

NORTH HERTFORDSHIRE DISTRICT COUNCIL

CABINET

**Meeting held at Council Offices, Gernon Road, Letchworth Garden City
on 20 September 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 and I.J. Knighton.*

IN ATTENDANCE: *Chief Executive, Strategic Director of Financial and Regulatory Services, Head of Legal and Democratic Services, Service Manager – Waste Management, Strategic Developments Manager, Acting Head of Policy, Partnerships and Performance, Democratic Services Manager and Committee and Member Services Officer*

The Chairman introduced Ian Gourlay, Senior Committee and Member Services Officer to Cabinet and wished him well in his new role.

The Chairman informed Cabinet that the following items had been circulated prior to the meeting:

Agenda item 6b -

Appendix 2 – CPAIP – Redevelopment of Temporary Accommodation

Appendix 3 – Ongoing Monitoring Arrangements

Appendix 4 – Detailed comments on Actions not yet complete.

75. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R.A.C. Thake and A. Young.

76. MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 23 August be approved as a true record of the proceedings and be signed by the Chairman.

77. NOTIFICATION OF OTHER BUSINESS

No other business was submitted for consideration by the Cabinet.

78. DECLARATIONS OF INTEREST

No declarations of interest were made at the meeting.

79. PUBLIC PARTICIPATION

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

80. ITEM REFERRED FROM THE MEETING OF THE PERFORMANCE AUDIT AND REVIEW COMMITTEE – 1 SEPTEMBER 2005- IMPLEMENTING ELECTRONIC GOVERNMENT – STATEMENT 4

Cabinet considered an extract from the Minutes of the meeting of the Performance, Audit & Review Committee held on 1 September 2005, in which the Head of Customer Services had apprised the Committee of the progress made in implementing Electronic Government Statement 4 (known as IEG4.5) and highlighted the areas where particular focus was required.

The Portfolio Holder for Leisure and e-government informed Cabinet that facilities for Members' I.T. was being progressed but as yet, there was no timescale for implementation.

RECOMMENDED TO COUNCIL: That the submission to the Office of the Deputy Prime Minister of this authority's Implementing Electronic Government Statement 4.5 as presented at Appendix A to the report be endorsed.

REASON FOR DECISION: To allow the continuation of progress by North Hertfordshire District Council in the implementation of e-government.

81. ITEM REFERRED FROM THE MEETING OF THE PERFORMANCE AUDIT AND REVIEW COMMITTEE – 1 SEPTEMBER 2005- COMPREHENSIVE PERFORMANCE ASSESSMENT IMPROVEMENT PLAN (CPAIP)

Cabinet considered an extract from the Minutes of the meeting of the Performance, Audit & Review Committee held on 1 September 2005, in which the Chief Executive had apprised the Committee of progress made on the implementation of the CPA Improvement Plan.

RESOLVED: That the proposal to remove Action 18 – Improve the physical environment following the provision of alternative monitoring arrangements and then removed from the CPA Improvement Plan as complete be approved.

REASON FOR DECISIONS: To allow the Performance, Audit and Review Committee to monitor progress on achieving completion of actions set out in the Comprehensive Performance Assessment Improvement Plan and as appropriate make recommendations to Cabinet.

82. ITEM REFERRED FROM THE SCRUTINY COMMITTEE – 13 SEPTEMBER 2005 – IMPACT OF FREEDOM OF INFORMATION ON PART II ITEMS

The Chairman advised Cabinet that the Chairman of Scrutiny Committee was unable to attend the meeting but had nothing to add to this item.

Cabinet considered an extract from the Minutes of the meeting of the Scrutiny Committee meeting held on 13 September 2005, in which the Head of Legal and Democratic Services had apprised the Committee further to the request of the Chairman at Minute 36 of the Scrutiny Committee of 19 July 2005, that "a report be brought to the next meeting regarding the impact of the Freedom of Information Act 2000 on the Council's ability to withhold information as defined in Paragraph (9) of Part 1 of Schedule 12A of the Local Government Act 1972".

RESOLVED: That all future items requesting the exclusion of the press and public for the consideration of Part II business be accompanied by an explanatory note providing the text of the relevant paragraph(s) in Part 1 of Schedule 12A of the Local Government Act 1972 under which press and public would be excluded.

REASON FOR DECISION: To respond to the query raised at the meeting of Scrutiny on 19 July 2005, and to give explicit explanation to members of the public and the press of the reason for their exclusion for Part II items.

83. CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005 AND ANTI-SOCIAL BEHAVIOUR ACT 2003

The Chairman informed Cabinet that consideration of the referral from the Scrutiny Committee held on 13 September 2005 would take place in conjunction with Agenda Item 7 – Clean Neighbourhoods and Environment Act 2005 and Anti-Social Behaviour Act 2003.

Cabinet considered an extract from the Minutes of the meeting of the Scrutiny Committee held on 13 September 2005, and a report of the Head of Housing and Environmental Health which sought the agreement of the adoption of powers contained within the Clean Neighbourhoods and Environment Act 2005 (CNEA) and the Anti-Social Behaviour Act 2003 (ASBA) relating to the services provided by the Housing and Environmental Health Service.

The Portfolio Holder for Housing and Environmental Health confirmed that the cost would be contained within the existing budget.

RESOLVED: That the concern of the Scrutiny Committee regarding the capacity of existing resources to deal with the various new enforcement powers identified in the report be noted.

RECOMMENDED TO COUNCIL: That the powers contained in the table in paragraph 3.7 be adopted and delegated to the appropriate officer as detailed in the table.

