

NORTH HERTFORDSHIRE DISTRICT COUNCIL

SCRUTINY COMMITTEE

Meeting held at the Council Offices, Gernon Road, Letchworth Garden City
on 11 December 2006 at 7.30 p.m.

PRESENT: *Councillors Martin Stears (Chairman), M. Paterson (Vice-Chairman), David Billing, John Bishop, Paul Clark, Melissa Davey, David Kearns, Howard Marshall, M.R.M. Muir and Elliot Needham.*

IN ATTENDANCE: *Chief Executive, Strategic Director of Financial & Regulatory Services, Strategic Director of Customer Services, Head of Leisure & Environmental Services, Head of Community Development & Cultural Services, Head of Housing & Environmental Health, Service Manager (Waste), Local Development Framework Manager, Project Manager (Leisure Services), Markets Manager, Senior Planning Officer, Urban Design & Landscape Officer, Scrutiny Officer and Committee & Member Services Officer.*

ALSO PRESENT: *Councillor Mrs L.A. Needham (Portfolio Holder for Environment & Waste Management), Councillor R.A.C. Thake (Portfolio Holder for Planning & Transport), Councillor Sarah Wren (Portfolio Holder for Housing & Environmental Health), Councillor Judi Billing (Chairman of Hitchin Area Committee) and 3 members of the public.*

98. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P.C.W. Burt, S. Bloxham and Jane Gray.

99. MINUTES

RESOLVED: That the Minutes of the meeting held on 7 November 2006 be approved as a true record of the proceedings and signed by the Chairman, subject to the addition to Minute 95 of the following resolution:

- (3) That the Head of Community Development & Cultural Services be requested to provide to Members of the Committee the statistics that identify the attendance at playschemes and sports programmes since the year 2000.

Reason for Decision: To determine the trends in take-up of places on these schemes since 2000.

100. NOTIFICATION OF OTHER BUSINESS

No other business was submitted for consideration by the Committee.

101. DECLARATIONS OF INTEREST (INCLUDING PARTY WHIP DIRECTIONS)

No declarations of interests or notification of any party whip directions were made during the meeting.

102. PUBLIC PARTICIPATION

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

103. URGENT/GENERAL EXCEPTION ITEMS

No urgent or general exception items were presented for consideration by the Committee.

The Chairman informed the Committee that a potential urgent item in relation to funding of Town Centre Partnerships had been brought to his attention. However, as it was felt to be more appropriate to allow for consultation and scrutiny, this item had been added to the Forward Plan for January, and the report would be considered by Cabinet at its meeting to be held on 16 January 2007.

104. CALLED-IN ITEMS

Since the last meeting, no decisions had been called-in by the Scrutiny Committee.

105. CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed the Committee that, due to the number of guests in attendance at the meeting, the reports would be considered in the following order: Item 9; Item 20; Item 14; Item 19; Item 10 onwards.

106. QUESTIONS

The following question had been submitted by Councillor Paul Clark:

"How many planning applications have been refused against officer advice in the last five years and of these how many have then gone on to appeal? Also, at the appeal, how many have the Council won and how many have we lost, broken down into costs awarded against us and costs not awarded?"

In regard to those that have gone to appeal can you please detail who has defended the Council's position and how the appeal has been determined?"

The following response had been provided by the Planning Control & Conservation Manager:

"Upon receipt of the request and in view of the limited time available in which to provide all the information requested, Councillor Clark agreed to the provision of three years information, subject to him being able to ask any supplementary questions.

The response is based on decisions made between the 1st September 2003 and 30th November 2006.

1) How many planning applications have been refused against Officer advice in the last 3 years?

*The reports to the Area Committees and Minutes show that of the 70 decisions taken by all of the Area Committees during this period against Officer recommendation 40 applications were **refused** against Officer advice.*

2) How many of these have gone on to appeal?

Of these 40 decisions, 25 appeals have been submitted to the Planning Inspectorate and are recorded on the appeals register. Members will be aware that applicants have six months from the date of decision in which to submit on appeal. The number of appeals could increase by 2 if applicants should decide to pursue this course of action.

