

NORTH HERTFORDSHIRE DISTRICT COUNCIL

CABINET

**Meeting held at Council Offices, Gernon Road, Letchworth Garden City
on 15 November 2005 at 7.30 p.m.**

Minutes

PRESENT: *Councillors F.J. Smith (Chairman), Mrs A.G. Ashley, W.M. Davidson, Tricia Gibbs, T.W. Hone, I.J. Knighton and R.A.C. Thake.*

IN ATTENDANCE: *Chief Executive, Strategic Director of Customer Services, Strategic Director of Financial and Regulatory Services, Head of Financial Services, Head of Planning & Building Control, Head of Revenues and Benefits, Transport Policy Officer, Regional & Strategic Sites Manager, Democratic Services Manager, and Committee and Member Services Officer.*

ALSO PRESENT: Councillors M. Paterson and David Kearns.

111. APOLOGIES FOR ABSENCE

No apologies for absence were received.

112. MINUTES

RESOLVED: That the Minutes of the meeting of Cabinet held on 18 October be approved as a true record of the proceedings and be signed by the Chairman.

It was noted that at Minute number 97, Referral from Scrutiny committee – 11 October 2005 – Questions: Letchworth Multi-storey car park, a review of the issues was to be undertaken and reported back to the meeting of Cabinet on 15 November 2005. The Head of Financial Services advised Cabinet that the report would be presented at the next meeting of Cabinet on 20 December 2005.

113. NOTIFICATION OF OTHER BUSINESS

No other business was submitted for consideration by Cabinet.

114. DECLARATIONS OF INTEREST

No declarations of interest were made at the meeting.

115. PUBLIC PARTICIPATION

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

116. ITEM REFERRED FROM THE MEETING OF HITCHIN AREA COMMITTEE – 8 NOVEMBER 2005 – PRESENTATION OF A PETITION - LOCAL BUS SERVICE

Cabinet considered a referral from Hitchin Area Committee that was held on 8 November 2005 regarding a petition about the local bus service in Ninesprings Way and Halsey Drive, Hitchin.

The Portfolio Holder for Planning and Transport advised Cabinet that the issues contained in the petition would be investigated once the informal Member Working Group for passenger transport issues had been set up.

RESOLVED: That the current lack of provision of a passenger bus service to Ninesprings Way and Halsey Drive, Hitchin be considered by the Member Working Group as part of the review of bus service provision with Hertfordshire County Council and bus operators.

117. DEVELOPMENT OF A LOCAL AREA AGREEMENT FOR HERTFORDSHIRE - PROGRESS TO DATE

The Portfolio Holder for Community Engagement and Rural Affairs introduced a report of the Head of Policy, Partnerships and Performance that outlined the process by which the Local Area Agreement for Hertfordshire had been developed. The report contained proposals regarding how the Authority would contribute to the development of targets and monitoring of progress against those targets over the given three year period.

The report also advised that an oral update of progress to date had been made to the Scrutiny Committee on 1st November 2005 and a report to the Performance Audit and Review Committee would follow on 24th November 2005.

The following documents were appended to the report:

Appendix A - Initial Submission document.

Appendix B - Response to initial submission.

Appendix C - Working Group notes of 25 October.

Appendix D - Timeline for negotiation.

RESOLVED:

- (1) That the progress made be noted;
- (0) That the targets for discussion be submitted for their approval at the earliest opportunity;
- (0) That the proposal for PARC to monitor establishment of and delivery against individual targets be approved.

REASONS FOR DECISIONS:

- (0) There was a clear need for the Authority's Cabinet to approve the targets discussed in terms of resourcing and delivery against the district Community Strategy and other agreed Best Value Performance Indicators;
- (2) The Performance Audit and Review Committee were best placed to undertake review of progress against agreed targets.

