

HERTFORDSHIRE COUNTY COUNCIL

MINUTES of a meeting of the County Council held at County Hall, Hertford, on Tuesday 30 November 1999.

MEMBERS IN ATTENDANCE

N E Agar	R J M Ellis	T G M Kent	G A G Pulman
T I Ambrose	K F Emsall	D L Kerr	E A Rafferty
J E Anderson	B C Engel	A Kilkerr	P Riches
D A Ashley	F J Escott	I H Laidlaw-Dickson	R Sanderson
M V Bayes	G L Francis	B J Lamb	A M R Searing
D Beatty	G D Game	A Lee	R H Smith
J D Beesley	J Gipps	N Lindop	R J Smith (Chairman)
H A Burningham	P V Goggins	D B Lloyd	W A Storey
F Button	A K Gray	D E Lloyd	I E M Tarry
P T J Channell	M Green	R Mays	J Taunton
A R Choudhrey	B P Hall	J T Metcalf	S H Tendeter
G R Churcard	B N W Hammond	S J Mills	R A G Thomas
R A Clark	N A D Haslam	M V Moore	P A Webb
F W Clayton	R Hebborn	J R Morton	G F Wenham
K J Coleman	D W Hills	S R Munden	C J White
M D Colne	J A Hobday	M H O'Neill	M Wilson
R N Copping	M J Hobday	J M Pitman	B Wing
D J Drake	M H T Janes	J E Price	B A York
J M Dwerryhouse-Spears			

Upon consideration of the agenda for the meeting of the County Council held on 30 November 1999, as circulated, action was taken or decisions were reached as follows:-

1. MINUTES

The minutes of the meeting of the Council held on 15 June 1999 and of the Extraordinary meeting held on 20 July 1999 were confirmed.

2. CHAIRMAN'S ANNOUNCEMENTS

2.1 Death of County Councillor F G Peacock

The Chairman announced the death on 24 November 1999 of F G Peacock, County Councillor for Hitchin North East, who had served on the County Council from 1971 to 1977 and from 1981 continuously up to his death.

He had been Chairman of the County Council from 1987 to 1989 and Chairman of the Police Committee from 1993 to 1995.

The Leader of the Council, Leader of the Opposition, Leader of the Liberal Democrat Group and former Chairman of the Council, Sir Norman Lindop, joined the Chairman in paying tribute to County Councillor Peacock.

2.2 Death of former County Councillor Sir John Cockram

The Chairman reported the death, and paid tribute to, Sir John Cockram, who had served on the County Council from 1949 until re-organisation in May 1974, and who was Chairman of the Council from May 1961 to May 1965.

2.3 Death of former County Archivist, Peter Walne

The Chairman also reported the death of Peter Walne, who had been County Archivist from 1962 to 1990.

The Council stood in tribute to the above-named.

2.4 County Councillors I E M Tarry and G F Wenham

The Council joined the Chairman in congratulating County Councillor I E M Tarry on having received an Honorary Doctorate of Law and County Councillor G F Wenham on having received an Honorary M.A. from the Hertfordshire University.

County Councillors Tarry and Wenham thanked the Council.

2.5. Retirement of County Photographer, Bob Norris

The Chairman referred to the impending retirement of the County Photographer, Bob Norris, who had worked for the County Council for over 40 years.

The Council joined the Chairman in wishing him a long and happy retirement.

2.6 Customer Services Centre

The Chairman reported the recent opening of the Customer Services Centre in Stevenage, which was now handling hundreds of calls a week. He congratulated the County Council officers and staff from Capita, with whom the County Council is working in partnership on this project, on the successful introduction of this service.

3. QUESTIONS

3.1 N A D Haslam asked the Leader of the Council:-

"In light of the Leader of the Council's recent letter to voluntary organisations, can he tell the Council what New Road Schemes does he have in mind when or if cuts are made?"

The Leader of the Council, **R J M Ellis**, replied:-

"The short answer to County Councillor Haslam's question is no. I do not know which new road improvement scheme or schemes would be affected by any savings we'd need to make. Nor do I know which public transport services or Learning Disability services would be affected.

We are not discussing actual proposals in the consultation round. We have given examples, pointed at service areas, that COULD be affected in trying to achieve particular levels of council tax. We want to hear the public's views. Unlike the previous administration we will take account of public responses, but the final decision does, of course, rest with this Council. When it's 'make your mind up time' we shall not shirk from taking the appropriate decisions, but we will do so in an informed way.