3) How many have the Council won, lost, broken down into costs awarded against us and costs not awarded?

12	<i>Appeals have been allowed</i>
5	<i>Appeals have been dismissed</i>
4	<i>Appeals have been withdrawn</i>
4	<i>Appeals await a decision</i>

25	

Two of these appeals have resulted in costs being awarded against the Council Applications for costs have not been submitted in the remainder of the cases.

4) In regard to those that have gone to appeal, can you please detail who has defended the Council's position and how the appeal has been determined?

Of the 21 appeals determined to date or awaiting a decision, 18 have been defended by the Council's Planning Officers (written representation appeals). 10 appeals have been allowed, 5 dismissed with 3 decisions awaited. One has yet to be determined as to whom will defend the decision. In two cases, Members have supported their decisions at Public Inquiries. These appeals were allowed and costs awarded against the Council. "

Following this response, Councillor Paul Clark asked the following supplementary question:

"The information provided at question 4 above states that 18 appeals have been defended by the Council's Planning Officers, but this appears to be contrary to current policy. Where has this policy originated and at what point has it changed?"

RESOLVED:

- (1) That the response of the Planning Control & Conservation Manager be noted;
- (2) That the Planning Control & Conservation Manager be requested to provide a written answer to the supplementary question, to be circulated to all Members of the Committee.

REASON FOR DECISION: To ensure the Committee were fully apprised of the issues surrounding the problems arising following the retirement of the Chief Engineer.

107. NORTH HERTFORDSHIRE DISTRICT COUNCIL – THE DRAFT FORWARD PLAN: 1 JANUARY 2007 – 30 APRIL 2007

The Chairman of the Scrutiny Committee presented the Draft Forward Plan to the Committee, which covered the period 1 January 2007 – 30 April 2007, and the Committee considered the items on the Plan to determine whether there were any additional reports that it would like to consider.

RESOLVED:

- (1) That the Draft Forward Plan, covering the period 1 January 2007 – 30 April 2007, be noted;
- (2) That the following items be included on the Committee's Work Programme:
 - Town Centre Partnership Funding Proposals (January Meeting)
 - Adoption of District Wide Play Strategy (January Meeting)

RECOMMENDED TO PERFORMANCE, AUDIT & REVIEW COMMITTEE: That the Committee consider reviewing the item "Possible application for Pathfinder or Unitary Status", as listed on the Forward Plan.

REASON FOR DECISION: To ensure that the Scrutiny Committee could identify any matters it wished to consider prior to consideration by Cabinet or Council.

108. SCRUTINY COMMITTEE WORK PROGRAMME 2006/2007

The Scrutiny Officer submitted a report that updated the Committee on the progress being made on the various topics under scrutiny. It also provided an update on the work of the Committee's Task and Finish Groups.

RESOLVED: That the Scrutiny Committee Work Programme for 2006/2007 and the work of the Task and Finish Groups be noted.

REASON FOR DECISION: To enable the Scrutiny Committee to plan and carry out its workload efficiently.

109. PROGRESS REPORT REGARDING THE ACTION PLAN FOR THE USAGE AND PROMOTION OF MARKETS IN NORTH HERTFORDSHIRE

The Project Manager (Leisure Services) presented a report of the Head of Leisure & Environmental Services to the Committee which provided them with an update of the progress made against the Action Plan produced following the review of the usage and promotion of Markets in North Hertfordshire. The Markets Manager highlighted some of the key achievements under the Plan, and the positive outcomes from the actions taken.

The Project Manager (Leisure Services) informed the Committee that one of the key issues for the team at present was the 6-month trial for reduced rents at Hitchin Market, This trial, which started in August 2006, has increased the number of stalls being used at Hitchin Market – from 86 to 120 stalls on Tuesday and from 120 stalls to 156 stalls on Saturdays – but that this increase was not as great as expected, resulting in a shortfall of income from rents of approximately £37k. A report was therefore being presented to Cabinet at its meeting on 19 December 2006 to determine the next step, which outlined the following three options:

1. To terminate the trial as of 23 January 2007 and return rents to their original levels for 2006/2006;
2. To continue with the reduced rents until new management arrangements for the Markets were agreed – approximately July 2007 – at a cost of approximately £30,000
3. To continue with the reduced rents for a further 12 months at a cost of approximately £60,000.

