

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**

**SCRUTINY COMMITTEE**

**MINUTES**

**Meeting held at the Council Offices, Gernon Road, Letchworth Garden City on  
Monday, 19 June 2006 at 7.30p.m.**

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

**ALSO PRESENT:** *Councillor A.D. Young – Policy Portfolio Holder; Councillor R.A.C. Thake – Planning & Transport Portfolio Holder; Councillors F.R. Hill and A.F. Hunter; Mr Geraint Burnell – Royston Town Centre Manager.*

**IN ATTENDANCE:** *Strategic Director of Financial & Regulatory Services, Strategic Director of Customer Services, Chief Engineer, Head of Communications, Scrutiny Officer and Senior Committee & Member Services Officer.*

**16. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors S. Bloxham and H.M. Marshall.

**17. MINUTES**

**RESOLVED:** That the Minutes of the meeting of the Scrutiny Committee held on 23 May 2006 be approved as a true record and signed by the Chairman.

**18. NOTIFICATION OF OTHER BUSINESS**

No items were presented for consideration by the Committee.

**19. DECLARATIONS OF INTEREST (INCLUDING PARTY WHIP DIRECTIONS)**

Councillor P.C.W. Burt declared a personal interest in respect of Item 7 – Called-in Item: Car Parking Charges in Royston (Minute 22 below), and chose to participate in the debate, but not vote upon the matter.

**20. PUBLIC PARTICIPATION**

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

**21. URGENT/GENERAL EXCEPTION ITEMS**

There were no urgent or general exception items to report to the Committee.

**22. CALLED-IN ITEMS – CAR PARKING CHARGES IN ROYSTON**

The Chairman explained that, following representations from the Chairman of the Royston & District Committee and comments made at the meeting of that Committee held on 31 May 2006, he had called-in the decision made by the Strategic Director of Customer Services, in consultation with the Cabinet Portfolio Holder for Planning and Transport, and published in the Members' Information Service on 26 May 2006, in respect of Car Parking Charges in Royston.

The Committee received a brief covering report on the situation regarding the Car Parking Charges in Royston. The following appendices to the report were also submitted:-

Appendix A – Decision on Car Parking Charges in Royston made by the Strategic Director of Customer Services, in consultation with the Cabinet Portfolio Holder for Planning & Transport, dated 26 May 2006;

Appendix B – Report on Car Parking Charges considered by Cabinet on 28 March 2006;

Appendix C – Minute extract of the item on Car Parking Charges considered by Cabinet on 28 March 2006;

The Committee noted that it was understood the reason for the call-in was that Members of the Royston & District Committee had felt that they were led to believe that the comments they had made to Cabinet on 28 March 2006 would be taken on board in the final decision on Royston Car Parking Charges, but on seeing the MIS-published Officer/Portfolio Holder decision on 26 May 2006, had considered that their comments had not been addressed in the decision.

Members further noted that the effect of the call-in was that the decision was held in abeyance until the Scrutiny Committee had considered the matter. The Committee had the following options open to it:-

- (1) it may either decide to note the issue, but not refer the matter back to the Decision Maker or Full Council (in which case the decision came into effect on the date of the Committee), or
- (2) refer the matter back to the Decision Maker for re-consideration, setting out in writing the nature of the Committee's concerns (the Decision Maker had 20 days in which to re-consider the decision, amending it or not, before adopting a final decision), or
- (3) refer the matter to Full Council – in view of the timescale, a special Council meeting would be required to consider the Car Parking Charges issue (as the Car Parking Charges was an executive decision, the Council would only be able to express a view on the matter before again referring it back to the Decision Maker for a final decision to be taken within 3 days of the Council meeting - if the Council expressed no view on the matter, then the decision would take effect from the date of the Council meeting).

