

## NORTH HERTFORDSHIRE DISTRICT COUNCIL

### MINUTES

Meeting of the Council held in the Lancasterian Room, British Schools Museum, 41/42 Queen Street, Hitchin on Thursday, 28 June 2007 at 7.30pm

**PRESENT:** *Councillors A. Bardett (Chairman), Mrs A.G. Ashley (Vice-Chairman), D.J. Barnard, David Billing, Judi Billing, John Bishop, Simon Bloxham, John Booth, Tom Brindley, Paul Clark, J.M. Cunningham, Lee Downie, Fiona Hill, Tricia Gibbs, T.W. Hone, A.F. Hunter, Arthur Jarman, Sal Jarvis, S.K. Jarvis, David Kearns, Joan Kirby, Marilyn Kirkland, David Levett, Bernard Lovewell, Ian Mantle, H.M. Marshall, Alan Millard, M.R.M. Muir, Mrs L.A. Needham, Lawrence Oliver, Deepak Sangha, R.L. Shakespeare-Smith, F.J. Smith, Martin Stears, Mrs C.P.A. Strong, R.A.C. Thake and M.E. Weeks.*

**IN ATTENDANCE:** *Chief Executive, Strategic Director of Customer Services, Strategic Director of Financial and Regulatory Services, Head of Legal and Democratic Services, Democratic Services Manager and Senior Committee and Member Services Officer, and approximately 20 members of the public.*

#### 19. CHAIRMAN'S WELCOME

The Chairman welcomed everyone to the meeting and thanked the British Schools Museum for allowing the Council to use the facility. He commented that it had been the Council's intention for some time to hold a meeting at the Museum, in order to focus on the importance of the building to the history of Hitchin and to promote the Trust that had been originally supported by the Council.

#### 20. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Liz Beardwell, Clare Body, P.C.W. Burt, Melissa Davey, Allison Dear, Jane Gray, Gary Grindal, R.E. Inwood, Lorna Kercher, I.J. Knighton, D. Miller and A.D. Young.

#### 21. MINUTES

It was moved by Councillor F.J. Smith, seconded by Councillor T.W. Hone, and

**RESOLVED:** That the Minutes of the meeting of Annual Council held on 17 May 2007 be approved as a true record and signed by the Chairman, subject to a revision to Appendix C (Page 15) to reflect the fact that, for the 2007/08 Civic Year, the Chairman of the North Herts Highways Joint Member Panel should be a District Council representative and the Vice-Chairman a County Council representative.

#### 22. NOTIFICATION OF OTHER BUSINESS

No additional items were presented for consideration by the Council.

#### 23. DECLARATIONS OF INTEREST

There were no declarations of interest.

#### 24. CHAIRMAN'S ANNOUNCEMENTS

##### (1) Councillor Mrs C.P.A. Strong

It was with great pleasure that the Chairman presented a Dartington Crystal vase and a framed copy of the Council's resolution of thanks to Councillor Mrs C.P.A. Strong, past Chairman of the Council, as a mark of recognition of her term of office.

**(2) Civic Service**

The Chairman announced that his Civic Service would take place on Sunday, 25 November 2007, at St.Martin's Church, Knebworth.

**(3) Civic Reception**

The Chairman announced that his Civic Reception would take place on Friday, 22 February 2008, at the Letchworth Hall Hotel, Letchworth Garden City.

**25. PUBLIC PARTICIPATION**

**Cadwell Lane, Hitchin – Environmental Issues**

The Chairman welcomed Bob Hart to the meeting and invited him to give a presentation on behalf of Cadwell Lane residents in respect of environmental issues relating to the use of Cadwell Lane and other surrounding roads by HGVs carrying scrap metal to the Cadwell Lane Scrap Metal Yard.

Mr Hart began by referring to increase in the number and frequency of 40 tonne scrap metal lorries using Cadwell Lane had a detrimental effect on the quality of life for local residents. It was made very clear that the environmental issues such as noise, dust, air quality were causing many problems for local residents and Members were advised of the strength of feeling on this issue, with reference to Hitchin becoming 'Scrap City'.

