

NORTH HERTFORDSHIRE DISTRICT COUNCIL

SCRUTINY COMMITTEE

MINUTES

**Meeting held at the Council Offices, Gernon Road, Letchworth Garden City
on Tuesday, 9 October 2007 at 7.30p.m.**

PRESENT: *Councillors Martin Stears (Chairman), R.L. Shakespeare-Smith (Vice-Chairman), David Billing, John Bishop, S. Bloxham, P.C.W. Burt, Paul Clark, Melissa Davey, Sal Jarvis, S.K. Jarvis, David Kearns, Alan Millard and M.R.M. Muir.*

IN ATTENDANCE: *Strategic Director of Financial & Regulatory Services, Head of Planning & Building Control, Regional & Strategic Sites Manager, Parks & Countryside Development Manager, Senior Planning Officer, Scrutiny Officer and Senior Committee & Member Services Officer.*

ALSO PRESENT: *Councillors R.A.C. Thake (Planning & Transport Portfolio Holder) and J.M. Cunningham.*

37. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor H.M. Marshall.

38. MINUTES

RESOLVED: That the Minutes of the meeting held on 28 August 2007 be approved as a true record of the proceedings and signed by the Chairman.

39. NOTIFICATION OF OTHER BUSINESS

No other business was submitted for consideration by the Committee.

40. DECLARATIONS OF INTEREST (INCLUDING PARTY WHIP DIRECTIONS)

There were no declarations of interest.

41. PUBLIC PARTICIPATION

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

42. URGENT/GENERAL EXCEPTION ITEMS

No urgent or general exception items were presented for consideration by the Committee.

43. CALLED-IN ITEMS

Since the last meeting, no decisions had been called-in by the Scrutiny Committee.

44. CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's Announcements.

45. QUESTIONS

Affordable Housing – Shared equity/Shared ownership

The following question had been submitted by Councillor S.K. Jarvis:

“In other areas where housing costs are high, councils have helped to deliver significant levels of shared equity and/or shared ownership affordable housing. What proportion of new affordable housing in North Herts is shared equity or shared ownership, how does this compare with similar districts (both within Hertfordshire and beyond) and what can be done to increase provision of this sort?”

The Housing Strategy and Renewals Manager had supplied the following response:

“Our recent Housing Need survey update has provided the figures for Housing Need in North Hertfordshire, that is 65% rented accommodation and 35% other tenure which generally includes shared ownership properties (part mortgage part rent) but could also include shared equity (larger mortgage round 70%) but no rent, the remaining asset value being retained by an RSL. Therefore, if we enable 150 affordable housing units per year then 100 will be for rent and 50 will be other tenure. The developers are pushing for higher levels i.e. 50 / 50, however, according to the Housing Options team the demand is more like 80% rented and 20% other tenure.

Regarding housing need levels in other Local Authorities, generally round the same mark, 75% rented 25% other tenure in Watford, - 65% rented, 35% other tenure in Chelmsford, maximum 20% other tenure (80% rented) in Epping Forest, Stevenage have previously restricted the use of intermediate tenure i.e. all rented on new development, however recently they have completed a scheme for 143 shared ownership units which is now proving difficult to nominate to.

These levels are determined by the previously undertaken Housing Needs survey (this is now being replaced by the Strategy Housing Market assessments - NHDC and Stevenage joint survey being carried out by David Coultie is expected to be completed by January 2008). The new study is likely to confirm that as the house prices increase, so the need for rented accommodation will increase.

There is a further intermediate tenure that is worth considering, intermediate rented, this will sit above the social rented properties but below the cost of shared ownership and shared equity properties. I am checking the viability of this form of tenure with the local Registered Social Landlords at the moment.”

The Committee was not satisfied with the response, as it referred to target figures, rather than actual performance figures.

RESOLVED: That officers investigate this matter further, with a view to providing an answer reflecting actual performance figures, rather than target figures.

REASON FOR DECISION: To provide an answer to a Member’s question.

46. NORTH HERTFORDSHIRE DISTRICT COUNCIL – THE DRAFT FORWARD PLAN: 1 NOVEMBER 2007 –29 FEBRUARY 2008

The Chairman of the Scrutiny Committee presented the Draft Forward Plan to the Committee, which covered the period 1 November to 29 February 2008.

