

NORTH HERTFORDSHIRE DISTRICT COUNCIL

CABINET

**Meeting held at Council Offices, Gernon Road, Letchworth Garden City
on 26 July 2005 at 8.00 p.m.**

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: *Director of Financial and Regulatory Services, Head of Legal and Democratic Services, Head of Community Development, Head of Planning and Building Control, Scrutiny Officer, Parks and Countryside Development Manager, Strategy and Community Services Manager, Meals Service Manager, Accountancy Manager and Committee Administrator.*

37. APOLOGIES FOR ABSENCE

No apologies for absence were received.

38. MINUTES

RESOLVED: That the Minutes of the meeting of the Cabinet held on 14 June 2005 be approved as a true record of the proceedings and be signed by the Chairman.

39. NOTIFICATION OF OTHER BUSINESS

No other business was submitted for consideration by the Cabinet.

40. DECLARATIONS OF INTEREST

Cllr W.M. Davidson declared a personal interest in Agenda Item 14 as a member of the Royston and District Volunteer Bureau. Councillor Davidson reserved his right to speak and vote on this matter.

Cllr F.J. Smith declared a personal interest in Agenda Item 14 as Chairman of Royston and District Community Transport. Councillor Smith reserved his right to speak and vote on this matter.

41. PUBLIC PARTICIPATION

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

42. ITEM REFERRED FROM THE MEETING OF THE PERFORMANCE, AUDIT & REVIEW COMMITTEE – 23 JUNE 2005 – CPA IMPROVEMENT PLAN AND CORPORATE PLAN

Cabinet considered an extract from the Minutes of the meeting of the Performance, Audit & Review Committee held on 23 June 2005, in which the Chief Executive had apprised the Committee of progress made on the implementation of the CPA Improvement Plan.

RESOLVED:

- (1) That the proposal to remove Actions 2, 4, 15, 16, 19, 20 and 21 from the CPA Improvement Plan as complete be endorsed;
- (2) That the proposal to remove the cyclical elements from Actions 5, 7, 10 and 13 in the CPA Improvement Plan be endorsed;
- (3) That the proposal to remove Action 14 from the CPA Improvement Plan be endorsed;

- (4) That the proposed amendments to timescales for Actions 8, 11, 12 and 18 be endorsed.

REASON FOR DECISION: To ensure Cabinet are kept apprised of progress in relation to the implementation of the CPA Improvement Plan.

43. ITEM REFERRED FROM THE MEETING OF THE LETCHWORTH AREA COMMITTEE – 6 JULY 2005 – MURCO GARAGE, SOUTHFIELDS, GRANGE ESTATE, LETCHWORTH GARDEN CITY

Cabinet considered an extract from the Minutes of the meeting of the Letchworth Area Committee held on 6 July 2005, in which the Head of Financial Services had apprised the Committee of the current situation in relation to the Murco Garage in Southfields, Letchworth Garden City.

RESOLVED: That, subject to the provision of a viable business plan and the retention of current opening hours, the application by the current sub-tenant to assume the tenancy of the reduced site for the garage be supported.

REASON FOR DECISION: To ensure the continued use of the premises as a petrol filling and service station for the benefit of the local community.

44. ITEM REFERRED FROM THE MEETING OF THE HITCHIN AREA COMMITTEE – 12 JULY 2005 – HERTS YOUNG HOMELESS GROUP

Cabinet considered an extract from the Minutes of the meeting of the Hitchin Area Committee held on 12 July 2005, in which the Head of Community Development had requested financial support from the Committee for the Herts Young Homeless Group.

RESOLVED: That the views of The Hitchin Area Committee be noted and considered during determination of Agenda Item 15.

REASON FOR DECISION: To ensure Cabinet is aware of the representations made when determining the Group's application for financial assistance.

45. ITEM REFERRED FROM THE MEETING OF THE HITCHIN AREA COMMITTEE – 12 JULY 2005 – REPORT OF THE JOINT TOPIC GROUP (HIGHWAYS)

The Chairman informed Cabinet that consideration of this referral would take place in conjunction with Agenda Item 11 – Report of the Joint Topic Group – Highways.

RESOLVED: That the referral from the meeting of the Hitchin Area Committee held on 12 July 2005 be noted and considered with item 11 on the agenda.