The representative referred in his presentation to the NHDC Vision 'Making North Hertfordshire a vibrant place to live, work and prosper' and the five strategic objectives made by North Hertfordshire District Council i.e. Sustainable Communities; Safer Communities; Healthier Communities; Equal Communities; Prosperous Communities and Satisfied Communities. The Council was given examples of how neither the Vision or the key objectives were being met for the residents in Cadwell Lane and adjacent roads and that it was beholden on the local authority to make every effort to meet these objectives even if certain aspects e.g. planning conditions set by Hertfordshire County Council (HCC), were not the direct responsibility of NHDC.

The Council was advised about: speeding lorries with no care for residents, the road and footway conditions were worse every day, police presence should be increased, a CCTV camera should be installed, residents' vehicles were damaged by fallen raw scrap debris, raw scrap debris also fell into gardens, residents had sleep deprivation due to a near 24/7 operation, an excessive amount of dust, unable to open windows, will heavy vehicle damage to Cadwell Lane cause breakage in the gas pipeline under the road surface?, Fire and Rescue service vehicles could be delayed by parked up raw scrap vehicles, house values are falling and above all Cadwell Lane had become an undesirable place in which to live – why should these people be at risk?

The representative urged the Council to take whatever action was necessary to alleviate conditions for local residents and explained that the widening of the Cadwell Lane, Grove Road, Wilbury Way and Woolgrove Road crossroads was not a sensible move, 'it would only make the situation worse', and that NHDC should make representations to HCC and the Environment Agency to restrict any increase in the allowable tonnage to be processed each day and impose precise hours of operation together with rigid enforcement.

During a question and answer session, the Council was advised that the Hitchin Committee had, under its scrutiny powers, established a Cadwell Lane Task and Finish Group to scrutinise all aspects of the actions taken by Hertfordshire County Council when approving the movement of scrap material between the scrap depot in Cadwell Lane and the former goods yard at Hitchin Railway Station and the delivery of raw scrap to the processing plant in Cadwell Lane.

After some further questions and answers, the Chairman thanked Bob Hart for his presentation.

## 26. AMENDMENTS TO THE CONSTITUTION

The Council considered a report of the Monitoring Officer regarding some further amendments to the Constitution, relating to the Terms of Reference/Scheme of Delegation to Officers for the Planning Control Committee, the procedure for Member advocacy at that Committee, and revisions to the Terms of Reference for the Performance, Audit and Review Committee (PARC). The following documents were appended to the report:

Appendix 1 – Table of Amendments;

Appendix 2 – Procedure for participation of Non-Planning Control Committee Members in the consideration by the Planning Control Committee of applications made under the Town and Country Planning Act and related legislation;

Appendix 3 – Revised Terms of Reference for PARC.

The Chairman referred to two typographical errors contained in the report, namely:

- (i) Appendix 1 (Page 7) – on the 10<sup>th</sup> line of the first paragraph, there should be a double (rather than a single) closed bracket after the word “Officers”.
- (ii) Appendix 3 – (Page 13) – the second line of the title should read “Audit”.

It was moved by Councillor R.A.C. Thake, and seconded by Councillor F.J. Smith, that the recommendations contained in the report be approved, subject to the incorporation of the above amendments.

As an amendment, it was moved by Councillor Lee Downie, and seconded by Councillor Sal Jarvis, that the word “normally” should be inserted between the words “not” and “be” in the first line of paragraph 1.6 of Appendix 2 to the report.

Councillor Thake gave an assurance that he was prepared to take this request into account when undertaking further work on the procedures for the Planning Control Committee. With this assurance, the mover and seconder withdrew the amendment.

Upon the motion being put to the vote, it was

### **RESOLVED:**

- (1) That the amended Terms of Reference for the Planning Control Committee and Scheme of Delegation to Officers, as set out at Appendix 1 (as amended) to the report, be approved.
- (2) That the amended Procedure for Participation of Non-Planning Control Committee Members in The Consideration by the Planning Control Committee of Applications made under the Town and Country Planning Act and Related Legislation, as set out at Appendix 2 to the report, be approved.
- (3) That the revised Terms of Reference for the Performance, Audit and Review Committee, as set out at Appendix 3 (as amended) to the report, be approved.

