

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Meeting of the Council held in the Council Chamber, Council Offices, Gernon Road,
Letchworth Garden City on Thursday, 19 January 2006 at 7.30 p.m.

MINUTES

PRESENT: *Councillors Mrs L.A. Needham (Chairman), Mrs. A.G. Ashley, D.J. Barnard, J.F. Barry, David Billing, S. Bloxham, P.C.W. Burt, Paul Clark, J.M. Cunningham, W.M. Davidson, G. Grindal, A.R. Hartley, Fiona Hill, T.W. Hone, D.J. Horrell, R.E. Inwood, Sal Jarvis, S. K. Jarvis, David Kearns, Lorna Kercher, Mrs A. Kingman, Mrs J.I. Kirby, Marilyn Kirkland, I.J. Knighton, Lawrence McNamara, Ian Mantle, H.M. Marshall, D. Miller, Lawrence Oliver, Ms K. Omer, M. Paterson, Deepak Sangha, R. Shakespeare-Smith, Derek Sheard, F.J. Smith, Martin Stears, R.A.C. Thake, F.R.B. Wordsworth, Ms S.J. Wren and A.D. Young.*

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

65. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A. Bardett, Judi Billing, Mrs Tricia Gibbs, A.F. Hunter, M.R.M. Muir, Mrs C.P.A. Strong (Vice-Chairman) and M.E. Weeks.

66. MINUTES

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

RESOLVED: That the minutes of the meeting of the Council held on 8 December 2005 be approved as a true record of the proceedings and be signed by the Chairman.

67. NOTIFICATION OF OTHER BUSINESS

No items were presented for consideration by the Council.

68. DECLARATIONS OF INTERESTS

The following Members declared Personal Interests relating to Item 7 (Minute 71 below) – Special Expenses 2006/07 – in view of their role as Town/Parish Councillors:-

Councillor P.C.W. Burt
Councillor Fiona Hill
Councillor Sal Jarvis

All Members of the Council present at the meeting declared Personal Interests relating to Item 9 (Minute 73 below) – Item referred from Cabinet: 20 December 2005: Members' Allowances Scheme 2006/07 – as they were all beneficiaries under the scheme.

69. CHAIRMAN'S ANNOUNCEMENTS

None.

70. PUBLIC PARTICIPATION

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

71. SPECIAL EXPENSES 2006/07

The Strategic Director of Financial & Regulatory Services submitted a report recommending that, due to the changed patterns of spend for the items declared as Special Expenses (Public Halls, Community Centres and Urban Playschemes), the Council should no longer declare Special Expenses for the towns of Letchworth, Hitchin and Baldock, with effect from the 2006/07 Financial Year.

The Council was reminded that this matter had been considered at its meeting held on 8 December 2005, at which the following resolutions were passed (Minute 60 refers):-

- “(1) That the Council notes that the legal position makes it not possible to maintain special expenses for the three towns of Baldock, Hitchin and Letchworth with effect from the 2006/07 Financial Year;
- (2) That the Council notes the targeted approach to assisting parishes to meet identified local need through the various revenue and capital streams identified in paragraph 4.5 of the report;
- (3) That a decision on Special Expenses 2006/07 be deferred to the next meeting of the Council to be held on 19 January 2006, and the Strategic Director of Financial & Regulatory Services report back to that meeting on the legal position.”

The Portfolio Holder for Finance, Councillor T.W. Hone, drew attention to a letter circulated with the agenda, which provided a correction of the figure quoted in Paragraph 4.6 of the report.

The Portfolio Holder for Finance referred to Paragraph 4.2 of the report, which made it clear that in order for expenses incurred in performing any function of a district council to be Special Expenses under Section 35(2)(d) of the Local Government Finance Act 1992, the function must be carried out by the district in only part of its area and the same function must be carried out in another part of the district by one or more parish councils.

It was moved by Councillor T.W. Hone, and seconded by Councillor F.J. Smith, that recommendations 9.1, 9.2 and 9.3 of the report be noted.

An amendment was moved by Councillor S.K. Jarvis, and seconded by Councillor P. Clark, that in recommendation 9.1 the word “solely” be added after the words “.....the financial year 2006/07....”. Upon being put to the vote, this amendment was carried.

A further amendment was moved by Councillor R.E. Inwood, and seconded by Councillor Mrs A. Kingman, that the words “.....and that eligibility should be extended to all parished areas, with a proportionate increase in funding.” be added to the end of recommendation 9.2. Upon being put to the vote, this amendment was lost.

A further amendment was moved by Councillor Sal Jarvis, and seconded by Councillor S.K. Jarvis, that the following words be added to the end of recommendation 9.3:-

“.....and that discussion should take place with town and parish councils with a view to identifying services which are the District Council’s responsibility, but which could be provided by town or parish councils to:

- (i) Eliminate double taxation;
- (ii) Deliver services closer to the community that uses them;

- (iii) Provide enhanced services without impacting the district council's council tax level."

Upon being put to the vote, this amendment was carried.

RESOLVED: That the Council notes:-

- (1) that the legislative formula for calculating Special Expenses cannot be applied in the financial year 2006/07 solely for the three towns of Baldock, Hitchin and Letchworth, as no expenditure will be incurred by the District for these parts of the district only on functions which are paid for elsewhere by a parish council;
- (2) the targeted approach to assisting parishes to meet identified local need through the various revenue and capital grant streams identified in paragraphs 4.8 and 4.9 of the report, and that this meets DEFRA guidance;
- (3) that due to the pattern of spend, the Council Tax resolution for 2006/07 will not include a calculation of Special Expenses, and that discussion should take place with town and parish councils with a view to identifying services which are the District Council's responsibility, but which could be provided by town or parish councils to:
 - (iv) Eliminate double taxation;
 - (v) Deliver services closer to the community that uses them;
 - (vi) Provide enhanced services without impacting the district council's council tax level.