One thing I can say, however, whatever County Councillor Haslam's personal hesitations about the Baldock by-pass we continue to give this scheme a high priority! "

3.2 M J Hobday asked the Chairman of the Policy Committee:-

"Why has the long tradition of the County Council's dual Party representation on the Assembly of European Regions ended, and will he assure the Council that, pending any committee decision, Conservative members will continue to attend AER committees regularly to ensure that the European reputation of Hertfordshire County Council, particularly in the fields of Education and Environment, will not be undermined? "

The Chairman of the Policy Committee, **R J M Ellis**, replied:-

"Nice to see how, following his performance in administration, County Councillor Hobday is trying to make a mark in opposition. He appears to have the negative skills to do so.

His question on AER surely misses the point. The real question is about the value of AER to the people of Hertfordshire. You lot shirked this issue, but the truth is that the AER is not a lot of use to us.

AER is about enlarging the Union. Whatever our views on that one it is not the job of this Council and there is no reason why our taxpayers should bear the cost.

Policy Committee will consider our membership in January; in the meantime I have exercised my right to make nominations to the various committees or to make no nominations at all.

You have failed to ask the real question - what should be the Council's role in Europe? We are concerned about influencing policies that affect people's lives here in Hertfordshire. Surely the best vehicle for this is the Committee of the Regions and it is there we seek to build up our position. Nominations to the relevant regional bodies that represent us on that Committee are already proportional. All three parties are involved not just the two you refer to. I hope your erstwhile bedfellows - or should I say bedpersons - have noted. "

3.3 M J Hobday then asked the following supplementary question:-

"Will the Chairman of the Policy Committee in the intervening period bear in mind advice of officers in the Education and Environment Departments that we get good value from the AER and that our membership has proved productive? "

The Chairman of the Policy Committee replied:-

"It is difficult for me to comment on advice that has been given to you. My own understanding is that if services had to meet the cost of membership of AER from their own budgets they would not do so, as it does not give value for money."

4. QUESTIONS – HERTFORDSHIRE POLICE AUTHORITY – STANDING ORDER 7(2)

None were notified.

5. ELECTION OF CHAIRMEN/VICE-CHAIRMEN OF COMMITTEES

The County Secretary had received resignations from **J D Beesley** as Vice-Chairman of the Social Services Committee and from **P Riches** as Vice-Chairman of the Protection Committee.

The following members, having been nominated by **R J M Ellis**, and duly seconded, were elected to fill the resulting vacancies:-

Social Services Committee	-	P T J Channell
Protection Committee	-	R H Smith

6. PUBLIC PETITIONS

None were notified.

7. REPORTS OF COMMITTEES

7.1 Report of the Policy Committee - 1 July 1999

(presented by **R J M Ellis**, Chairman of the Committee)

Item 2 - Scheme of Delegation to Committees

- (a) The following Recommendation was moved by the Chairman of the Committee:-

"That the County Council make the following changes to the committee structure (Scheme of Delegation to Committees):-

- (i) *Development Control Committee to be replaced by a Development Control Sub-Committee of Environment Committee with a membership of 8.*
- (ii) *trading standards, consumer protection, animal health, public health, licensing, weights & measures, and food authority to transfer from Information and Access Committee to Protection Committee; and the Registration of births, marriages and deaths, the coroners service and rent officer service to transfer from Protection Committee to Information and Access Committee.*
- (iii) *the Standards Panel to have a composition of 2 County Councillors and 4 independents, one of whom will take the chair. "*

- (b) The following amendment to Recommendation (i), proposed by **R J M Ellis**, and duly seconded, was CARRIED:-

"Substitute 'with a membership of 10' in place of 'with a membership of 8' and add '; its function to be to deal with all matters of casework within the remit of the Environment Committee'."

- (c) The following amendment to Recommendation (i) was proposed by **J T Metcalf** and duly seconded, but was not voted upon, having fallen once (b) was carried:-

"Substitute 'with a membership of 9' in place of 'with a membership of 8'."

- (d) The following amendment to Recommendation (ii) proposed by **R J M Ellis**, and duly seconded, was CARRIED:-

"Delete the words 'the coroners service and rent officer'."

- (e) The following amendment to Recommendation (ii), proposed by **J T Metcalf**, and duly seconded, was LOST:-

"Delete all words from 'trading standards' to 'and' in the fifth line."