RESOLVED:

- (1) That the Draft Forward Plan, covering the period 1 November to 29 February 2008, be noted;
- (2) That the item entitled “Adoption of Green Space Strategy” be considered at the next meeting of the Committee to be held on 11 December 2007, prior to its submission to Cabinet;
- (3) That officers ensure that the appropriate Area Committees are consulted in respect of the item entitled “Outcome of Market Testing for the Council’s Market Operations”;
- (4) That officers ensure that the Hitchin Area Committee is consulted in respect of the item entitled “Future Management Arrangements for Hitchin Town Hall”.

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

47. PRESENTATION BY PLANNING & TRANSPORT PORTFOLIO HOLDER

The Cabinet Portfolio Holder for Planning & Transport, Councillor R.A.C. Thake, gave a presentation to the Committee on the key issues facing him in relation to his portfolio area (together with actions and key dates), which were as follows:

- Production of a Local Development Framework (LDF) in accordance with the Local Development Scheme and Corporate Plan objectives;
- Production of an LDF Core Strategy and Development Control Policies;
- Production of a Land Allocations Development Plan Document;
- East of England Regional Assembly single issue review of Gypsy and Traveller provision;
- West of the A1(M) development and North Stevenage growth;
- Production of a joint Area Action Plan for Stevenage Growth (SNAP);
- North and East Herts Gypsy and Traveller Sites Study;
- Representing the Council's case through the regional planning process;
- Representing the Council's case at technical and political levels regarding potential growth in/around Luton as part of Milton Keynes South Midlands;
- Contributing to the Luton Airport Master Plan being prepared by London Luton Airport;
- Delivery of e-enabled services;
- Implementation of the Section 106 Agreements Supplementary Planning Document;
- Baldock Town Centre Enhancement Scheme;
- Royston Town Centre Strategy;
- Churchgate and surrounding development and enhancement area, Hitchin;
- Letchworth Town Centre regeneration proposals;
- Delivery of concessionary bus fares initiative;
- Assessment of implementation of planning policies;
- Implementation of Controlled Parking Zone schemes in Hitchin;
- Review of 3 Conservation Areas and production of Conservation Area Character Statements;
- Securing the long term future of Building Control;
- Delivery of high quality and sustainable Building Control Services by maintenance of Charter Mark and Quality Management System;
- Resource Management and Service Delivery;
- Continuation of the implementation of a comprehensive improvement plan for planning services;
- Work to ensure that NHDC did not become a Planning Standards Authority.

The Committee asked a number of questions, which were answered by the Portfolio Holder.

The Chairman thanked the Portfolio Holder for Planning and Transport for attending the Committee and answering Members' questions.

48. SCRUTINY COMMITTEE WORK PROGRAMME 2007/2008

The Scrutiny Officer submitted a report detailing the Committee's Work Programme for 2007/08. She advised that the list of items for the December 2007 meeting of the Committee should include the "Future Management Arrangements for Hitchin Town Hall" and "Adoption of Green Space Strategy" items.

The Scrutiny Officer commented that she had received Liberal Democrat Group nominations for the Area of Deprivation and Local Economic Development and Town Centre Management Task and Finish Groups. The former of these Groups would commence its work in November 2007 and the latter in January 2008. The Chairman added that work would commence shortly on a full review of all the previous Task and Finish Groups set up by the Committee.

The Chairman reminded the Committee of the Scrutiny training Workshop arranged for 6 November 2007, and asked Members to inform the Scrutiny Officer as to whether or not they would be attending as soon as possible.

The Scrutiny Officer tabled the scope of the Review of Sheltered Housing Task and Finish Group. In relation to this matter, Councillor David Kearns declared a personal interest as a Member of the Board of North Hertfordshire Homes, and took no part in the debate upon the item.

The Committee agreed that the Cabinet Portfolio Holder for Waste & Recycling should be asked if she would wish to re-schedule her presentation to the Committee (scheduled for the 11 December 2007 meeting) to a later meeting.

RESOLVED:

- (1) That the Scrutiny Committee Work Programme for 2007/2008 be agreed;
- (2) That the Cabinet Portfolio Holder for Waste & Recycling be asked if she would wish to re-schedule her presentation to the Committee (scheduled for the 11 December 2007 meeting) to a later meeting.