REASONS FOR DECISIONS:

- (1) The power to temporarily close noisy licensed premises contained within the ASBA is likely to be a valuable aspect of the Authority's approach to the new licensing regime. Whilst it may not be exercised regularly it will nevertheless provide a deterrent to licensed premises that are causing an acute problem.
- (2) This CNEA provides NHDC with a significant number of powers to control pollution however the majority of those powers are discretionary and the authority will have to decide which of these they will adopt. Any enforcement will have to show to be cost neutral and therefore decisions over the procedures and resources required to implement these powers needs to be carefully considered. The Street Scene FSR will have to consider how much of a role the authority wants to play in enforcing environment controls and needs to consider the impact on support services as well as the enforcement services.

84. REGIONAL AND STRATEGIC PLANNING ISSUES

The Strategic Developments Manager introduced a report of the Head of Planning and Building Control that apprised Cabinet of the current positions regarding:

- The draft East of England Plan;
- Growth Area Liaison for the Luton conurbation;
- Luton and Dunstable Northern Bypasses;
- London Luton Airport.

The Strategic Developments Manager updated Cabinet about the 3rd Preliminary meeting for the Examination in Public and various seminars that he had attended on 14 September 2005, as at 4.2 of the report:

- Housing numbers – the number of housing completions between April 2001 and April 2005 means that, to reach the overall target, the average build rate had risen from 23,000 houses per annum to 26,000 per annum.
- Employment and Housing alignment – the original report showed an excess of jobs over workers. However, the statistics from the Census showed a reverse outcome, i.e. excess of workers over jobs. Further work was needed prior to the Examination.

The Strategic Developments Manager also confirmed that the cost of commissioning a landscape sensitivity study was contained within the existing budget.

IT WAS RESOLVED:

- (1) That a single tender approach be adopted for the employment of consultants to carry out a landscape sensitivity study, as outlined in this report, for the periphery of Stevenage;

- (2) That the Head of Planning and Building Control be authorised to respond to the consultation on the A5 – M1 Link (Dunstable Northern Bypass) as set out in the report:
- (3) That the report be noted.

REASONS FOR DECISIONS:

- (1) To ensure the necessary background work for the East of England Plan and subsequent local development documents is carried out expeditiously;
- (2) To enable the Council to respond to the Highways Agency consultation;
- (3) To ensure that Members are aware of evolving issues in regional and strategic planning matters.

85. EXPANDING THE KERBSIDE COLLECTION OF DRY RECYCABLES AND COMPOST

The Portfolio Holder for Waste Management introduced a report of the Head of Environmental Services that apprised Cabinet of the findings of a Partnership Board led review of the options for expanding recycling and composting. Cabinet was asked to support the recommendations of the Partnership Board and agree to the use of officer time and the resources required to develop detailed plans for the implementation of service expansion.

The Service Manager – Waste Management indicated that in his view officers would not recommend bringing Option 5 forward to 2007 as this could not be done without incurring additional manpower costs.

In response to the Portfolio Holder for Finance's request for clarification of the revenue cost implications at paragraph 6.8 of the report to Cabinet, 'Revenue cost implications', the Strategic Director of Financial and Regulatory Services advised Cabinet that the figures needed to be looked at in more detail and that this would be done as part of the Service and Financial Planning process.

RESOLVED:

- (1) That the proposal to expand the compost scheme to all households with effect from April 2006 be agreed in principle;
- (2) That the proposal to implement Option 4 with effect from September 2007 be agreed in principle;
- (3) That the proposal to implement Option 5 with effect from September 2007 or 2008 be agreed in principle;
- (4) That the revenue cost implications outlined at 6.4 be noted and the associated growth bids be prepared for the Service and Financial Planning process;
- (5) That Officers be instructed to commence negotiations to amend the Waste Management Contract in order to accommodate 9.1, 9.2, and 9.3, and progress be reported back to Cabinet.

REASONS FOR DECISIONS:

- (1) The recommendations contained within paragraph 9 were made following the Waste Management Partnership Boards review of the options for expanding recycling and composting;
- (2) Management Partnership Boards review concluded that the recommendations contained within paragraphs 9.1, 9.2, and 9.3 represented the best value options.

86. CONSIDERATION OF IMPLEMENTATION OF 'ALCOHOL FREE' ZONES

The Acting Head of Policy, Partnership and Performance introduced a report that apprised Cabinet of the policy background to evidencing the need for and progressing where deemed appropriate, the implementation of alcohol free zones across the district.

The report sought urgent approval to commence this process in Royston Town Centre, given the increase in drinking related disorder. It was not possible to defer consideration of this decision because there was increasing public and member concern regarding an escalation in drink related disorder in Royston.

The Acting Head of Policy, Partnership and Performance advised Cabinet that:

- The map at Appendix 2 to the report had been marked out by the Geographical Information System, based on information provided by the Police but that the marked area was not necessarily fixed.
- The policy would be going to each Area Committee for their consideration and input.
- Only the Police would be able to enforce the policy as the Police Community Support Officers did not have the necessary powers.

RESOLVED:

- (1) That the application to progress with determination of need for an alcohol free zone in Royston be approved;
- (2) That the gathering of evidence regarding alcohol related disorder district wide be approved and a report be brought to a future meeting.

REASONS FOR DECISIONS:

- (1) The evidence supplied in Appendix 1 to the report supported the need for more immediate action in Royston town Centre;
- (2) The approach to determine levels of need be extended to the whole of North Herts in order to ensure parity of service delivery.

The meeting closed at 8.35pm

Chairman