The Chairman invited Councillor Fiona Hill, Chairman of the Royston & District Committee, to address the Committee. Councillor Hill made the following points:-

- The Royston & District Committee had been consistently opposed to the proposed 40% increase in short-term car parking charges for Royston;
- She had been led to believe at the Cabinet meeting held on 28 March 2006 that the views expressed by her and fellow Royston Members would be taken on board in the final decision (whereas only retention of the 10p after 4pm tariff had formed part of the final decision);
- The detrimental impact on retail traders in Royston Town Centre of the increased charges, and the continued expansion of Tesco's on the outskirts of the town;
- The Strategic Director of Customer Services and Portfolio Holder for Planning & Transport had been invited to attend the next meeting of the Royston & District Committee to justify the proposed increase in charges.

The Chairman invited Councillor A.F Hunter, as a Member of the Royston & District Committee, to address the Committee. Councillor Hunter made the following points:-

- There was concern over the impact of the increased charges on a town centre which already suffered from lack of a butcher, greengrocer and fishmonger;
- The ECOTEC report reviewing market towns in Hertfordshire referred to increased footfall in Royston Town Centre, but that this referred to businesses generally, rather than retailers specifically;
- Attempts should have been made to discuss the proposals with Royston Members before the final decision had been made.

The Chairman invited Mr Geraint Burnell, Royston Town Centre Manager, to address the Committee. Mr Burnell made the following points:-

- The report to Cabinet on 28 March 2006 referred to consultation on the proposals, but failed to mention the concerns of Royston Town Centre retailers;
- There had been limited consultation with Town Centre retailers and car park users before the final decision had been made;
- The 14,000 extra vehicles per year circulating in the town centre looking for cheaper parking should the charges for Princes Mews Car Park be increased only equated to 6 vehicles per hour;
- The ECOTEC report referred to the fact that 70% of businesses in Royston had reported an increase in turnover in the last five years, but failed to mention that only 16% of the businesses consulted were retailers;
- The report stated that there was only anecdotal evidence to suggest that the level of car parking charges affected the viability of retail traders, but the Town Centre Manager had received two statements from town centre retailers, witnessed by solicitors, which detailed their decline in trading turnover/profit over the last four/five years;
- The proposed review of the car parking tariffs in December 2006 would be too late for an already declining town centre;
- The Town Centre Manager had already received representations from users of the long-term car parks, some of whom had low paid jobs, expressing their opposition to the proposed increase from £1.50 to £4 per day.

The Chairman invited Councillor P.C.W. Burt, a Member of the Committee and the Royston & District Committee, to give a presentation to the Committee. Councillor Burt's presentation reinforced the comments made by earlier speakers, and he referred to a re-calculation of the car parking tariffs for Royston which he had prepared as an alternative to the proposed tariffs. He asked for the decision to be referred back to the Decision Maker for further consideration, and that consultation takes place with Royston Members before a final decision was made.

The Chairman invited the Councillor R.A.C. Thake, Cabinet Portfolio Holder for Planning & Transport, to respond to the points raised by the previous speakers. Councillor Thake made the following comments:-

- The Cabinet had never been in any doubt about the views of Royston Members on the proposed increases in car parking charges for the town;
- The car parking charges for Royston had not been increased for five years, and yet the trading position of retailers had not improved since that time;
- There was no proven link between trading viability and the level of car parking charges;

- The concerns of Royston Members had been evaluated during the decision-making process and had been addressed fully in the report before the final decision had been made.

The Chairman invited the Strategic Director of Customer Services to supplement the response of the Portfolio Holder for Planning & Transport. The Strategic Director of Customer Services made the following comments:-

- The decision had been made in order to implement the agreed policy of the Council in relation to car parking charges, as contained in the approved Budget for 2006/07;
- It was acknowledged that there had been changes in Royston's retail economy, partially due to out-of-town shopping, but that only 16% of Royston residents' income was actually spent in Royston;
- He would be prepared to receive alternative proposals to achieve the same level of increased income through raised tariffs, but with the proviso that such proposals needed to meet the objectives contained in the Council's Parking Strategy, as well as satisfying budgetary requirements.

