

NORTH HERTFORDSHIRE DISTRICT COUNCIL

MINUTES

Meeting of the Council held in the Council Chamber, Council Offices, Gernon Road, Letchworth Garden City on Thursday, 10 April 2008 at 7.30pm

PRESENT: Councillors A. Bardett (Chairman), Mrs A.G. Ashley (Vice-Chairman), B.J. Barnard, David Billing, Clare Body, John Booth, Tom Brindley, P.C.W. Burt, Paul Clark, J.M. Cunningham, Melissa Davey, Lee Downie, Tricia Gibbs, Gary Grindal, Fiona Hill, T.W. Hone, A.F. Hunter, Arthur Jarman, Sal Jarvis, S.K. Jarvis, David Kearns, Lorna Kercher, Joan Kirby, Marilyn Kirkland, I.J. Knighton, David Levett, Bernard Lovewell, H.M. Marshall, Alan Millard, L.A. Needham, Lawrence Oliver, R.L. Shakespeare-Smith, F.J. Smith, Martin Stears, Mrs C.P.A. Strong, R.A.C. Thake and M.E. Weeks.

IN ATTENDANCE: Chief Executive, Strategic Director of Customer Services, Strategic Director of Financial and Regulatory Services, Head of Legal and Democratic Services, Head of Financial Services, Democratic Services Manager and Senior Committee and Member Services Officer.

ALSO PRESENT: 2 members of the public.

71. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Liz Beardwell, Judi Billing, John Bishop, S. Bloxham, Jane Gray, R.E. Inwood, Ian Mantle, D. Miller, M.R.M. Muir, Deepak Sangha and A.D. Young.

72. MINUTES

It was moved by Councillor F.J. Smith, seconded by Councillor T.W. Hone, and

RESOLVED: That the Minutes of the meetings of the Council held on 7 February 2008 and 28 February 2008 be approved as true records and signed by the Chairman.

73. NOTIFICATION OF OTHER BUSINESS

No additional items were presented for consideration by the Council.

74. CHAIRMAN'S ANNOUNCEMENTS

(1) Father of Councillor R.A.C. Thake

The Chairman offered his personal condolences to Councillor R.A.C. Thake, whose father had died recently aged 92. George Thake served as a Member of the former Hitchin Urban District Council from 1957 to 1961, representing Oughton Ward, and as a Member of Hertfordshire County Council from 1956 to 1960, representing Hitchin West. The funeral would take place at 2.00pm on Monday, 21 April 2008 at St.Mary's Church, Hitchin, and afterwards at Hitchin Priory for refreshments. Councillor R.A.C. Thake and his family would be pleased to welcome anyone wishing to attend.

(2) Charity Race Night

The Chairman thanked all those that had either attended and/or supported his Charity Race Night held on 29 March 2008. The evening had been a great success, and he was pleased to announce that a sum of £594 had been raised for his chosen charity, the Living Room.

(3) Presentation to the Living Room

The Chairman was delighted to announce that a grand total of £4,100 had been raised for the Living Room during his term of office as Chairman. He invited Janis Feely from the Living Room, together with her husband Joe, to come forward to join him in a photograph to recognise this achievement.

(4) Declarations of Interest

The Chairman reminded Members that, in line with the new Code of Conduct, any Declarations of Interest now needed to be declared immediately prior to the item in question.

75. PUBLIC PARTICIPATION

No items were presented for consideration by the Council under public participation.

76. MEMBERSHIP OF OUTSIDE BODIES

Prior to the consideration of this item, Councillors David Kearns, Joan Kirby and Mrs L.A. Needham declared personal and prejudicial interests in respect of the matter, in view of their roles as Board Members of North Hertfordshire Homes, and withdrew from the Chamber for the duration of the Council's debate upon the issue.

The Democratic Services Manager presented a report of the Head of Legal and Democratic Services in respect of Membership of Outside Bodies. The following appendices were submitted with the report:

Appendix A – Independent remuneration Panel – extract, 25 November 2007;

Appendix B – Views of Outside Bodies.

The Democratic Services Manager commented that the report had been prompted by the decision of North Hertfordshire Homes (NHH) to commence paying its directors. NHDC nominated five Board Members to NHH. It was also considered to be timely because the Council would be considering appointments to outside bodies at its Annual Meeting in May and may welcome some general advice on appointments to outside bodies.

In respect of the NHH issue, it was acknowledged that the National Housing Federation's guidance on board member payment advised that nominees on boards should not receive a payment if they were being paid by the nominating body, for duties which included serving on such bodies. NHH Board Member responsibilities were onerous. NHH had an annual turnover of over £35 million and the Board was responsible for high level financial and commercial decisions. The expectations placed on the Council's appointees were the same as those of all other NHH board members (including NHDC nominees who were not councillors). Details of the recent activities of an NHH Board Member were contained within the extract from the notes of the meeting of the Independent Remuneration Panel held on 25 November 2007, attached as Appendix A to the report.