The Committee expressed their support for the work that the Markets Manager and his team were undertaking to address those issues raised in the Action Plan.

RESOLVED:

- (1) That the report of the Head of Leisure & Environmental Services, including the Action Plan for North Hertfordshire Markets be noted;
- (2) That the progress made against the Action Plan by the Markets Team be endorsed.
- (3) That the encouragement of traders to utilise the Markets in North Hertfordshire through measures such as the reduced rents trial be maintained.

REASON FOR DECISION: To apprise the Committee of the current progress against the Action Plan for North Hertfordshire Markets and ensure the continued vitality of the Markets.

110. ITEMS REFERRED FROM SCRUTINY COMMITTEE FINANCE SUB-GROUP

The Scrutiny Committee was informed that the next meeting of the Finance Sub-Group would be held on Thursday 14 December 2006. The Sub-Group's recommendations in respect of these reports would therefore be tabled at the meeting of the Cabinet to be held on 19 December 2006.

The Chairman also stated that, as the Finance Sub-Group would be considering the draft Budget items at their meeting on 14 December, all Members of the Scrutiny Committee were welcome to attend.

The Scrutiny Officer informed the Committee that no referrals to Cabinet had been made by the Finance Sub-Group at its meeting held on 9 November 2006.

RESOLVED: That the Finance Sub-Group be given the authority to make recommendations on behalf of the Scrutiny Committee to Cabinet at its meeting to be held on 19 December 2006.

REASON FOR DECISION: To ensure the Cabinet received the representations from the Scrutiny Committee to enable informed decision-making, in accordance with the Scrutiny Referrals Protocol.

111. ALTERATIONS TO ENGINEERING SERVICES PROVISION

The Committee considered a report which set out the chronology of the changes to the Council's structure in respect of Engineering Services, as well as the steps being taken to establish new consultation arrangements between NHDC and Herts Highways. This report had been prepared by the Chief Executive in his role as the Head of Paid Service, in response to a further request after a question submitted by Councillor David Billing to the meeting of the Committee held on 7 November 2006 (Minute 92 refers).

In response to questions from the Committee, the Chief Executive confirmed that the liaison officer for highways issues was now the Head of Planning & Building Control, and that the interim arrangements as detailed in the document published in the Members Information Service on 14 June 2006 (Appendix A to the report) would be in place until 31 March 2007. Discussions were currently taking place with representatives of the Highways Authority to determine what the arrangements would be after that date, in the light of the altered relationship that the Council would have as a result of the withdrawal of funding.

Whilst the report had focused on the Area Committee highways schemes in light of the original question from Councillor David Billing, the Chief Executive assured the Committee that the other issues from within the former Chief Engineer's remit were being reviewed by the three directorate heads. The Portfolio Holder for Planning & Transport confirmed that addressing the problems with on-street parking in residential areas, including the use of Controlled Parking Zones (CPZs) and Traffic Regulation Orders (TROs) was also being investigated.

The Chief Executive acknowledged that the transition had not taken place smoothly, but stated that the interim arrangements now ensured that the appropriate actions could take place when any highways issues arose in the District, and that he would ensure that the Council would learn from the mistakes that had been made in the handling of this situation.

RESOLVED: That the report of the Head of Paid Service be noted.

REASON FOR DECISION: To apprise the Committee of the steps to establish new consultation arrangements between NHDC and Herts Highways.

112. PRESENTATION BY THE PORTFOLIO HOLDER FOR HOUSING & ENVIRONMENTAL HEALTH

The Portfolio Holder for Housing & Environmental Health made a presentation to the Committee which provided information about the Council service areas and teams for which she was responsible – the Environmental Protection Team, the Licensing & Enforcement Team, the Housing Strategy Development & Renewal Team, the Housing Needs (Homelessness, Housing Advice & Allocations) Teams, the Careline Team & the Meals on Wheels Team. She drew attention to key projects within those areas, such as the Contaminated Land Strategy, air quality monitoring, implementation of the Licensing Act 2003, undertaking a new Housing Needs Survey, and the implementation of changes to the delivery of the Meals on Wheels service from March 2007.