The Committee asked questions of the various speakers and debated the matter at length.

The Committee considered that it had not been demonstrated that any special circumstances applied to Royston which merited a re-evaluation of the car parking charges for the town. Members commented that economic conditions in Hitchin and Letchworth Garden City were also unfavourable for many retailers, but that the Council had made a policy decision on the matter, and the increased car parking charges were already operational in these towns.

The Committee was not convinced that any conclusive evidence had been presented to provide a direct correlation between the diminishing viability of retail trading in Royston Town Centre and the impact on this of increased car parking charges. In arriving at this conclusion, Members acknowledged that retail trading in the town centre had been in decline for a number of years, throughout a period when the car parking charges had not been subject to any annual increase.

The Committee noted that the delay in implementing the new charges for Royston had resulted in a loss of income to the Council of approximately £2,000 per week. Any changes to the approved tariffs would require re-advertisement, consequent further delay, and consequent further loss of income. The Committee was therefore not supportive of the proposal to refer the decision back to the Decision Taker, neither did it see the need to refer the matter to Council.

**RESOLVED:** That the decision of the Strategic Director of Customer Services, made in consultation with the Cabinet Portfolio Holder for Planning and Transport and published on 26 May 2006, in respect of Car Parking Charges in Royston, be noted.

**REASON FOR DECISION:** To enable the decision relating to the proposed increases in the Car Parking Charges for Royston to be implemented without further delay.

## **23. CHAIRMAN'S ANNOUNCEMENTS**

There were no Chairman's Announcements.

## **24. PRESENTATION BY POLICY PORTFOLIO HOLDER**

The Cabinet Portfolio Holder for Policy, Councillor A.D. Young, gave a presentation informing the Committee of matters relating to his portfolio. He reminded Members of a number of the key areas of work covered by his portfolio, which included:-

- Strategic planning and development;
- Population / Census information;
- Best Value Performance Plan / Comprehensive Performance Assessment;
- Officer support for Scrutiny Committee and Performance, Audit & Review Committee (PARC);
- Complaints System;
- Electoral issues / Boundary changes;
- Communications Strategy / Press and Public Relations.

In respect of the Policy portfolio workload for 2006/07, Councillor Young highlighted the following tasks:-

- A major review of the Corporate Plan (assisted by PARC);
- A review of the Community Strategy – with new actions/targets;
- Local Area Agreements;
- A response to the Government White Paper on Local Government (expected in late summer 2006);
- A response to the Lyons Report on the Financial future for Local Government (expected by the end of 2006);
- Responses to the proposals for the re-structuring of Police Forces and the National Health Service/Primary Care Trusts;
- A Communications Strategy;
- Electoral Issues – including the likely Boundary Changes for 2007, and the possibility of the Council changing from elections by thirds to all out elections every four years.

The Cabinet Portfolio Holder for Policy answered a number of questions raised by Members at the conclusion of the presentation.

**RESOLVED:** That the presentation by the Cabinet Portfolio Holder for Policy be noted.

**REASON FOR DECISION:** To ensure that the Scrutiny Committee is kept informed of matters relating to the Policy Portfolio.

## 25. QUESTIONS

### (a) Consultation Exercises

The following question had been submitted by Councillor Paul Clark:

“In regard to the 9 consultations being undertaken for June 2006 reported to Members in the Members’ Information Service dated week ending 26th May 2006, can Officers please advise Councillors the overall cost to the taxpayers of North Herts of these 9 consultations?

Also which of these consultations are statutory and which have been instigated by this Council?”

The following response had been provided by the Head of Communications and the Consultation Officer:

“All consultations are carried out within the framework of the Council’s five year consultation strategy 2005-2010. The strategy projected savings of £18,000 over the five years and this is currently expected to be achieved.

The situation with each consultation is as shown below, but in all cases, officer time is contained within existing budgets.