- (f) The substantive Recommendation was then ADOPTED, as follows:-

"That the County Council make the following changes to the committee structure (Scheme of Delegation to Committees):-

- (i) Development Control Committee to be replaced by a Development Control Sub-Committee of Environment Committee with a membership of 10; its function to be to deal with all matters of casework within the remit of the Environment Committee.*
- (ii) trading standards, consumer protection, animal health, public health, licensing, weights & measures, and food authority to transfer from Information and Access Committee to Protection Committee; and the Registration of births, marriages and deaths service to transfer from Protection Committee to Information and Access Committee.*
- (iii) the Standards Panel to have a composition of 2 County Councillor; and 4 independents, one of whom will take the chair."*

The Report of the Policy Committee dated 1 July 1999, and the Recommendation contained therein, as amended by minute 7.1 (item 2) (f) was received and adopted.

7.2 Report of the Policy Committee - 16 September 1999
(presented by **R J M Ellis**, Chairman of the Committee)

Item 1 - Standing Orders

- (a) The Recommendations were ADOPTED:-

"(1) That Standing Order C3 be amended as follows:-

- delete at (2) 'Chairman of the Council or the County Secretary' and insert 'Chairman of the Committee or Leader of the Council'.*
- insert at (3) the words 'County Council' before the word 'members'.*

(new wording to read:-

'(2) The Chairman of the Committee or the Leader of the Council may summon a special meeting at any time.'

(3) A special meeting shall be summoned if at least one quarter of County Council members so require the County Secretary in writing'.)

(2) That Standing Order C8 be amended by deleting at 7(c) 'or may decline to answer', the new wording to read:-

'7(c) Questions may be addressed to the Chairman or to an officer, who may answer orally or may undertake to provide a written reply within seven days'. "

(b) The following motion proposed by **R J M Ellis**, and duly seconded, was CARRIED:-

"That Standing Order C2 (1) be amended to read as follows:

The Chairman and Vice-Chairman of each Committee shall be elected by the Committee at their first meeting after the Annual meeting of the Council each year.

Casual vacancies shall be filled by the Committee. "

Item 2 - Procedures for the Conduct of Business - Appointment to Outside Bodies

The following motion proposed by **J T Metcalf**, and duly seconded, was LOST:-

"That paragraph 4.3 of the Procedures for Conduct of Business (Proportionality-appointment to outside bodies) be deleted and replaced with the following:-

'4.3 The County Secretary shall make appointments to outside bodies in consultation with Group Leaders, and in accordance with the following principles:-

(a) the overall allocation of places on outside bodies between the Groups shall (as far as possible) be in proportion to the number of seats on the Council held by the Groups.

(b) where two or more places on a body are to be filled, they shall be allocated between the groups in proportion to the number of seats on the Council held by the Groups.

- (c) *in the case of district or local bodies which are wholly within the County:*
- (i) *if the body has strategic responsibilities and might reasonably expect a County Council representative to be able to speak for the majority Group then at least one of the representatives shall be from that Group.*
 - (ii) *subject to (i), appointments to such bodies shall be in proportion to the number of County Councillors in the relevant area (counting electoral divisions partly in the area as appropriate fractions).*
 - (iii) *'relevant area' means the area covered by the remit or terms of reference of the body.*
 - (iv) *appointments to such bodies will as far as possible be of members whose electoral divisions fall within the relevant area'."*

The Report of the Policy Committee dated 16 September 1999 and the Recommendations contained therein, as amended by minute 7.1 (item 1) (b) was received and adopted.

7.3 Report of the Policy Committee - 14 October 1999

(presented by **R J M Ellis**, Chairman of the Committee)

Item 1 - The Proposed Establishment of a Regional Local Government Association

- (a) The following motion was proposed by **J T Metcalf**, and duly seconded:-

"That support be given to the East of England Local Government Conference in developing cost effective proposals for other activities which are of benefit to the region or Hertfordshire."

- (b) The following amendment proposed by **R J M Ellis**, and duly seconded, was CARRIED:-

"Add 'only' after 'support'; delete 'other' and 'the region or'."

- (c) The substantive motion was then CARRIED, as follows:-

"That support only be given to the East of England Local Government Conference in developing cost effective proposals for activities which are of benefit to Hertfordshire."

Item 2 - Scheme of Delegation to Committees - Remit of Scrutiny & Audit Panel

- (a) The Recommendation was moved by the Chairman of the Committee:-

"That the terms of reference of the Scrutiny and Audit Panel be amended to read as follows:-

"The Scrutiny and Audit Panel will be chaired by a member of the Opposition and have a membership of 8. The Panel may report to the Policy Committee or to the Council when they consider it appropriate.