The Portfolio Holder for Housing & Environmental Health concluded her presentation by thanking the Committee for the contribution that the review by the Affordable Housing Task & Finish Group had made to the work of the service. She also thanked Members for their continued support of the services provided by the teams in her Portfolio area.

In response to questions from the Committee, the Portfolio Holder for Housing & Environmental Health and the Head of Housing & Environmental Health confirmed that one of the main difficulties faced by the services was the recruitment and retention of the specialised staff required, particularly in the Environmental Services areas, although the Council ran a successful training programme for gap-year students.

With regard to Affordable Housing provision, the Portfolio Holder for Housing & Environmental Health stressed that, despite some suggestions that the current targets for affordable housing provision were too low, the importance the Council placed on achieving the provision of as many affordable housing units as realistically possible meant that this target could be met and exceeded more successfully, with officers working to maximise provision in all qualifying developments.

The Chairman thanked the Portfolio Holder for Housing & Environmental Health for her excellent presentation and answering members' questions.

113. THE AUTHORITY'S CONTRIBUTION TO CLIMATE CHANGE AND CONSIDERATION OF SIGNING UP TO THE NOTTINGHAM DECLARATION

The Committee considered a report of the Head of Policy, Partnerships & Performance which had been prepared following a request from the Committee at its meeting held on 7 November 2006 (Minute 93 refers). This report apprised the Committee of progress made to date in terms of addressing climate change, and outlined the background to the Nottingham Declaration on Climate Change, which the Council was considering committing to.

The report was presented prior to discussions at Cabinet on 19 December 2006 and to Council on 18 January 2006, and the following document was appended:

- Appendix 1: Actions Which North Herts District Council Will Need to Consider For Inclusion Within Its First Climate Change Strategy

RESOLVED:

- (1) That the report of the Head of Policy, Partnerships & Performance be noted;
- (2) That the progress made to date in terms of addressing climate change be noted;
- (3) That the recommendations to be made to Cabinet at its meeting on 19 December 2006, as outlined at paragraph 6.5 of the report of the Head of Policy, Partnerships & Performance, be endorsed;
- (4) That the recommendation that the Authority should sign up to the Nottingham Declaration on Climate Change based on the evidence contained within the report be noted.

REASONS FOR DECISION:

- (1) To respond to the request made at Council on 21 September for further consideration of the implications of the Nottingham Declaration.
- (2) To inform the Scrutiny Committee of current Government Climate Change Policy.
- (3) To nominate a Portfolio Holder with responsibility for climate change.

114. LOCAL DEVELOPMENT FRAMEWORK: PREFERRED OPTIONS PAPER ON CORE STRATEGY AND DEVELOPMENT CONTROL OPTIONS

The Local Development Framework Manager presented a report of the Head of Planning & Building Control to the Committee which presented the Core Strategy and Development Control Policies Preferred Options Paper, which was the second public

stage in the preparation of the Local Development Documents (LDDs), which would form part of the North Hertfordshire Local Development Framework (LDF).

The Local Development Framework Manager informed the Committee that the preferred options had been presented to other consultation forums such as the Local Development Framework Working Party and the Local Strategic Partnership, and the report being reviewed by the Committee was to be considered by Cabinet at its meeting to be held on 19 December 2006.

RESOLVED: That the report of the Head of Planning & Building Control be noted.

RECOMMENDED TO CABINET: That Cabinet consider the following suggestions by the Committee for items that could be altered or inserted in the Preferred Options Paper on Core Strategy and Development Control Options

- Section E9 (pages 2.33-2.34) - The change of policy to ensure that, if a tree is removed as part of a new development, two new trees were planted to replace it. Should it not be possible for these new trees to be accommodated within the development, the developer should make a financial contribution to ensure they were planted elsewhere within the District.
- Page 1.6, paragraph 1.12 – insert the word “vibrant” before “small and medium sized towns”, in order to more accurately reflect the nature of the towns in North Hertfordshire.
- Page 5.13 – whilst it is good to see that document specifically contains the requirement for 40% of proposed dwellings in qualifying developments to be affordable housing, perhaps consideration could be made to implementing a two-tier system for affordable housing requirement such as that in place in some areas of London, in order to maximise affordable housing provision in smaller developments.
- Section D16 (page 3.55) – the requirement for at least 10% of materials used to be rather recycled or re-used should be increased, as many developers will use those materials purely for creation of hardcore.

