the pool had been drained.

Councillor Brittain confirmed that it had been.

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 - To approve Option 1 as described in para 4.1, continue to facilitate discussions with Ward Freman community pool group and Hertfordshire County Council, therefore continuing with the joint use agreement and remove the management of Ward Freman Pool from the

Council's contract with Sport and Leisure
Management Ltd.

129 URGENT BUSINESS

There was no urgent business.

The meeting closed at 7.50 pm

Chairman

Date