118. DRAFT SUPPLEMENTARY PLANNING DOCUMENT: VEHICLE PARKING PROVISION AT NEW DEVELOPMENT AND ASSOCIATED SUSTAINABILITY APPRAISAL AND STRATEGIC ENVIRONMENTAL ASSESSMENT

The Portfolio Holder for Planning and Transport introduced a report of the Strategic Director of Financial and Regulatory Services that sought approval to issue the draft Supplementary Planning Document (SPD) on Vehicle Parking Provision at New Development and associated documents, namely a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) of the draft SPD for public consultation.

The following documents were appended to the report:

Appendix 1 - Draft Supplementary Planning Guidance on Vehicle Parking Provision at New Development

Appendix 2 - Sustainability Appraisal and Strategic Environmental Assessment on Draft SPD - Vehicle Parking Provision at New Development.

The report was accompanied by a presentation of the draft SPD by Consultants Harrison and Webb who had undertaken the work to produce the SPD and associated documents.

The presentation covered the following main points:

- Background – SPD supplements Local Plan No 2

- Status – current policy out of date regarding car parking standards
- Policy compliance – national, regional and local
- Overall policy direction – locate development where it is accessible by non-car modes
- Maximum parking standard for non-residential development
- Town Centre locations – can be highly accessible by non-car modes; shops rarely have private parking but rely on public parking
- Location variation in parking provision – based on a zone system reflecting accessibility, economic vitality and environment, heritage and conservation
- Zones developed for: Hitchin, Letchworth Garden City, Baldock, Royston and Knebworth
- The effect of Zoning
- Application of procedure
- Existing car ownership statistics
- Compliance with PPG3.

The Chairman of Cabinet thanked Tony Harrison of Harrison and Webb for the presentation.

RESOLVED: That the draft Supplementary Planning document (SPD) Vehicle Parking Provision at New Development and the associated Sustainability Appraisal (SA)/Strategic Environmental Assessment (SEA) document be issued for public consultation and that, as part of the consultation, the draft SPD be considered by the five Area Committees.

REASONS FOR DECISIONS: There was a need for the Council to adopt guidance on vehicle parking at new development. To do this the Council would need to adopt new SPD and in line with national policy, a draft version of the SPD had to be made available for public consultation. In addition the draft SPD had to be the subject of draft SA and SEA which would also need to be issued for public consultation.

119. REGIONAL AND STRATEGIC PLANNING ISSUES

The Portfolio Holder for Planning and Transport introduced a report of the Head of Planning and Building Control that informed Cabinet of the positions regarding:

- West of the A1(M) at Stevenage;
- The draft East of England Plan;
- Growth Area Liaison for the Luton conurbation;
- Luton & Dunstable Northern Bypasses;
- London Luton Airport and Stansted Airport.

With regard to 4.1 of the report, West of the A1(M) at Stevenage, disappointment was expressed due to the Secretary of State being minded to approve the scheme for 3,600 dwellings. Cabinet was advised that the Council's barrister was still examining the Inspector's Report and the Secretary of State's Letter with a view to challenging the decision and would report back when a conclusion had been reached.

With regard to 4.34 of the report, London Luton Airport / Stansted Airport, the Portfolio Holder for Planning and Transport advised Cabinet that a meeting had taken place at Breachwood Green on 14 November where the Master Plan had been discussed and advised that similar meetings would be held at Whitwell on 21 November and in Luton on 24 November. It was noted that a view had been expressed that the replacement runway referred to in the proposal was in fact a second runway and that local residents were aware of this.

RESOLVED:

- (1) That the initial comments on the Secretary of State's decision be noted and that a separate report regarding potential courses of action open to the Council to challenge a decision be received by Cabinet;
- (2) That concern at the time period allowed by the Secretary of State for the reformulation of the S106 agreement be expressed and that Cabinet would indicate to the Secretary of State that, notwithstanding its opposition to the scheme, Officers would work with the Consortium to ensure that any legal agreement is robust and would incorporate secure delivery mechanisms;
- (3) That the response to the Highways Agency consultation as set out in Paragraph 4.33, which commenced "A consultation exercise" be amended to add the words "and to the east of Luton" at the end of the paragraph and be agreed.