REASON FOR DECISION: The circumstances of the authority with respect to the ability to identify discrete areas of spend have changed and a replacement for Special Expenses through the various grant schemes etc. outlined in paragraphs 4.8 and 4.9 of the report is already in place.

72. ITEM REFERRED FROM CABINET – 20 DECEMBER 2005 – BALDOCK TOWN CENTRE STRATEGY: REVISED DRAFT

The Council considered the Minute of the meeting of the Cabinet held on 20 December 2005 in respect of Baldock Town Centre Strategy (Minute 135 refers). A copy of the report considered by the Cabinet was included with the agenda, as were the following appendices:-

- Appendix 1 – Baldock Town Centre Strategy Revised Draft – December 2005
- Appendix 2 – Summary of comments to Baldock Town Centre Strategy Consultation Draft – September 2005
- Appendix 3 – Baldock Town Centre Strategy Draft Action Plan – December 2005

It was moved by Councillor R.A.C. Thake, seconded by Councillor A.D. Young, and

RESOLVED: That the Baldock Town Centre Strategy Revised Draft, as set out at Appendix A to the report, be adopted as the Council's Statement of Policy.

REASON FOR DECISION: To enable the Council to adopt a Strategy following 'public' involvement that provided an overall framework for guiding development and enhancement opportunities within the town centre over the next 10 years, and in doing so, contributed towards achieving the Council's strategic objectives.

73. ITEM REFERRED FROM CABINET – 20 DECEMBER 2005 – MEMBERS' ALLOWANCES SCHEME 2006/07

The Council considered the Minute of the meeting of the Cabinet held on 20 December 2005 in respect of a proposed Members' Allowances Scheme for 2006/07 (Minute 142

refers). A copy of the report considered by the Cabinet was included with the agenda, as were the following appendices:-

Appendix 1 – Summary of Hertfordshire Councils' current allowances
Appendix 2 – Draft Allowances Scheme 2006/07

It was moved by Councillor A.D. Young, seconded by Councillor F.J. Smith, and

RESOLVED:

- (1) That the rates contained within the Scheme of Members' Allowances for 2005/06 be increased by 2.5% and form the basis for calculation of the Scheme for 2006/2007;
- (2) That the draft Scheme of Members' Allowances for 2006/2007, as set out within appendix 2 to the report of the Head of Legal and Democratic Services, be approved;
- (3) That the Independent Remuneration Panel be called to consider Allowances for the Licensing and Appeals Committee and the Standards Committee early in the financial year 2006/2007.

REASON FOR DECISION:

- (1) To ensure that the Council was able to set a viable Scheme of Members' Allowances for 2006/07.
- (2) To ensure that other potential allowances were kept under consideration.

74. ITEM REFERRED FROM CABINET – 20 DECEMBER 2005 – NORTH HERTFORDSHIRE CAPITAL STRATEGY

The Council considered the Minute of the meeting of the Cabinet held on 20 December 2005 in respect of the North Hertfordshire Capital Strategy (Minute 143 refers). A copy of the report considered by the Cabinet was included with the agenda, as was the following appendix:-

Appendix A – Capital Strategy 2005/06

RESOLVED: That the Capital Strategy, as set out in Appendix A to the report, be adopted.

REASON FOR DECISION: Council is required to approve the Capital Strategy as an integral part of its Financial Strategy, and to ensure that good scores would be achieved under the CPA Use of Resources.

75. ANY REFERRALS FROM CABINET – 17 JANUARY 2006

No items had been referred to Council from the meeting of the Cabinet held on 17 January 2006.

76. QUESTIONS FROM MEMBERS

No questions had been submitted by Members.

77. NOTICE OF MOTIONS

Due notice having been given in accordance with Standing Order 11.1, the following motion was moved by Councillor David Billing and seconded by Councillor Lorna Kercher:-

“That the Council:

- (a) notes the importance of bus services to many residents, and its failure to gain value for money from its contribution to contract services;
- (b) notes that resources have not been provided to progress the Scrutiny Topic Group which sought to work with the bus companies to improve services;
- (c) calls on the Administration to ensure that this work is progressed as a matter of urgency.”

The following amendment to the above motion was moved by Councillor D.J. Barnard and seconded by Councillor M. Paterson:-

“That the Council:

- (a) notes the importance of bus services to many residents;
- (b) notes the efficiency and foresight of the Portfolio Holder for Planning and Transport for having formed an all-party working group to review and investigate the public transport system in North Hertfordshire;
- (c) calls on the Administration to ensure that this work is progressed as a matter of urgency.”

During the debate upon this matter, it was moved by Councillor D.J. Barnard and seconded by Councillor M. Paterson that the words “....., and that we have not received value for money from its contribution to contract services” be added to the end of item (a) of the above amendment.

Upon being put to the vote, the amendment (as revised) was carried. This formed the substantive motion and, upon being put to the vote, it was

RESOLVED: That the Council:

- (a) notes the importance of bus services to many residents, and that we have not received value for money from its contribution to contract services;
- (b) notes the efficiency and foresight of the Portfolio Holder for Planning and Transport for having formed an all-party working group to review and investigate the public transport system in North Hertfordshire;
- (c) calls on the Administration to ensure that this work is progressed as a matter of urgency.”

The meeting closed at 9.30p.m.

Chairman