The Terms of Reference of the Panel are to:-

- review the adequacy of internal control systems*
- review, with management, financial statements*
- review the internal audit strategy and plan, including effective use of audit resources*
- review the annual report of the Chief Internal Auditor*
- receive a report on the implementation of Internal Audit recommendations*
- discuss the annual external audit plan with the District Auditor*
- discuss key issues and management responses arising from District Audit reports*
- review the District Auditor's management letter and management's response'."*

- (b) The following amendment proposed by **R Sanderson**, and duly seconded, was LOST:-

"That the Recommendation be amended to read:-

(1) That the Leader of the Council (or, if he fails, the Chief Executive) bring forward to the next meeting of the Policy Committee proposals for setting up a member body or bodies through which non-members of the Cabinet can scrutinise the policies and practices of the Council.

(2) Once the arrangements described in 1 above have been implemented, the terms of reference of the Scrutiny and Audit Panel be amended to read as follows:- (as per Recommendation):-.....'."

- (c) The Recommendation at (a) was then ADOPTED.

The Report of the Policy Committee dated 14 October 1999 and the Recommendation contained therein, as amended by minute 7.3 (item 1) (c) was received and adopted.

7.4 Report of the Education Committee - 20 July 1999
(presented by **K F Emsall**, Chairman of the Committee)

Item 1 - Provisional Revenue and Capital Budget Outturn
Report April 1998 to March 1999

- (a) The following motion was proposed by **T G M Kent** and duly seconded:-

"That schools be informed that, in view of the increasing underspend on SEN Welfare and Tuition, the County Council will be able to provide a quicker and more flexible response to extreme and urgent cases. "

- (b) The following amendment proposed by **K F Emsall**, and duly seconded, was CARRIED:-

"That the motion be amended to read:-

'That the Education Committee continue to monitor underspending on SEN Welfare & Tuition and consider options to re-allocate any resources arising from such underspending, bearing in mind the possible need to respond rapidly to points raised in the Ofsted report'. "

- (c) The substantive motion, as set out in (b), was then CARRIED.

- (d) The following members asked that their dissent from the decisions at (b) and (c) be recorded in the minutes:-

N E Agar	N A D Haslam	S R Munden
T I Ambrose	R Hebborn	E A Rafferty
A R Choudhrey	J A Hobday	R Sanderson
G R Churchar	M J Hobday	R J Smith
R A Clark	T G M Kent	S H Tendeter
F W Clayton	D L Kerr	P A Webb
M D Colne	I H Laidlaw-Dickson	G F Wenham
G L Francis	A Lee	C J White
J Gipps	N Lindop	M Wilson
P V Goggins	R Mays	B Wing
M Green	J T Metcalf	B A York
B P Hall	M V Moore	

The Report of the Education Committee dated 20 July 1999, as amended by minute 7.4 (c), was received and adopted.

7.5 Report of the Education Committee - 13 October 1999
(presented by **K F Emsall**, Chairman of the Committee)

Item 1 - The Future of Oxhey Nursery School

It was agreed that the Director of Education discuss with the Chairman of the Committee and Group Spokesmen the options for future nursery school provision arising from the consolidation of Oxhey Nursery School on one site and agree a timetable for reporting back to the Education Committee.

The Report of the Education Committee dated 13 October 1999 was received and adopted.

7.6 Report of the Environment Committee - 15 June 1999
(presented by **J M Pitman**, Chairman of the Committee)

The Report of the Environment Committee dated 15 June 1999 was received and adopted.

7.7 Report of the Environment Committee - 20 July 1999
(presented by **J M Pitman**, Chairman of the Committee)

Item 1 - Local Transport Plan

- (a) The following motion was proposed by **B A York** and duly seconded:-

"That the Council welcomes the Government's commitment in the Queen's Speech to promote sustainable transport in line with the strategy of the Council's own draft provisional Local Transport Plan."

- (b) The following amendment proposed by **J M Pitman**, and duly seconded, was CARRIED:-

"That the motion be amended to read:-

"That the Council is reassured to note the Government's commitment in the Queen's Speech to promote sustainable transport in line with the strategy of the Council's own draft provisional Local Transport Plan, but regrets the lack of real progress to date and now urgently awaits the provision of adequate resources to ensure that sustainable transport becomes a reality in Hertfordshire'."

- (c) The substantive motion as set out in (b) was CARRIED.