REASONS FOR DECISIONS: To ensure that the Council's views were taken into account and to ensure that Cabinet was aware of developments.

120. LOCAL DEVELOPMENT FRAMEWORK – DRAFT ANNUAL MONITORING REPORT

The Portfolio Holder for Planning and Transport introduced a report of the Head of Planning and Building Control that sought Cabinet's approval of the Draft Local Development Framework - Annual Monitoring Report 04-05, for submission to the Government Office for the East of England (Go-East) for comments.

The following document was appended to the report:

Appendix A – North Hertfordshire District Council Local Development Framework – Draft Annual Monitoring Report.

RESOLVED:

- (1) That the Draft Local Development Framework Annual Monitoring Report be submitted to the Government Office for the East of England (Go-East) for comments;
- (2) That delegated powers be granted to the Head of Planning and Building Control in consultation with the Portfolio Holder for Planning, Environment and Transport, to agree any amendments to the AMR, following comments from Go-East;
- (3) That in future years the Draft Local Development Framework Annual Monitoring report be agreed by the Portfolio holder for Planning and Building Control for submission to Go-East.

REASON FOR DECISIONS: To have an agreed Annual Monitoring Report to submit to Go-East, in line with Section 35 of the Planning and Compulsory Purchase Act.

121. INFORMAL MEMBER WORKING GROUP – PASSENGER TRANSPORT ISSUES

The Transport Policy Officer presented a report of the Strategic Director of Financial and Regulatory Services that sought support to set up an informal Member Working Group to discuss a variety of public transport issues in order to allow the District Council to influence the decisions of others, such as Hertfordshire County Council (HCC) and transport operators.

Cabinet agreed that the informal Member Working Group should be set up as soon as possible and were advised that the first meeting was scheduled to take place by the middle of December 2005.

RESOLVED:

- (1) That a Member Working Group on Passenger Transport be set up and that the Working Group should have a consultation and discussion role on behalf of the Council to assist HCC and bus operators' decision making;
- (2) That the Working Group comprise seven members and reflect the current overall political balance of the Council and comprise four Conservative members, two Labour members and one Liberal Democrat member.

REASON FOR DECISIONS: There was an acknowledged need for NHDC to be involved in discussions especially on bus service changes. An informal Working group was considered to be the best way of ensuring North Hertfordshire District Council's involvement, given the short notice periods normally required during bus changes.

122. CAPITAL PROGRAMME – 2005/2006 ONWARDS

The Portfolio Holder for Finance introduced a report of the Strategic Director of Financial and Regulatory Services that updated Cabinet on the capital programme for 2005/2006 and its impact upon the 2006/2007 programme and upon available capital funding resources.

The report also sought approval to changes to individual scheme expenditure for 2005/2006, 2006/2007 and 2007/2008.

The following document was appended to the report:
Appendix A – Capital Estimates 2005/2006 Onwards.

The Portfolio Holder for Finance confirmed that receipts from the sale of assets, from any part of the authority, should not necessarily be ring fenced to projects pertaining to that particular area.

RESOLVED: That the changes to the provisional capital programme for 2005/2006 onwards be approved.

REASON FOR DECISION: Cabinet was required to approve the revisions to the capital programme for 2005/06 and onwards as detailed in Appendix A.

123. APRIL TO SEPTEMBER 2ND QUARTERLY REVENUE MONITORING REPORT FOR 2005/2006

The Portfolio Holder for Finance introduced a report of the Strategic Director of Financial and Regulatory Services that informed Cabinet of the summary position on income and expenditure for the period April to September 2005 for the General Fund and the Council's trading accounts.

The report highlighted significant variances to Members and included the progress of any carry forwards requested by officers for inclusion in the 2005/2006 accounts, which were not projected to be spent, within the financial year.

The report also highlighted savings and growth agreed by Members as part of 2005/2006 Service and Financial Planning process, which were not projected to be spent or saved, within the financial year and updated Members on the progress of the vacancy control and reshaping savings which were included within the General Fund budgets.

