

NORTH HERTFORDSHIRE DISTRICT COUNCIL

CABINET

**Meeting held at Council Offices, Gernon Road, Letchworth Garden City
on 25 April 2006**

MINUTES

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

IN ATTENDANCE: *Chief Executive, Strategic Director of Customer Services, Head of Financial Services, Head of Planning and Building Control, Head of Legal & Democratic Services, Head of Housing & Environmental Health, Democratic Services Manager, Senior Planning Officer, Performance Manager and Committee and Member Services Officer.*

ALSO PRESENT: Councillor Judi Billing (Chairman Hitchin Area Committee).

202. APOLOGIES FOR ABSENCE

No apologies for absence were received.

Councillor A.D. Young had advised Cabinet that he would be late and joined the meeting at 8.35 p.m.

203. MINUTES

RESOLVED: That the Minutes of the meeting of Cabinet held on 28 March 2006 be approved as a true record of the proceedings and signed by the Chairman, subject to the following amendment:

At Minute number 201 Budget Setting 2006/7 Car Parking Tariffs under Councillor A.F. Hunter's comments, that the wording at bullet point number three be deleted and replaced with the following;

'That he would support a small charge at the car park at Royston Town Hall if necessary.'

204. NOTIFICATION OF OTHER BUSINESS

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

- Agenda item 6c - Referral from Licensing & Appeal Committee – 12 April 2006 – Adoption of Hertfordshire Licensing Enforcement Protocol;
- Agenda item 6d – Referral from Hitchin Area Committee - 18 April - Renewal of the Service Level Agreement for Hitchin Town Centre Initiative;
- Agenda item 9 – Best Value Performance Plan (BVPP) 2006/7 - revised report and Appendix A to the report.

The Chairman also advised Cabinet that an additional item concerning the funding of the Royston - Cambridge Bus Service Concessionary fares would be discussed after agenda item 10.

205. DECLARATIONS OF INTEREST

No declarations of interest were made at the meeting.

206. PUBLIC PARTICIPATION

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

207. REFERRAL FROM SCRUTINY COMMITTEE – 11 APRIL 2006 – CLOSURE OF PAVILIONS / CONSULTATION ON SAVINGS & GROWTH ITEMS

Cabinet considered an extract from the Minutes of the meeting of Scrutiny Committee on 11 April 2006 (Minute number 141 refers) regarding the closure of pavilions/consultation on Savings and Growth items.

Scrutiny Committee had expressed the view that as part of future budgetary Savings and Growth exercises, all affected parties should be consulted sufficiently in advance of any decisions being made on Savings and Growth proposals.

The Portfolio Holder for Planning and Transport sympathised with the view of Scrutiny Committee but pointed out that the budget details had been widely published and had been made available to the public.

It was agreed that whilst Cabinet understood the reason for the recommendation made by Scrutiny Committee, it was not possible to guarantee that all relevant parties could be consulted about the budget process.

RESOLVED: That the comments of the Scrutiny Committee be noted.

208. REFERRAL FROM SCRUTINY COMMITTEE – 11 APRIL 2006 – DRAFT SUPPLEMENTARY PLANNING DOCUMENT – PLANNING OBLIGATIONS AND ASSOCIATED SUSTAINABILITY APPRAISAL AND STRATEGIC ENVIRONMENTAL ASSESSMENT

The Chairman informed Cabinet that consideration of this referral would take place in conjunction with Agenda Item 8.

209. REFERRAL FROM LICENSING & APPEALS COMMITTEE – 12 APRIL 2006 – ADOPTION OF HERTFORDSHIRE LICENSING ENFORCEMENT PROTOCOL

Cabinet considered an extract from the Minutes of the meeting of Licensing and Appeals Committee on 12 April 2006 (Minute number 3 refers), in which the Head of Housing and Environmental Health had recommended the adoption of an enforcement protocol that sought to co-ordinate the regulatory activities associated with the Licensing Act 2003 undertaken by a range of enforcement agencies in Hertfordshire.

The Head of Housing & Environmental Health advised Cabinet of an amendment to Appendix A;
Page 15, paragraph headed 'Spontaneous Response', that the wording should read 'Local Officers will seek, wherever practicable, to attend'... etc.

Cabinet expressed their disappointment that the Police would not make a firm commitment to resource all unlawful events.

A copy of the report and Appendix A - Draft Protocol, which had been considered by the Licensing and Appeals Committee, were included with the minute.

RESOLVED:

- (1) That the comments of the Licensing and Appeals Committee be noted;
- (2) That the Hertfordshire Licensing Enforcement Protocol version 5 as attached at Appendix A to the report be agreed.