The Democratic Services Manager briefly referred to the other elements of the report, which provided details of the scope of Members' Allowances; views about representation from the Outside Bodies; and views about representation from NHDC Members.

In moving the recommendations, Councillor F.J. Smith proposed an amendment to the fourth recommendation adding the words "Group Leaders" to "Group Secretaries" as those to give consideration to the content of the report when formulating and co-ordinating nominations to outside bodies for the 2008/09 Civic Year. This was seconded by Councillor T.W. Hone.

Upon being put to the vote, it was

RESOLVED:

- (1) That North Hertfordshire Homes be informed that the Council considers that no payment is being made by this Council in respect of the duties undertaken by Directors of the NHH nominated by North Herts. District Council;
- (2) That Members newly appointed to outside bodies and other Members requiring briefings on particular outside bodies should receive briefings from appropriate officers;
- (3) That consideration be given to including “working with outside bodies” within the Member Development Programme, to include briefing and feedback arrangements;
- (4) That Group Leaders and Group Secretaries give consideration to the content of this report when formulating and co-ordinating nominations to outside bodies for the Civic Year 2008/09.

REASON FOR DECISION: To assist the Council in determining representation on outside bodies during the civic year 2008/09.

77. ITEM REFERRED FROM CABINET – 8 APRIL 2008 – NORTH HERTFORDSHIRE HEALTH & SAFETY STRATEGY AND POLICY STATEMENT

The Council considered the minute of the meeting of Cabinet held on 8 April 2008, in respect of the proposed North Hertfordshire Health & Safety Strategy and Policy Statement (Minute 124 refers). A copy of the report considered by Cabinet was included with the agenda, as were the following appendices:

Appendix A – Health & Safety Strategy;

Appendix B – Health & Safety Policy Statement.

Following debate, it was moved by Councillor T.W. Hone, seconded by Councillor F.J. Smith, and

RESOLVED: That the revised Health & Safety Strategy and Policy Statement, as attached at Appendices A and B to the report respectively, be approved.

REASON FOR DECISION: To ensure that the Health & Safety Strategy and Policy Statement is subject to regular review to enable them to reflect current developments and compliance on health and safety matters.

78. ITEM REFERRED FROM CABINET – 8 APRIL 2008 – UPDATE ON MARKET TESTING – COUNCIL'S MARKET OPERATIONS

The Council considered the minute of the meeting of Cabinet held on 8 April 2008, which provided an update on the market testing of the Council's Market Operations, and which sought the approval to an increase in the current budgets for the Council's Market Operations (Minute 127 refers). A copy of the report considered by Cabinet was included with the agenda.

Following debate, it was moved by Councillor I.J. Knighton, seconded by Councillor T.W. Hone, and

RESOLVED: That the Council's Markets Budgets be increased provisionally by up to a maximum of an additional £119,000 for 2008/09 and by £125,000 for 2009/10 onwards.

REASON FOR DECISION: To allow the Council's Markets to be tendered out to two bidders.

79. QUESTIONS FROM MEMBERS

Section 106 Contributions

In accordance with Standing Order 10.4(a), the following question had been submitted by Councillor Lee Downie to Councillor R.A.C. Thake (Cabinet Portfolio Holder for Planning and Transport):

“What is the total of unspent Section 106 contributions currently held by the Council and what is the total interest income that has been generated by unspent Section 106 contributions in the last five years?”

The Cabinet Portfolio Holder for Planning and Transport replied that, as Members would be aware, the Council had been most proactive in its approach to Section 106 contributions and was the first Authority in the County to have adopted a Supplementary Planning Document for this following the 2004 Planning Act. Hertfordshire County Council and many Districts were now following this lead and, through the Hertfordshire Infrastructure and Planning Partnership (which the Portfolio Holder chaired), a holistic picture of Section 106 issues and monies for all the County was being formulated. There would be a detailed report to the June 2008 meeting of the Performance, Audit & Review Committee relating to Section 106 matters.

The Portfolio Holder confirmed that the Council had received £1,052,972 in Section 106 / Unilateral Undertakings payments since the start of 2001/02 to the end of 2007/08, and the total interest accrued from Section 106 / Unilateral Undertakings balances over that period was £107,673. The current balance of Section 106 / Unilateral Undertakings receipts was £730,715.

Councillor Downie asked the following supplementary question:

“How much of the Section 106 contributions would directly benefit Great Ashby and how much interest would be accrued?”

The Cabinet Portfolio Holder undertook to provide Councillor Downie with a written answer to this question.

80. NOTICE OF MOTIONS

There were no Notice of Motions.

The meeting closed at 8.20pm.

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Chairman