REASON FOR DECISION: To ensure that highways issues are effectively addressed by NHDC and Hertfordshire Highways.

46. 2004/2005 ANNUAL STATEMENT OF ACCOUNTS

Cabinet considered a report of the Strategic Director of Financial and Regulatory Services which provided Cabinet with an update on the unaudited financial statements for 2004/2005, the position of the Council's provisions and reserves as at 31 March 2005, and the outturn on the Council's treasury management activities.

The annual statement of accounts had been produced one month earlier than last year in accordance with Government requirements and the Finance Portfolio holder thanked the Accountancy team for their excellent work in meeting the earlier deadline.

RESOLVED:

- (1) That the report of the Strategic Director of Financial and Regulatory Services be noted;
- (2) That the additional budget of £200,000 for reshaping the organisation costs be approved;

- (3) That the increase in the transfer to the DSO reserve of £77,000 be noted;
- (4) That the funding of any deficit on the Public Conveniences Contract from existing budgets be approved;
- (5) That the additional carry forward of budgets totalling £706,000, making the total carry forward in the year £1.150million, be approved;
- (6) That the Annual Statements of Accounts for the financial year ending 31 March 2005 be approved;
- (7) That the Leader of the Council and the Strategic Director of Financial and Regulatory Services be requested to sign the Statement of Internal Responsibilities, set out on page 3 of the Statement of Accounts;
- (8) That the Chief Executive and the Leader of the Council be requested to sign the Statement of Internal Control set out on pages 9 to 17 of the Statement of Accounts;
- (9) That the Council's treasury management activities for 2004/05 be noted;
- (10) That the operational lease agreements entered into in 2004/2005, totalling £373,000, be approved;
- (11) That the views of the Finance Scrutiny Sub-Committee be noted.

REASONS FOR DECISIONS:

- (1) To enable any queries Cabinet might have raised to be addressed before approving the Statement of Accounts for 2004/2005.
- (2) To ensure scrutiny and acceptance of the Annual Statement of Accounts by 31 July 2005.
- (3) To ensure scrutiny of the Council's treasury management activities for 2004/05 and approval of all operation leases entered into in 2004/05.

47. FINANCIAL MANAGEMENT STRATEGY 2006/2011

Cabinet considered a report of the Strategic Director of Financial and Regulatory Services which reviewed the existing budget strategy and recommended changes to reflect new requirements, as well as providing the financial background to the Service and Financial Planning process for 2006-2007 and feedback on the recent meeting with Parish Councils on Special Expenses.

The Leader of the Council noted that the recently published collection rate figures put North Hertfordshire top in Hertfordshire for both Council Tax and NNDR and 4th in the country for Council Tax and joint 10th for NNDR. He thanked the staff and the people of North Herts for this achievement.

RESOLVED: That the report of the Strategic Director of Financial and Regulatory Services be noted.

RECOMMENDED TO COUNCIL:

- (1) That the Financial Strategy outlined in Appendix 1 to the report of the Strategic Director of Financial and Regulatory Services be adopted and communicated to officers as the medium term financial framework the Service and Financial Planning process;
- (2) That Special Expenses for 2006/2007 onwards be abolished and that the consequences of this action be reviewed on a regular basis.

REASONS FOR DECISIONS:

- (1) Adoption of a Financial Strategy and communication of the contents of the Strategy will assist in the process of forward planning the use of Council resources and in budget setting for 2006/2007 to 2010/2011 culminating in the setting of the Council Tax precept in February 2006.
- (2) The Council recognises that spending patterns now mean that there is greater financial support to the parished areas which will be further enhanced by the introduction of a Capital Grant scheme and in these circumstances the Special Expenses scheme is no longer appropriate.

48. ANTI-SOCIAL BEHAVIOUR ACT – HIGH HEDGES

Cabinet considered a report of the Head of Planning and Building Control and the Acting Head of Policy, Partnerships and Performance, which advised the Cabinet of the duties imposed on the Authority by the implementation of the Anti-Social Behaviour Act 2003 in respect of High Hedges, the process applied for determining the cost of pursuing High Hedge applications to the Authority, and to seek Cabinet's approval of the fees proposed.