**REASON FOR DECISION:** To ensure that the Constitution of NHDC is up to date and practical in its operation.

## 27. ITEM REFERRED FROM PERFORMANCE, AUDIT AND REVIEW COMMITTEE – 21 JUNE 2007 – BEST VALUE PERFORMANCE PLAN 2007/08

The Council considered the minute of the meeting of the Performance, Audit and Review Committee (PARC) held on 21 June 2007, in respect of the Best Value Performance Plan 2007/08 (Minute 20 refers). A copy of the report considered by PARC was included with the agenda, as was the following appendix:

Appendix A – Best Value Performance Plan 2007/08.

In presenting the report, Councillor Mrs C.P.A. Strong, the Cabinet Portfolio Holder for Policy and Green Issues, referred to the addendum to the report tabled at the meeting which detailed the 2006/07 year end figures and associated commentary which were to be incorporated into the Plan.

It was moved by Councillor Mrs C.P.A. Strong, and seconded by Councillor J.M. Cunningham, that the Best Value Performance Plan 2007/08, as submitted, be adopted, subject to the inclusion of the 2006/07 year end figures and commentary, and with any further minor amendments to the Plan being delegated to the Chief Executive, in consultation with the Cabinet Portfolio Holder for Policy and Green Issues.

Upon the motion being put to the vote, it was

**RESOLVED:** That the Best Value Performance Plan 2007/08, as set out at Appendix A to the report, be adopted, subject to the inclusion of the 2006/07 year end figures and commentary, and with any further minor amendments to the Plan being delegated to the Chief Executive, in consultation with the Cabinet Portfolio Holder for Policy and Green Issues.

**REASON FOR DECISION:** To ensure that the Council's Best Value Performance Plan 2007/08 met the statutory publication date of 30 June 2007.

**28. ITEM REFERRED FROM CABINET – 26 JUNE 2007 – RISK MANAGEMENT ANNUAL REPORT**

The Council considered the minute of the meeting of Cabinet held on 26 June 2007, in respect of the Risk Management Annual Report (Minute 7 refers). A copy of the report considered by Cabinet was included with the agenda, as were the following appendices:

Appendix A – Risk Matrix;

Appendix B – Annual Report on Risk Management.

The Cabinet Portfolio Holder for Finance, Councillor T.W. Hone, referred to the amended Risk Management Annual Report (Appendix B) which had been tabled at the meeting.

It was moved by Councillor T.W. Hone, seconded by Councillor R.A.C. Thake, and

**RESOLVED:** That the Annual Report on Risk Management, as set out in the amended Appendix B to the report tabled at the meeting, be agreed.

**REASON FOR DECISION:** To ensure that all Members are provided with assurance that all Corporate business risks will be identified and effectively managed.

**29. ITEM REFERRED FROM CABINET – 26 JUNE 2007 – 2006/07 STATEMENT OF ACCOUNTS**

The Council considered the minute of the meeting of Cabinet held on 26 June 2007, in respect of the 2006/07 Statement of Accounts (Minute 9 refers). A copy of the report considered by Cabinet was included with the agenda, as were the following appendices:

Appendix A – Annual Statement of Accounts 2006/07;

Appendix B – Carry Forward Budgets requested for 2007/08;

Appendix C – Treasury Management Activity 2006/07.

It was moved by Councillor T.W. Hone, seconded by Councillor F.J. Smith, and

**RESOLVED:**

- (1) That the 2006/07 Statement of Accounts, as set out at Appendix A to the report, be approved, and signed by the Chairman of the Council;
- (2) That the transfer from earmarked reserves of £131,000, as detailed at Paragraph 4.21 of the report, be approved.

**REASON FOR DECISION:** To ensure that any queries raised are addressed before Council approves the Statement of Accounts for 2006/2007; to ensure Cabinet's budget monitoring role is fulfilled before acceptance by Council of the Annual

Statement of Accounts by 30 June 2007; and to ensure scrutiny of the Council's treasury management activities for 2006/07.