REASON FOR DECISIONS: In order that the Committee can comment prior to Cabinet's decision to allow the public consultation to progress in accordance with the Local Development Scheme.

115. NORTH HERTFORDSHIRE DISTRICT COUNCIL – EMPLOYMENT LAND REVIEW 2006 AND LANDSCAPE SENSITIVITY & CAPACITY STUDY

The Local Development Framework Manager presented a report of the Head of Planning & Building Control to the Committee which presented the Bone Wells Associates Employment Land Review for North Hertfordshire and the Landscape Sensitivity & Capacity Study as inputs into policy development within the Local Development Framework. This report was due to be considered by the Cabinet at its meeting on 19 December 2006.

The Local Development Framework Manager informed the Committee that the Employment Land Review 2006 had demonstrated that, whilst unemployment was low in North Hertfordshire, a lot of residents commuted to jobs outside of the District. This meant that there was still some capacity for development within the District. He stated that the East of England Plan had not specified targets for additional employment provision in each District, but had provided a combined target for North Hertfordshire, East Hertfordshire and Stevenage of an additional 14,000 jobs. On this basis, the Employment Land Review 2006 had been conducted on the basis of the need to make provision for an additional 9,000 jobs in North Hertfordshire.

With regard to the Landscape Sensitivity & Capacity Study, the Local Development Framework Manager explained that its purpose was to ensure that all the new development required in the District was accommodated in locations that could support it environmentally and where it would not have a detrimental impact on the

landscape. 241 sites around the District's 4 main towns and Knebworth had been assessed during the Study, and each site had been allocated a capacity rating. These allocations were shown on the maps that were part of the Study documentation by a variation in colours.

In response to questions from the Committee, the Urban Design & Landscape Officer and the Local Development Framework Manager explained that, whilst the Landscape Sensitivity & Capacity Study may appear to demonstrate that some areas were suitable for development, the conclusions of this Study are based only on the Landscape Sensitivity and Capacity criteria used and that other factors such as planning policy, government guidance and sustainability criteria may exclude some of the sites identified as potential housing development sites.

RESOLVED: That the report of the Head of Planning & Building Control be noted.

RECOMMENDED TO CABINET:

- (1) That the need to ensure that the Landscape Sensitivity & Capacity Study was appropriately expressed to ensure that it was not inappropriately interpreted by the public as justification for development on unsuitable land be addressed;
- (2) That, subject to recommendation (1) above, the recommendations as set out in the report of the Head of Planning & Building Control be supported.

REASONS FOR DECISIONS: In order that the Committee can provide input on documents to be input into policy development within the Local Development Scheme.

116. WASTE MANAGEMENT CONTRACT – RENEGOTIATIONS & POLICIES

The Head of Leisure & Environmental Services presented a report to the Committee which apprised Members on the progress of negotiations to accommodate the contract negotiations needed to increase recycling and composting participation and introduce alternate weekly collection of residual waste. The report would be considered by Cabinet at its meeting to be held on 19 December 2006.

The Head of Leisure & Environmental Services drew the Committee's attention to the summary of options provided in section 7 of the report, together with the financial figures provided in section 9 of the report. He also stressed the need for Member commitment to the option chosen, and the issues surrounding public expectations and reception of choices, particularly Alternate Weekly Collections (AWC).

In response to concerns expressed by the Committee with respect to the significant difference in figures submitted by the Contractor for provision of increased services, the Head of Leisure & Environmental Services drew the Committee's attention to section 8 of the report, which stated that, since the Change Notice Procedure had not been instigated and concluded, the negotiations were not binding on either party.

RESOLVED: That the report of the Head of Leisure & Environmental Services.