RESOLVED:

- (1) That the requirement placed on the Authority to implement Section 8 of the Anti-Social Behaviour Act 2003, High Hedges, be noted;
- (2) That the method used to determine the cost to the Council of taking action to address individual concerns of residents be approved;
- (3) That the fees to be implemented for pursuing matters on behalf of an individual resident be agreed and be set at £500 with a 50% discount for proven low income householders

REASON FOR DECISIONS: To provide for the effective implementation of Section 8 of the Anti-Social Behaviour Act 2003, High Hedges, in North Hertfordshire.

49. REGIONAL & STRATEGIC PLANNING ISSUES

Cabinet considered a report of the Head of Planning and Building Control which apprised Cabinet of the current positions regarding the draft East of England Plan, Growth Area Liaison for the Luton conurbation, the Luton & Dunstable Northern Bypasses and London Luton Airport.

RESOLVED:

- (1) That the report of the Head of Planning and Building Control be noted;
- (2) That the response to the draft list of matters and participants in relation to the East of England Plan Public Examination, as set out in Appendix A to the report, be endorsed.

REASON FOR DECISIONS: To ensure that Cabinet is kept apprised of evolving issues in regional and strategic planning matters.

50. REPORT OF THE JOINT TOPIC GROUP – HIGHWAYS

Cabinet considered a report of the Chief Engineer, together with a referral from the meeting of the Hitchin Area Committee on 12 July 2005. The report advised Cabinet of the revisions that the Scrutiny Sub-Committee recommended be made to their original recommendations, following further feedback from Area Committees.

RESOLVED:

- (1) That the feedback in relation to the Report of the Joint Topic Group – Highways by Area Committees be noted;

- (2) That the revised recommendations of the Joint Topic Group – Highways, as set out in Appendix B to the report, be endorsed;
- (3) That the original Scrutiny Report and revised recommendations be sent to the meeting of the North Hertfordshire Highways Partnership Joint Member Panel to be held on 17 October 2005.

REASON FOR DECISIONS: To ensure improvements to the highways service in North Hertfordshire.

51. BIODIVERSITY ACTION PLAN

Cabinet considered a report of the Strategic Director of Customer Services which sought Cabinet approval for the adoption of the District's Local Biodiversity Action Plan (BAP).

RESOLVED: That the work programme listed at Appendix B to the report of the Strategic Director of Customer Services be approved, subject to Council agreeing the adoption of the Local Biodiversity Action Plan.

RECOMMENDED TO COUNCIL: That the District's Local Biodiversity Action Plan (BAP) be adopted.

REASON FOR DECISIONS: To provide a Planning Framework to protect and enhance the biodiversity of the District.

52. ALLOTMENTS STRATEGY

Cabinet considered a report of the Strategic Director of Customer Services which sought Cabinet approval for the adoption of an Allotments Strategy for North Hertfordshire.

RESOLVED:

- (1) That the principle of encouraging devolved management as described in Section 5 of the report of the Strategic Director of Customer Services and within the Allotments Strategy be agreed;
- (2) That a capital growth bid of £36,500 for works at Old Hale Way be included for the 2006/2007 financial year;
- (3) That discussions be entered into with the Letchworth Garden City Heritage Foundation and the Letchworth Garden City Town Council in relation to the issues relating to the transfer of the allotment function within Letchworth Garden City to the Letchworth Garden City Town Council.

RECOMMENDED TO COUNCIL: That the Allotments Strategy for North Hertfordshire be adopted.

REASON FOR DECISIONS: To meet the Council's strategic priority to promote first class leisure and cultural facilities to contribute to healthy living for all our citizens.

53. REVIEW OF CRITERIA FOR FINANCIAL ASSISTANCE TO VOLUNTARY AND COMMUNITY ORGANISATIONS

Cabinet considered the report of the Strategic Director of Customer Services which set out proposed new criteria for the allocation of financial assistance to voluntary and community organisations, including that for a new Village Hall Capital Grant Improvement Fund. It was proposed that the urban parishes of Letchworth Garden City Town Council and Royston Town Council would not be eligible to apply for funding from any of the funding programmes specified for the rural parishes.