**30. ITEM REFERRED FROM CABINET – 26 JUNE 2007 – MEDIUM TERM FINANCIAL STRATEGY 2008-2013**

The Council considered the minute of the meeting of Cabinet held on 26 June 2007, in respect of the Medium Term Financial Strategy 2008-2013 (Minute 11 refers). A copy of the report considered by Cabinet was included with the agenda, as were the following appendices:

Appendix 1 – Service and Financial Planning Cycle Diagram;

Appendix 2 – Financial Strategy 2008-2013.

It was moved by Councillor T.W. Hone, seconded by Councillor F.J. Smith, and

**RESOLVED:** That the updated Medium Term Financial Management Strategy, as set out at Appendix 2 to the report, be adopted, and communicated to officers as the medium term framework for the Service and Financial Planning process.

**REASON FOR DECISION:** To assist in the process of forward planning the use of the Council's resources and in budget setting for 2008/09 to 2012/13, culminating in the setting of the Council Tax precept in February 2008.

**31. QUESTIONS FROM MEMBERS**

**Health Authority Mobile Breast Screening Service – Woodside Car Park, Hitchin**

In accordance with Standing Order 10.4(a), the following question had been submitted by Councillor Joan Kirby to either Councillor F.J. Smith (Leader of the Council) or Councillor R.A.C Thake (Cabinet Portfolio Holder for Planning and Transport):

“There is considerable concern in Hitchin about the fact that the Health Authority mobile breast screening service has been refused permission to park and operate from Woodside car park, apparently because of loss of revenue from car parking charges.

Could the appropriate portfolio holder or leader of the council explain the current situation and also tell the council what steps NHDC is taking to either immediately provide an acceptable and accessible alternative for women in Hitchin, or to reverse this very unwise decision?”

The Cabinet Portfolio Holder for Planning and Transport replied that the trailer used by the Screening Service was of considerable size, and occupied 14 parking bays, with a further six bays being required for staff parking. This would need to be for a 15 week period, and would amount to lost revenue to the Council of approximately £5,000. Officers had contacted a number of landowners in Hitchin with a view to securing an alternative site, but for various reasons, had been unable to do so. The consideration of an alternative site would be pursued with North Herts Health representatives.

A copy of the Portfolio Holder's full response to the question is set out at Appendix A to these Minutes.

**32. NOTICE OF MOTIONS**

No notice of motions had been submitted.

The meeting closed at 9.05pm.

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Chairman

## APPENDX A TO THE COUNCIL MINUTES – 28 JUNE 2007

### Health Authority Mobile Breast Screening Service – Woodside Car Park, Hitchin – Portfolio Holder response to Council Question submitted by Councillor Joan Kirby

“The Mobile Breast Screening unit is run by the Bedfordshire Health Trust, working out of the Luton and Dunstable Hospital, providing the screening service on a sub contracted basis to our local Health Trust. As a result, when the first contact with NHDC took place approximately 18 months ago, it was not made via the established health contact through the Policy, Partnerships and Performance Team but as a purely car park use request to the Car Parking team.

The response made at that time in relation to the loss of revenue incurred by the Council over a prolonged period of time (15 weeks), and in the light of previous experiences. Patients using the unit in the past were unaware of their need to purchase a pay and display ticket in the usual manner, and hence a considerable number of penalty tickets were contested. It reaching the estimated loss of resources, it is important to appreciate the size of the vehicle.

The trailer used is approximately 12 metres (40 feet) by 3 metres (9 feet) pantechnicon which is pulled into place by a tractor unit; this trailer alone occupies approximately 14 standard size parking bays, aside from the six then required for staff, so the original request was for approximately 20 bays. The loss of revenue of 20 bays over a 15 week period would be approximately £324 per week, around £5,000 overall.