RECOMMENDED TO COUNCIL: That the Hertfordshire Licensing Enforcement Protocol version 5, as attached at Appendix A to the report, be adopted by Council.

REASONS FOR DECISION:

- (1) The aforementioned Enforcement Protocol aims to co-ordinate the enforcement activities of a number of relevant regulatory bodies in Hertfordshire. Effective co-ordination will reduce potential enforcement inconsistencies and promote the transparent regulation of licensed premises;
- (2) The publication and adoption of such an enforcement protocol is strongly encouraged by the Department for Culture, Media and Sport;
- (3) The Council's Statement of Licensing Policy clearly indicates that such an enforcement protocol will be forthcoming;
- (4) To effectively exercise the duties and responsibilities contained within the Licensing Act 2003.

210. REFERRAL FROM HITCHIN AREA COMMITTEE – 18 APRIL 2006 - THE RENEWAL OF THE SERVICE LEVEL AGREEMENT FOR HITCHIN TOWN CENTRE INITIATIVE

The Chairman of Cabinet invited the Chairman of Hitchin Area Committee to present an extract from the Minutes of the meeting of Hitchin Area Committee on 18 April 2006 (Minute number 150 refers), regarding the renewal of the Service Level Agreement (SLA) for Hitchin Town Centre Initiative.

The Chairman of Hitchin Area Committee thanked Cabinet for the opportunity to address the meeting and before presenting the item, made reference to the following:

- That members of Hitchin Committee did not feel fully supported;
- The impact of ongoing changes to Hitchin Town Centre, Churchgate and market traders;
- The failure of Hitchin Town Centre Initiative (HTCI) to secure funding from the Council;
- The uncertainty surrounding the sports pavilions;
- The flawed consultation regarding parking issues;
- Street trading and A Board issues.

The Chairman of Hitchin Area Committee expressed the view that HTCI had enlivened and improved the Town Centre over the last ten years. She reminded Cabinet that Hitchin had been awarded Fair Trade status and that last year, the Town Centre Manager had been appointed Town Centre Manager of the year. She added that all the work carried out and achievements made could not have been properly planned and accomplished on a one year basis. She further added that although officers had made the decision with the best of intentions, this decision should be overturned and the term for the SLA revert back to three years.

The Chairman of Cabinet pointed out that Cabinet was structured so that there was at least one member from each of the five area committees and that Hitchin Area Committee had two Cabinet members on their committee. He further added that area committees did not have the power to amend officer decisions taken under delegated powers but can only request that these decisions be reviewed.

The Portfolio Holder for Community Engagement & Rural Affairs expressed her appreciation of all the hard work that had been carried out by the partnership but added that funding was divided equally between the five areas and that consideration had to be given to Baldock Town Centre.

The Portfolio Holder for Finance expressed sympathy with the views of the Hitchin Area Committee and added that it was a flagship for all the towns in the district. He also requested clarification of Council's policy regarding SLAs.

RESOLVED:

- (1) That the dissatisfaction of the Hitchin Committee of the reduction of the length of the Service Level Agreement with the Hitchin Town Centre Initiative be noted;
- (2) That officers be requested to bring back a report regarding how the decision to extend the SLA for HTCI for a one year term only had been arrived at to the meeting of Cabinet on 27 June 2006;
- (3) That officers be requested to provide clarification of Council's policy regarding SLAs at the meeting of Cabinet on 27 June 2006.

211. REGIONAL AND STRATEGIC PLANNING ISSUES

The Head of Planning and Building Control presented a report that updated Cabinet about the current 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.

The Head of Planning and Building Control informed Cabinet that with regard to paragraph 4.2 of the report, S106 Agreement, the Consortium had requested and been granted, a further two month extension to the deadline of 20 April 2006. He added and that this matter should be clearer within the next two weeks.

The Chief Executive briefed Cabinet about a meeting of the Herts District Council Leaders that he and the Leader of the Council had attended. The Chief Executive advised Cabinet that the number of properties proposed by the East of England Regional Planning Panel was likely to be 'combed upwards slightly'.

RESOLVED: That the contents of the report be noted.

REASON FOR DECISION: To ensure that Cabinet was aware of current developments.

212. DRAFT SUPPLEMENTARY PLANNING DOCUMENT: PLANNING OBLIGATIONS AND ASSOCIATED SUSTAINABILITY APPRAISAL AND STRATEGIC ENVIRONMENTAL ASSESSMENT

Cabinet considered a report of the Head of Planning and Building Control, together with a referral from the meeting of Scrutiny Committee on 11 April 2006 (Minute

number 145 refers), that sought approval to issue the draft Supplementary Planning Document (SPD) on Planning Obligations and associated documents, namely a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) of the draft SPD for public consultation.