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

49. SCRUTINY FINANCE SUB-GROUP

The Scrutiny Officer submitted a report to the Committee advising that the Finance Sub-Group had met on 8 October 2007 to consider items in respect of Service and Financial Planning (Efficiencies and Investments 2008/09 - 2012/13); First Quarter Budget Monitoring Reports (questions arising from previous meeting); and Arrears Recovery and Bad Debt Provision.

In respect of a question relating to the First Quarter Budget Monitoring reports, at its meeting on 30 August 2007, the Sub-Group requested that they be kept informed about the outcome of the review of charges as a result of the low take up of income on planning pre-application advice. One of the reasons given for the low take up of the service was that if a planning application was refused, any following planning applications were legally entitled to free advice. It had been anticipated that the planning fees would be reviewed by the Government and an increase in planning fees announced for April 2007, but this has not happened to date.

The Finance Scrutiny Sub-Group had recommended that the Council write to the Government opposing a planning fee structure which allowed any secondary planning applications to be entitled to free advice. The Scrutiny Committee was asked to endorse this recommendation, and formally refer it to Cabinet.

RECOMMENDED TO CABINET: That the Council write to the Government opposing a planning fee structure which allowed any secondary planning applications to be entitled to free advice.

REASON FOR DECISION: To ensure the Cabinet received the representations from the Scrutiny Committee to enable informed decision-making, in accordance with the Scrutiny Referrals Protocol.

50. HCC HIGHWAY ENVIRONMENTAL MAINTENANCE AGENCY AGREEMENT

The Parks & Countryside Development Manager presented a report of the Head of Leisure & Environmental Services to the Committee which provided details of negotiations with Hertfordshire County Council (HCC) relating to the renewal of an Environmental Maintenance Agreement in respect of highway grass cutting, weed control shrub beds, hedges and tree maintenance. The report also provided options for future highway environmental maintenance, especially in relation to trees, where

major changes were proposed. The report was due to be considered by Cabinet at its meeting to be held on 16 October 2007.

The Parks & Countryside Development Manager informed the Committee that the officer recommended option (Option 3) to Cabinet was to renew the Agreement with increased HCC funding of £105,000 per annum. This would enable a significant increase in the level of maintenance of highway trees in urban areas, together with the additional maintenance of trees in rural areas, thereby providing parity of service.

The Parks & Countryside Manager responded to a number of questions raised by Members. Following debate, the Committee expressed its support to Option 3, as recommended by officers.

RECOMMENDED TO CABINET: That the recommendations contained in the report, including Option 3 – Renew the Highway Agency Agreement with increased HCC funding, be approved.

REASON FOR DECISION: To comment on the report, prior to its consideration by Cabinet on 16 October 2007.

51. **STEVENAGE AND NORTH HERTS AREA ACTION PLAN – ISSUES AND OPTIONS PUBLIC CONSULTATION**

The Regional & Strategic Sites Manager presented the report of the Head of Planning & Building Control which detailed the draft Stevenage and North Herts Area Action Plan (SNAP), a Local Development Document prepared in partnership with Stevenage Borough Council relating to likely substantial housing and other growth around Stevenage. The SNAP draft, attached as an appendix to the report, was due to be considered by Cabinet at its meeting to be held on 16 October 2007. If approved by Cabinet, the document would be subject to a public consultation period running from 5 November 2007 to 18 January 2008.

The Regional & Strategic Sites Manager commented that the SNAP document set out a range of options grouped into the five themes of Location; Appearance and Quality; Facilities and Infrastructure; Sustainability; and Gypsy and Traveller Site Provision. There was no Council commitment at this stage to progressing any of the options set out in the document. It was intended that the consultation responses would be used to inform the next stage of the process (“Preferred options”), upon which further consultation would take place in late summer 2008.

Members raised a number of questions, which were answered by the Regional & Strategic Sites Manager. The Committee, whilst broadly supportive of the SNAP document, discussed a number of suggested improvements/amendments to its content.