The following document was appended to the report:
Appendix A – Treasury Management Activity for 2005/2006 April – September.

RESOLVED:

- (1) That the report be noted;
- (2) That the transfer of £13k from the General Fund to the DSO reserve identified from Customer Services budgets and the transfer of £50k to fund the remaining deficit on the Public Conveniences contract (Paragraph 4.6), be approved;
- (3) That approval from the ODPM to capitalise redundancy costs, including repayments to the pension fund under section 16(2)(b) of the Local Government Act 2003, be sought;
- (0) That the Projected General Fund budget of £16.886million be approved.

REASONS FOR DECISIONS:

- (0) Members would be able to monitor and request appropriate action of Directorates who did not meet the budget targets set as part of the Service and Financial Planning process.
- (0) Approval was required to seek ODPM approval to capitalise redundancy and pension fund costs.
- (0) That changes to the Council's balances be monitored and approved.

124. REVIEW OF COUNCIL TAX DISCOUNTS FOR LONG TERM EMPTY PROPERTY

RESOLVED:

The Portfolio Holder for Finance introduced a report of the Head of Revenues and Benefits that reviewed the decision made by Cabinet on 13 January 2004 to exercise its powers under Section 11A of the Local Government Finance Act 1992 as inserted by the Local Government Act 2003 to reduce the Council Tax Discount on long term empty property to zero.

Cabinet was asked to consider a change to the existing policy to protect landlords of property that was used for charitable purposes.

RESOLVED:

- (0) That the principle to exclude long term empty properties owned by Charities and let for charitable purposes from the resolution under Regulation 11A of the Local Government Finance Act 1992 passed by Cabinet on 13 January 2004 be agreed;
- (0) That research into identifying those properties concerned be carried out by the Head of Revenues and Benefits and reported back to Cabinet in time to have the new resolution in place for Council Tax annual billing in 2006.

REASONS FOR DECISIONS: To assist those charities providing accommodation for charitable purposes and to meet the strategic objective to target resources at areas of disadvantage in the District to reduce social exclusion and improve the quality of life for everyone.

125. REDEVELOPMENT PROJECT, IVEL COURT, LETCHWORTH

The Portfolio Holder for Finance introduced a report of the Strategic Director of Financial and Regulatory Services that requested the approval for the preferred developer partnership for the proposed redevelopment of the Ivel Court area in Letchworth

The Chairman of Cabinet welcomed the Chairman of Letchworth Committee and invited him to speak on the matter.

The Chairman of Letchworth Committee referred Cabinet to comments that had been made at the meeting of the Letchworth Committee on 9 November 2005, (Minute 71 refers), copies of which had been distributed to Cabinet and said that he had nothing further to add.

RESOLVED: That the McCann / North Herts Homes / Howard Cottage / Design Partnership group progress the regeneration scheme in accordance with the relevant details provided and such details that may emerge from future consultation.

REASONS FOR DECISIONS:

- (0) The recommended partnership submitted the most complete response tackling the outcomes indicated in the original planning / redevelopment brief. Appointment will enable the group to carry out further investigation and resolve local matters relating to the project;
- (0) A local partnership will be well placed to carry out further consultation on the current proposals to establish a final design scheme that will meet the needs of the local community and local stakeholders;
- (0) The Council will safeguard its assets and works with the approved partnership for the re-development that will improve the quality of life in North Herts.

126. SERVICE and FINANCIAL PLANNING – SAVINGS and GROWTH 2006/2007 & 2010/2011

The Portfolio Holder for Finance introduced a report of the Strategic Director of Financial and Regulatory Services that listed the savings and growth items submitted by officers for 2006/07 and onwards that were presented for consultation to Council Members at the Budget Workshops held on 31st October and 2nd November.

Cabinet were asked to agree the list of savings and growth for consultation with Scrutiny, Area Committees, Local Strategic Partnership and Business Ratepayers during November and December.