RECOMMENDED TO CABINET:

- (1) That consideration be given to Option 3 (as identified in paragraph 7.5 of the report) as the preferred Option for implementation in North Hertfordshire;
- (2) That, should the proposal to collect plastics using Bring Banks be implemented, Cabinet ensure that the vessels to be used for storage of the plastics are of sufficient size to ensure that all materials are stored within the vessels and no overflow occurs;
- (3) That the key role that In-Vessel Composting (IVC) will play in the successful introduction of Alternate Weekly Collections (AWC) in North Hertfordshire, and

the need to work with Hertfordshire County Council (HCC) to ensure its implementation, be acknowledged;

- (4) That, whichever option was pursued, the need for a full education programme for residents in the District in order to ensure successful implementation and prevent project failure be supported.

REASONS FOR DECISIONS:

- (1) To consider the Options available to meet future Government and EU directives in respect of recycling.
- (2) 2007 was the only opportunity within the current 10-year Waste Management Contract to negotiate major change to facilitate the introduction of AWC and additional kerbside collection of recyclates.

117. AREA GOVERNANCE & COST OF DEMOCRACY

The Head of Community Development & Cultural Services presented a joint report of the Heads of Community Development & Cultural Services, Planning & Building Control and Legal & Democratic Services to the Committee that set out a series of proposals and options to determine savings which could be made if the Council's approach to its governance and decision making arrangements was restructured. The report was to be presented to Cabinet at its meeting to be held on 19 December 2006.

The Head of Community Development and Cultural Services confirmed that this report was being brought to the Committee as a direct response to implementing the Council's decision to make savings of £50,000 which was part of the Service and Financial Planning Process for 2006/2007.

The Head of Community Development & Cultural Services acknowledged that the proposals represented a fundamental change to the way that the Council's civic process currently operates, but stated that the resulting arrangements would be more streamlined and less bureaucratic, whilst operating within the law. He also informed the Committee that the report before them presented only the outline proposals and principles, and that a further report with more detailed information about the proposals would be presented to Cabinet at a later meeting.

The Committee expressed concern that the reduction of bureaucracy had been equated with the reduction of meetings, and felt that the latter was not necessarily an appropriate option. Reference was made to the recommendations outlined in the Local Government White Paper and those anticipated in the Lyons Report, which highlighted the need for community engagement in decision making, as it was felt many of the proposals contained in the Head of Community Development & Cultural Service's report were contrary to those recommendations.

Particular concern was expressed with regard to the principal areas of proposed savings in the report: the loss of at least two staff. The Head of Community Development & Cultural Development confirmed that these savings would be made from the removal of one Committee & Member Services Officer post (which was currently vacant following the resignation of a member of staff), and one Community Development Officer post (which was likely to be as a result of a redundancy). The Committee expressed concern at the amount of support that would still be required for Members in the "enhanced community role" envisaged for them under these proposals, and drew attention to the amount of money shown in the Appendix to the report (A Summary of Costs of Democracy) that was attributed to "recharges". Whilst the Strategic Director of Financial & Regulatory Services explained the nature of recharges to the Committee, and how they were calculated, many Members still called for those recharges to be reviewed.

An area of particular interest for the Committee was the proposals for changes in the way that the Scrutiny operated. Members referred to the Council's Constitution, which stated that the Scrutiny Committee would set its own Work Programme and determine which Task & Finish Groups or Sub-Groups that it wished to appoint. This was directly contrary to the proposals contained within the report. Members also expressed concerns about the Scrutiny Committee's ability to ensure that important items were reviewed in a cross-party forum before decisions were made at Cabinet should meeting frequency be reduced, and expressed the view that, should the number of scheduled meetings be reduced to 6, long agendas and numerous special meetings would result. This final point was also applied to Cabinet and PARC meetings, and the Committee questioned how those additional meetings would be resourced if budgets had been significantly reduced.