RECOMMENDED TO CABINET: That the draft Stevenage and North Herts Area Action Plan – Issues and Options Public Consultation document be approved, subject to the inclusion of the following suggested improvements/amendments:

- (i) The SNAP boundary area – a clarification that this area was a study area and not a development area (Paragraph 24);
- (ii) How do I respond? – a statement emphasizing that this was a joint consultation and giving the reasons why responses to the document were to be sent to Stevenage Borough Council only (ie. to avoid duplication of effort, etc.);
- (iii) The removal of the background shading entitled “Stevenage Borough Council” from all of the maps contained in the document;
- (iv) Appendix 3 – Sustainability Appraisal Summary – a statement in this appendix to clarify that this was a part of the document in the early stages of preparation;
- (v) New Road Schemes – inclusion of a statement in connection with Question 8, explaining that, irrespective of the answers given to this question, the matter of any possible improvements to the A1(M) would be a matter for the Government;
- (vi) Areas of Search for Housing Development Map – clarification in the text supporting this map, to indicate that these areas were the maximum areas of

- search, and that consultees could indicate different boundaries within these areas for what they considered to be appropriate for any housing growth (eg) not right up to the boundaries of the adjacent village settlements;
- (vii) Protection of the Natural Environment – an expansion of Paragraph 37 to give further examples of the areas and types of natural environment that both Councils would expect to be protected.

REASON FOR DECISION: To comment on the report, prior to its consideration by Cabinet on 16 October 2007.

52. UPDATE ON LOCALITY PANELS (NEIGHBOURHOOD POLICING) IN NORTH HERTFORDSHIRE

The Committee considered the report of the Head of Policy, Partnerships & Performance providing an update on the development of Locality Policing Panels, as requested at the meeting of the Scrutiny Committee held on 20 March 2007. The report also included details of the establishment of the Joint Action Group (JAG), and how it formally reviewed and agreed resources arising from issues gathered by the Locality Panels.

The Head of Policy, Partnerships & Performance advised that 12 locality panels had been set out up across NHDC. The locations for the panels were determined by discussion with the Police, Members and residents, depending on agreed local need and mindful, too, of the potential resource implications for all agencies in attending such panels regularly, and more importantly in taking steps to remedy a given situation. Whilst the original recommendation by the Police was for the nomination of a single Member to each panel, it was agreed that this did not allow sufficient representation, and that since community safety was a cross cutting issue, the invitation to join a panel should be made to all Members. However, it has since been agreed in a number of areas that one Member would be in attendance and then feed back progress or issues to other Ward Members.

The Committee noted that the Chairing and frequency of panel meetings were also determined by local need and agreed with agencies and residents in attendance. Some were chaired by Members, others by a resident or voluntary agency representative. Some met bi-monthly whilst others felt that a monthly meeting was more appropriate.

The Committee was informed that the topics discussed at the panels were collated into a single report document, which was submitted to the six weekly Joint Action Group (JAG) for the District. A copy of the latest issues identified by the panels was attached as Appendix 2 to the report. The structure and purpose of the JAG was attached at Appendix 3 to the report. Its first meeting took place on 10 September 2007, at which an action plan for the District was agreed.

The Head of Policy, Partnerships & Performance explained that a further reporting mechanism was in place to ensure that the Area Committees were kept informed of both issues raised in their area, and activities under way to tackle them. The reports from both the locality panels and the JAG would therefore form part of the regular report to the Area Committees presented by Herts Constabulary.

Members' experience of the Locality Policing Panels was mixed. Many of them were chaired by a Police representative, and some Members were unaware that they could be chaired by a councillor or member of the public. The distribution of the agendas and minutes of the meetings was sporadic, and many meetings were held during the day, which was not always the most convenient time for Members. It was considered that greater consistency was required across the various Panels, and that examples of good practice should be provided to each Panel.

RESOLVED:

- (1) That progress in respect of the implementation of the Locality Policing Panels be noted;

- (2) That the activities identified by the Panels, and the action taken by NHDC, Hertfordshire Constabulary and other partners to resolve these, be noted;
- (3) That a report be submitted to a future meeting of the Committee advising of the steps that had been taken to ensure greater consistency and in the dissemination of examples of good practice throughout all of the Locality Policing Panels.

REASON FOR DECISION: To note the contribution made by the Panels towards the Council's statutory duty to tackle crime and disorder through its Crime and Disorder Partnership.

The meeting ended at 10.20p.m.

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Chairman