This consideration by our car parking team was also made in the light of an overall reduction in public car parking spaces from just over 4,000 to around 2,400 as at present. It was also made in the knowledge that this car park is the only one in Hitchin which can be used by HGV vehicles and therefore the appropriate turning circle for their units must be maintained alongside the siting of this health vehicle.

The Bedfordshire Health Trust made clear their dissatisfaction with that decision and made comment in the local press to this effect, at which point the Strategic Director of Customer Services spoke with and wrote to the responsible Consultant direct. Following this, it was agreed that whilst the car parking issue was a genuine concern, and since the Health Trust were unable to provide any funding themselves to reduce the overall impact on NHDC revenue, it should in future be progressed via the health partnership route.

The Head of Policy, Partnerships and Performance and Community Development Officer for Hitchin were therefore requested to work with the trust to identify other potential sites which would suit their criteria, which were quite specific, namely;

- The unit does not have toilet facilities, so must be located close to public toilets;
- The unit needs to be in a central location within the town, easily reached by public transport;
- The unit currently runs on a high decibel generator, making it impossible to place close to residential premises;
- The unit is heavy (several tonnes) due to the scanning equipment on board, so cannot use certain bridges, cross culverts or stand on anything other than a hard standing otherwise it will sink;
- The unit must be level and remain level at all times;

- The unit, ideally, should be placed within the range of a CCTV camera – whilst there are no drugs on board, there is obviously a risk to such a high tech unit being broken into;
- There needs to be car parking alongside for staff and close car parking for members of the public;
- The ‘catchment’ area for those using the screening unit was for Hitchin, its rural areas up to the boundaries of Letchworth and old Stevenage, so it must be accessible to patients from all those areas.

With this list in mind, the Head of PPP and CDO contacted a number of organisations and land owners in order to secure a suitable site. These included the existing health facilities at Bedford road, Hitchin hospital, a number of council owned facilities such as the Market site (approached by a bridge which would not sustain the weight of the unit) Bancroft recreation ground, King Georges Playing Field, community centres, as well as a number of locations owned by other parties – Hitchin Town Football Club for Top Field, Hitchin Priory, Sainsburys, Waitrose etc for example.

Once a list of potential sites was established, the Hitchin Community Development Officer took health representatives on site visits to discuss the potential of locating the unit at each site. Unfortunately, due to either logistical difficulties regarding the ability for the unit to be moved into place/its weight, or the absence of public transport to the individual locations, or the proximity of what were regarded as suitable public toilets (eg. Portmill Lane toilets are not currently accessible since they contain steps) they were all dismissed as unsuitable.

The Bedfordshire Health Trust therefore took the decision that they would site the unit at the Coreys Mill Sainsburys, an option they have used in the past, since that is essentially one bus ride on the route serving the Lister Hospital and therefore the most accessible option. The unit is already in place for its 15 week term within that car park and the Health Trust have confirmed to the Head of PPP that it would not be appropriate to move it at this stage given the logistics involved in doing so.

Steps are already in place to ensure that discussions with the Health Trusts regarding the location of this vital service are handled more appropriately in the future; the unit will return for its next cycle of screening in exactly three years time.

- The people responsible for locating the unit are aware that their first contact should be through the officer with health responsibility, the Head of PPP, or through the Strategic Director for Customer Services only;
- If the unit is placed in a pay and display car park, then it will be included within the invitation to return for scanning that this is the case and that a charge for parking will be incurred;
- The criteria for the future placement of the unit has already been established. Since this will be going to a digital service, it will require the replacement of the generator with a three phase electrical system into which the unit can be plugged. Whilst the health trust will pay for the installation of such a system, it is likely to be even more difficult to find a building on which this can be installed, given that the Council itself owns less property within the town centre than previously; it is likely to require a prolonged period of private negotiation with landlords and private land owners, for example the Queen Mother Theatre or football club;
- The consideration of siting such a unit will also be part of any discussion with the North Herts Health representatives when considering future health service provision in Hitchin, in an attempt to ensure that their own premises can ‘host’ the service; this is the case with the proposed development at Great Ashby for instance where level parking exists alongside the building and will be used to locate the mobile scanners as required.”