With regard to the proposal to form a centralised Development Control Committee, removing planning from the Area Committees, the following key points were made:

- Planning decisions must be made at Area Committees in order to utilise local knowledge to make best decisions.
- A centralised Development Control Committee would result in fair, consistent decisions across the District and reduce the number of appeals made against decisions made.
- If decisions are made by Committees composed from Members from a pool, this will reduce the consistency in decision making. And what method would be used to determine which Members from the pool will sit on each hearing?
- The limited pool of Members who would sit on the Development Control Committee would allow other Members to take on more of an advocacy role on behalf of their constituents than is currently possible.
- A centralised Committee would result in bad decisions as Members would be making decisions without knowing the area, and the public would be in strong opposition.
- The number of site visits required would increase as Members would be making decisions in areas that they were not familiar with. This would result in increased pressure on officer time and expenses claims.
- As the Council was currently achieving the Best Value Performance Indicator for speed for decision making in relation to Planning Applications, it was not apparent why there was a need to make radical changes to procedures on this grounds.
- In rural areas, Parish Councils felt that their Ward Councillors provided the local knowledge required to ensure that planning applications in those areas were dealt with appropriately.

The Committee therefore felt that this issue needed more exploration and discussion before a decision could be made.

At the Chairman's invitation Councillor Judi Billing, Chairman of Hitchin Committee, addressed the Committee about the proposed changes to the structure and terms of reference of the Area Committees. She stated that the proposals were utterly lamentable in their retrograde approach to Committees, and suggested that alternative options for the future development of the Southern Rural Committee should be explored, rather than removing it entirely and merging the rural Wards with their nearest respective urban areas. Councillor Billing also spoke to the Committee about the work she and other Councillors had undertaken at national and regional level events to promote the Council's existing excellent area governance and engagement model, and questioned the decision to change that system.

The Committee also stressed the need to remember, when considering making alterations to Area Committees and the way that they operate, that each of the Area Committees and the areas that they covered had their own unique character, needs and priorities.

RESOLVED:

- (1) That the report of the Heads of Community Development & Cultural Services, Planning & Building Control and Legal & Democratic Services be noted;
- (2) That officers be requested to review the financial information provided with regard to the Costs of Democracy at Appendix A to the report of the Head of Community Development & Cultural Services, with particular reference to those items identified as internal recharges, with a view to allowing member scrutiny of this area of expenditure.

RECOMMENDED TO CABINET: That the following key issues raised by the Scrutiny Committee be taken into account when considering the recommendations in the report:

- That the level of savings proposed to be made did not justify the massive and untested change in the way the Council would function.
- That the proposal for more decisions to be taken by Portfolio Holders under delegated powers be supported, provided that this did not result in any loss of visible democracy; all decision making, even when taken through delegated powers, should be open to public scrutiny at all stages and will therefore not necessarily result in any saving. Increased decision making by Portfolio Holders will result in more need for Scrutiny.
- That the Committee felt great concern with regard to the proposed reduction of frequency of meetings for the PARC and Scrutiny Committees and Cabinet. This was likely to result in overlong agendas, increased numbers of extraordinary meetings, and could result in problems with the decision-making process.
- As issues had been identified both in favour and against the formation of a centralised Development Control Committee, this proposal should be taken out of the overall cost savings proposals for a workshop-style discussion forum to allow those issues to be fully discussed and explored prior to a decision being made on the proposal.
- Further clarification was needed of the exact roles that Members could play with regards to advocacy for or against planning applications being considered by a central Development Control Committee.
- That the proposals to change the composition, terms of reference and frequency of meetings of Area Committees be not pursued, due to the current model's success and the importance of the community engagement role that these Committees played.
- That officers be requested to investigate methods of streamlining decision-making processes, to reduce or eliminate duplication of documentation and unnecessary paperwork.

REASON FOR DECISIONS:

- (1) To provide the Scrutiny Committee with an opportunity to provide its views on the proposed changes to the Area Governance and decision making arrangements prior to its consideration by Cabinet at its meeting on 19 December 2006.
- (2) To ensure that savings identified within the context of the Service & Financial Planning process for 2006/2007 and beyond are achieved.

The Chairman thanked all those present for remaining for the long duration of the meeting, and wished all those present a very happy Christmas.

The meeting closed at 11.17 p.m.

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Chairman