### **District Wide Survey**

The Council has run a District Wide Survey on a biennial arrangement since 2000. This survey is one of the main Council tools for identifying service needs and feeds into the service and financial planning process. The survey also identifies priorities for the area, which supports the town centre visioning process and the Local Strategic Partnership. The cost for the District Wide Survey is taken from the 5-year Consultation Strategy budget, which was agreed at PARC in March 2005. The cost for the District Wide Survey is £29,000.

It is non-statutory but recommended best practice from ODPM/DCLG.

### **Stronger, safer, greener communities**

This is a statutory consultation exercise required as part of the Local Area Agreement (LAA) process. This consultation is being led by Hertfordshire County Council and is being carried out in the ten Hertfordshire Districts. The cost of this exercise is £50,000 and is paid entirely from the LAA pot from the Department of Communities & Local Government, formerly known as the ODPM.

### **The Grange Community Survey**

This exercise is being carried out by Groundwork Hertfordshire as part of its Safe and Sound Project which received substantial funding from GMTV’s People’s Lottery Contest. £7,000 has been used for this exercise to cover the consultation and design fees, and the council has provided officer time support for the project with the Consultation Officer designing the questionnaire to be used and analysing the responses.

It is non-statutory.

### **Disability in North Hertfordshire 2006**

North Hertfordshire District Council has a statutory duty under the Disability Discrimination Act to develop a Disability Equality Scheme. This exercise in the past may have used external consultants but is being co-ordinated in-house with the only cost being officer time. The Questionnaire has been developed using in-house consultation software package (SNAP) and is completed on-line, removing paper and postage costs. The associated cost is for Officer time.

### **Planning Obligations Draft Supplementary Planning Document/ Spatial Strategy**

These are all a statutory requirement required by central government as part of the Local Development Framework. The cost for the Supplementary-planning document is £1,700 and the Spatial Strategy is £650. These costs have been incurred in the main due to advertising in the local papers, which again is a statutory requirement for the exercise. All questionnaires used for these exercises have been developed in-house using consultation software tool available and staff expertise.

### **Council Tax Annual Bill Questionnaire**

This questionnaire is commissioned annually to satisfy the Charter Mark criteria. This exercise is run in-house using the consultation software tool and officer expertise. Costs restricted to officer time and printing costs.

It is non-statutory.”

Councillor Clark asked a supplementary question, to which the Head of Communications undertook to provide a written answer.

**RESOLVED:** That the Head of Communications provide a written reply to Councillor Clark and the remainder of the Committee with details of how the results of the consultation exercises will be evaluated and fed back to Members.

(b) Anti-Social Behaviour Orders (ASBOs)

The following question had been submitted by Councillor Paul Clark:

“When was the Council's protocol for issuing Anti-Social Behaviour Orders last reviewed? In the review were our protocols compared to other Local Authorities around the Country and what account was given to the number of ASBOs issued by these authorities?”

Did the Police Authorities in North Herts have any input during the review on the way that ASBOs are issued?”

The following response had been provided by the Community Safety Strategy Officer:

“The Authority's current ASB Protocol was developed following the introduction of the ASB Act 2003, and especially the increased focus on ASB issues generally in 2004. It was at this time that Government instigated three year funding for an ASB Officer for each Crime and Disorder Reduction Partnership, and one of the first duties of that role was to establish clear ASB protocols and methods of working, in conjunction with all our partners. In North Herts, the development of the protocol was further assisted by the creation of a specific Scrutiny task and finish group to compare arrangements in other partnerships and ensure the definition of ASB covered all the relevant areas which could be of concern to residents of North Herts. The only group we could compare ourselves with would be the 'Family 11' of like authorities in terms of geographics, population size etc, but there was not sufficient robust information regarding the number of ASBOs issued by each authority available at that time.