The following documents were appended to the report:

- Appendix 1 – Savings – HCC Subsidies
- Appendix 2 – Budget forecast over the next 5 years
- Appendix 3 – Savings – Service options
- Appendix 4 – Savings – income increase options
- Appendix 5 – Growth – Revenue options
- Appendix 6 – Growth – Capital options
- Appendix 7 – Budget Workshop, Members Comments.

RESOLVED:

- (0) That the following changes to the lists of savings and growth provided at Appendix 7 to the report be agreed :

Ref.	Item	Comment/Agreement
CS2	Reduce number of cuts on Highways land from 14 -16 to 6 and remove subsidies	Withdraw from list
CS4	Cease contribution to supported bus routes	Requires further consideration after transport working party review
SP9/SP10/SP11	Cessation of Playscheme service, Sports Development Service and reduce Youth Development Budget	Needs rationalisation aimed at savings but not complete removal
SP 12	Cessation of 50+ Service	Needs rationalisation aimed at savings but not complete removal
SP13	Change meals on wheels service to a frozen meals only delivery service	Requires comment about the County Wide Review
SP14	Cease Dial a ride service	requires a note that alternatives are being examined
SP16	Restructure Community Development Teams by deleting 1 post	Withdraw from list.
SP18	Close the remaining pavilions within the District	Split Cemeteries from the Budget and consider separately. Officers to carry out a further review.
SP21	Closure of Letchworth Outdoor Pool	Reword to indicate that a reduction in the subsidy should be considered in conjunction with a survey of the condition of the building and pool tank.
SP23	Reduce Area committee budgets by £50,000	Withdraw from list
SP25/SP26	Transfer of Bancroft Public Hall and Hitchin Town Hall to third party	Review of both buildings to explore transfer to third party operators
SP 29	Introduce fortnightly waste collection	Needs to be linked to other re-cycling issues and reflect the need for a public education process.
SP37	Increase of off street parking charges	Review other charging choices such as evenings and weekends and consider higher annual increases
SP38	Increase CPZ permits to £50	Consider £13 increase instead of £24. Needs comparisons made with other districts
SP39/SP40/SP41	Increase charges for burials; interment; monument and grave purchase	Needs to be considered in conjunction with neighbouring authority charges with a view to reducing the subsidy overtime
SP45	Increase taxi licence fees	Refer to taxi forum if appropriate
RG12	£100k required for de minimis repairs to bring play areas up to standard	Consider option of 50k over 2 years
RG18 / RG19	Town Centre Strategy – Letchworth Town Centre Strategy - Royston	Add Baldock Town Centre to the description of the proposal and consider funding from Area Committee budgets
RG21	Private Sector Housing Stock Condition Survey	Move to statutory section of the table
CG 10	Demolition of Letchworth outdoor Pool	Alter wording to reflect comment at SP21

- (0) That the views of Scrutiny, PARC, Area Committees, Local Strategic Partnership and Business Ratepayers be sought during November and December 2005.

REASONS FOR DECISIONS:

- (0) To ensure that all relevant committees and groups are consulted on the proposed savings and growth bids and afforded the opportunity to comment before Cabinet sets the draft budget in December 2005.
- (0) To ensure that the Council is able to adjust its base expenditure downwards to narrow the gap between our 2005/06 District Requirement figure, as adjusted for anticipated capping limits, and our service spending requirements

127. SUGGESTED RESOLUTION

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on

the grounds that it involves the likely disclosure of exempt information as defined in Paragraph(s) 8 and 9 of Part 1 of Schedule 12A of the said Act.

128. COMMUNITY MEALS SERVICE PROCUREMENT

RESOLVED:

- (1) That the proposed one year extension to the Community Meals Service as outlined in the report of the Head of Strategy and Support Services be approved;
- (1) (2) That the Head of Legal and Democratic Services shall advise and prepare the necessary documentation to enable such an extension.

The meeting closed at 10.20pm

Chairman