The Head of Planning and Building Control advised Cabinet that with regard to recommendation 2 of the referral from Scrutiny Committee, the matter of thresholds and percentage of affordable housing had already been raised with Government Office. As the extant Local Plan had such policy, a Supplementary Planning Document could not create new policy that would contradict a statutory policy.

The draft SPD was attached at Appendix 1 to the report. The SA/SEA formed Appendix 2 to the report and was submitted as a separate document. Appendix 2 was made available in the Members Room and an electronic version was also available on request.

RESOLVED:

- (1) That the comments of the Scrutiny Committee be noted;
- (2) That the information contained in the report and appendices be noted;
- (3) That the draft Supplementary Planning Document (SPD) on Planning Obligations and associated documents, namely a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) of the draft SPD be approved for public consultation.

REASON FOR DECISION: There was a need for the Council to adopt guidance on seeking planning obligations. The draft SPD would ensure that the processes for securing obligations were dealt with in a speedy, predictable, transparent and accountable manner in line with Circular 05/2005 - Planning Obligations.

213. BEST VALUE PERFORMANCE PLAN

The Chief Executive of North Herts District Council presented a report of the Head of Policy, Partnerships and Performance that detailed the draft outline of the Best Value Performance Plan 2006/07.

The following document was appended to the report:
Appendix A: Outline Best Value Performance Plan 2006/07.

RESOLVED:

- (1) That the information contained in the report and Appendix A to the report be noted;
- (2) That, subject to any further additional detailed comments from the meeting of PARC on 26 April 2006, the draft outline proposed for the Best Value Performance Plan 2006/07 be agreed;
- (3) That in future years the Portfolio Holder for Policy, in consultation with the Head of Policy, Partnership and Performance, be granted delegated powers to agree the Best Value Performance Plan for recommendation to Council.

RECOMMENDED TO COUNCIL: That the draft outline proposed for the Best Value Performance Plan 2006/07 at Appendix A to the report, plus any additional amendments agreed from the meeting of PARC on 28 April 2006, be adopted at the meeting of Council on 16 May 2006.

REASON FOR DECISION: The Best Value Performance Plan must be produced and distributed by 30 June each year.

214. NORTH HERTFORDSHIRE DISTRICT COUNCIL'S PUBLIC CONVENIENCES UPDATE

Cabinet considered a short report of the Head of Leisure and Environmental Services that updated Cabinet of the current situation regarding the public conveniences project. Consultants had undertaken a detailed options appraisal, which focused on the capital costs for the project. Officers were currently working with the consultants to produce projected revenue costs from the options appraisal, which would enable Members to make a decision on the best way forward for the project.

RESOLVED: That the report be noted.

215. ROYSTON – CAMBRIDGE BUS SERVICE CONCESSIONARY FUNDING

The Chairman of Cabinet introduced an additional item concerning the funding of the Royston to Cambridge bus service concessionary fares.

The Chairman of Cabinet advised that the new countywide free-fare scheme introduced on 1 April 2006 was confined by and large to journeys within the boundaries of Hertfordshire. As a result of its introduction, the existing half fare concession for elderly and disabled residents of Royston for journeys from Royston to Cambridge had been withdrawn.

The Chairman of Cabinet added that a report regarding this matter would be discussed at the meeting of the Royston & District Committee on 26 April 2006, but as this was a Part II item, the content of the report could not be discussed at the meeting.

The Transport Policy Officer (TPO) advised Cabinet that the new scheme was much more tightly defined due to the overall budget increase constraints as well as closer definition of what constituted a 'local' journey. The scheme was intended to subsidise local journeys and not longer distance, less frequent, higher cost journeys.

The TPO added that the withdrawal of the half fare scheme had resulted in considerable distress for elderly and disabled Royston residents, especially those who visited Addenbrooks hospital and that talks were ongoing to reinstate the half fare scheme. He added that he had received at least 100 telephone calls from Royston residents concerning this matter.

The TPO went on to explain that a national free-fare scheme was to be introduced in 2008/009, but that it had previously been difficult to obtain accurate information from bus operators about the number of local journeys. However, this year the scheme was based on actual usage data.

Cabinet expressed concern that residents in other areas in the district may be experiencing similar problems and agreed that there should be further investigation.

RESOLVED: That each Area Committee consider whether any of their residents were experiencing similar problems.

The meeting ended at 8.48 p.m.

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Chairman