RESOLVED:

- (1) That the new criteria for the Parish Amenities Capital Improvement Fund, as amended and set out in Appendix 1 to the report of the Strategic Director of Customer Services, be agreed;
- (2) That the proposed amendments to the criteria for Parish Challenge, Parish Playground and the Parish Enhancement & Improvement Fund, as set out in Appendices 2a, 2b and 2c to the report of the Strategic Director of Customer Services, be agreed;
- (3) That the revised criteria for development activities/schemes that are eligible for funding, as set out in Appendix 3 to the report of the Strategic Director of Customer Services, be agreed;
- (4) That the recommendation from the Parish Challenge Member Panel that there should be an inflationary uplift for the Parish Challenge, Parish Playground and the Parish Enhancement & Cleansing Fund and that this should be considered within the context of the Service and Financial Planning process for 2006/2007 be noted;
- (5) That it be noted that further work would be carried out to assess how best financial assistance might be given to Parish Councils to improve children's playgrounds in the rural areas and a further report be made to a future meeting of the Cabinet;
- (6) That Letchworth Garden City Town Council and Royston Town Council were not eligible to apply for those funding programmes that were specific to the rural parishes;
- (7) That advice and guidance would be made available from the Council to those making applications;
- (8) That the consequences of these actions be reviewed on a regular basis.

REASONS FOR DECISIONS:

- (1) To ensure the programmes of financial assistance help the Council meet its strategic objectives and contribute to delivering the vision of North Hertfordshire as a vibrant place to live, work and prosper. In addition the process will improve the effectiveness of targeting both identified need and agreed priorities.
- (2) To ensure equity and a level playing field for all applicants.
- (3) To ensure transparency and objectivity in decision making.

54. SERVICE LEVEL AGREEMENTS – REVIEW OF 2004/5 AND PROPOSALS FOR 2006-2009

Cabinet considered a report of the Strategic Director of Customer Services which set out a strategic approach to the development of the next phase of Service Level Agreements (SLAs) for the period April 2006 - March 2009.

RESOLVED:

- (1) That the practice that Area Committees may fund major longer term projects out of their allocated budgets for an interim short term period until 31 March 2006 be confirmed;
- (2) That officers be requested to consult on the proposed arrangements with local voluntary and community organisations through the auspices of the North Hertfordshire Compact;

- (3) That the Strategic Director of Customer Services be requested to submit a final report on the new SLA arrangements for 2006-2009 with appropriate timetables for implementation to the meeting of the Cabinet to be held on 18 October 2005;
- (4) That the summary of levels of financial assistance awarded in 2004/2006, as set out in Appendix 1 to the report of the Strategic Director of Customer Services, be noted;
- (5) That with reference to the referral (Agenda Item 6c) from the Hitchin Area Committee, officers be requested to identify and report to Cabinet on the levels of funding of other Hertfordshire authorities to the Hertfordshire Young Homeless Group;
- (6) That officers be asked to consider a scheme of delegation for the management of relevant Service Level Agreements to Area Committees.

REASON FOR DECISIONS: To confirm future strategic policy direction for the programme of financial assistance.

55. FUTURE PROCUREMENT OF THE COMMUNITY MEALS SERVICE

Cabinet considered a report of the Strategic Director of Customer Services which set out the timetable of key decisions that needed to be made to ensure continuity of the community meals service, and the methodology proposed by officers for procuring this service from April 2006.

RESOLVED:

- (1) That the proposed tender methodology for letting the Community Meals Service contract be approved;
- (2) That the service specification and options to be considered be agreed;
- (3) That the OJEU notice be drafted giving a range of meals numbers (covering just meals on wheels and meals on wheels and lunch clubs) and that Cabinet agree to delegate the authority to the Portfolio Holder for Housing and Environmental Health in partnership with the Strategic Director for Customer Services to agree the details of the Service Level Agreement with North Hertfordshire Homes.

REASONS FOR DECISIONS:

- (1) To comply with European Legislation with regards to procurement.
- (2) To ensure continuity of service post March 2006.
- (3) To be able to be consistent with NHDC's strategic objective "Ensuring that we listen to citizens and deliver responsive, high quality, value for money, customer focussed services".

56. SUGGESTED RESOLUTION

This item was withdrawn from the agenda.

57. FUTURE PROCUREMENT OF THE LUNCH CLUB AND HOSTEL MEALS SERVICE

This item was withdrawn from the agenda.

The meeting closed at 11.00 p.m.

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Chairman