Two years later, all Anti-Social Behaviour Protocols, including the use of task groups, the issuing of Anti-Social Behaviour Orders and information sharing are currently being reviewed; this is partly in response to new requirements regarding information sharing brought about by the 'Respect' and Neighbourhood policing agendas and partly by a review of procedures within the Council itself. It is hoped that this process will be completed by mid-July. The Community Safety Teams for the Eastern area are in frequent consultation with each other and share best practice. At this time, all Anti-Social Behaviour Orders in North Herts have been secured 'post-conviction' by Herts Constabulary.”

Councillor Clark asked a supplementary question regarding the possibility of securing ASBOs 'pre-conviction', and commented that a number of other local authorities had adopted this approach.

**RESOLVED:** That the Community Safety Strategy Officer provide a written reply to Councillor Clark and the remainder of the Committee regarding the possibility of securing Anti-Social Behaviour Orders 'pre-conviction'.

**26. NORTH HERTFORDSHIRE DISTRICT COUNCIL – THE DRAFT FORWARD PLAN:  
1 JULY 2006 – 31 OCTOBER 2006**

The Chairman of the Scrutiny Committee presented the Draft Forward Plan to the Committee, which covered the period 1 July 2006 – 31 October 2006.

**RESOLVED:**

- (1) That the Draft Forward Plan, covering the period 1 July 2006 – 31 October 2006, be noted;
- (2) That, in view of the financial nature of this report, the item entitled “Letchworth Leisure Management Contract – Contractual Variation” be considered by the Scrutiny Finance Sub-Group instead of the Scrutiny Committee;
- (3) That the items entitled “Office Accommodation Strategy” and “Review of Procurement Options for the Future Management Arrangements of NHDC’s Markets” be submitted to the July 2006 meeting of the Committee, in advance of their consideration by Cabinet;
- (4) That the item on the pending list entitled “New/Revised Housing Strategy” be submitted to the November 2006 meeting of the Committee, in advance of its consideration by Cabinet.

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

**28.27. 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.

The Committee noted that the first meeting of the Affordable Housing Task & Finish Group had been arranged to take place on 28 June 2006.

**RESOLVED:** That, subject to the addition of an item to be submitted to the July 2006 meeting concerning the Review of Engaging Young People, the Scrutiny Committee Work Programme for 2006/07 be noted.

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

**28. HITCHIN TOWN CENTRE INITIATIVE – SERVICE LEVEL AGREEMENT**

The Strategic Director of Financial and Regulatory Services presented a report of the Head of Policy, Partnerships & Performance which was to be submitted to the Cabinet meeting on 27 June 2006 in respect of Town Centre Partnership Arrangements, with particular regard to funding and Service Level Agreements (SLAs). The report contained specific details of the Hitchin Town Centre Initiative SLA, which had been requested by the Scrutiny Committee.

The report detailed the reasons why the Service Level Agreement for Hitchin had been reduced from three years to an initial one year period. The Strategic Director of Financial and Regulatory Services commented that, pending clarification on a number of outstanding issues within the town centre, the Hitchin SLA would be reviewed in December 2006, and a decision made regarding the continuation of funding for the following two years.

**RESOLVED:** That the report be noted.

**REASON FOR DECISION:** In response to a request made by the Committee for a report upon this matter.

**29. TRAINING AND DEVELOPMENT OPPORTUNITIES FOR SCRUTINY MEMBERS**

The Scrutiny Officer presented a report informing Members of the training and development opportunities available to them, both in general and specifically for scrutiny. The Member Training Programme devised by the Member Development

Group was attached as Appendix A to the report, and the Member training request process was detailed in Appendix B.

The Committee was advised that Personal Development Folders were currently being piloted by the ten new Members of the Council, with the intention that all Members be provided with such folders in due course.

**RESOLVED:** That the training opportunities available for individual Scrutiny Members, as detailed in the report, be noted

**REASON FOR DECISION:** To enable Members of the Scrutiny Committee to develop their skills and carry out the Scrutiny function efficiently and effectively.

The meeting ended at 9.30pm.

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Chairman