The Report of the Environment Committee dated 20 July 1999, as amended by minute 7.7 (c) was received and adopted.

7.8 Report of the Environment Committee - 12 October 1999
(presented by **J M Pitman**, Chairman of the Committee)

Item 2 - Public Examination into Draft Regional Planning Guidance for the South-East

- (a) The following motion was proposed by **B A York** and duly seconded:-

"That the County Council supports the SERPLAN authorities' unanimous agreement to the SERPLAN rebuttal of unacceptable recommendations within the 'Crow Report'."

- (b) The following amendment proposed by **J M Pitman**, and duly seconded, was CARRIED:-

"Add 'and therefore is dismayed at John Prescott's refusal to meet an all party group to learn about the potentially devastating impact that the implementation of his inspector's recommendation would have for the environment and people of Hertfordshire.'"

- (c) The substantive motion as set out in (b) was then CARRIED.

The Report of the Environment Committee dated 12 October 1999, as amended by minute 7.8 (item 2) (c), was received and adopted.

7.9 Report of the Improvement and Review Committee - 6 July 1999 and 8 September 1999
(presented by **I E M Tarry**, Chairman of the Committee)

Item 1 - Improvement and Review Work Programme

The following motion proposed by **M Green**, and duly seconded, was LOST:-

"That notwithstanding Section 4.2 of 'Procedures for the Conduct of Business', membership of all member panels and groups reporting to Improvement and Review Committee should reflect the membership of Groups on the County Council."

The Report of the Improvement and Review Committee meetings held on 6 July and 8 September 1999 were received and adopted.

7.10 Report of the Information and Access Committee - 7 July 1999
(presented by **D A Ashley**, Chairman of the Committee)

The Report of the Information and Access Committee dated 7 July 1999 was received and adopted.

7.11 Report of the Information and Access Committee - 3 November 1999
(presented by **D A Ashley**, Chairman of the Committee)

The Report of the Information and Access Committee dated 3 November 1999 was received and adopted.

7.12 Report of the Protection Committee - 9 July 1999
(presented by **D B Lloyd**, Chairman of the Committee)

The Report of the Protection Committee dated 9 July 1999 was received and adopted.

7.13 Report of the Protection Committee - 5 November 1999
(presented by **D B Lloyd**, Chairman of the Committee)

The Report of the Protection Committee dated 5 November 1999 was received and adopted.

7.14 Reports of the Social Services Committee - 17 June and 9 September 1999
(presented by **J E Price**, Chairman of the Committee)

The Report of the Social Services Committee meetings held on 17 June 1999 and 9 September 1999 were received and adopted.

8. TIMETABLE OF MEETINGS 2000/2001

The following motion proposed by **R J M Ellis**, and duly seconded, was CARRIED:-

"That the programme of meetings covering the period September 2000 to July 2001 (copy attached to these minutes) be approved."

9. NOTICE OF MOTION

- (a) The following motion was proposed by **D L Kerr** and duly seconded:-

"That this County Council, in the light of the legal confusion surrounding Section 28 of the Local Government Act 1988 and its interpretation as contributing to homophobia, urges the Government to include in the proposed Local Government (Organisation and Standards) Bill, provision for the repeal of this Section. "

- (b) **R J M Ellis** proposed that the motion be dealt with at this meeting, whereupon a vote was taken and more than 39 members determined that it be so dealt with.
- (c) The motion was LOST.

ANDREW LAYCOCK
County Secretary

**HERTFORDSHIRE COUNTY COUNCIL
PROGRAMME OF MEETINGS SEPTEMBER 2000 - JULY 2001**

ROOM (subject to possible change)	TIME	MEETING	2000 SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2001 JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY
B	10.30	POLICY	14			14		8		5	22*		5
B	10.30	Investment Panel	6		30			15				7	
C Ch	10.30	IMPROVEMENT & REVIEW	14 (2.15 p.m.)		9		25		29		22*	28	
B	10.30	INFO & ACCESS			1		17		21		22*	13	
C Ch	10.30	EDUCATION	13		15		24/31*		28		22*	20	
B	10.30	PROTECTION			3		12		16		22*	22	
B	10.30	ENVIRONMENT		31			16		20		22*	12	
B	10.30	Dev.Control (Sub)	12		21			6		3			10
B	10.30	SOCIAL SERVICES			2		18/31*		22		22*	14	
B	9.30	Scrutiny & Audit Panel		10		12			27			26	
B	2.15	Joint Staff Advisory Committee		11		13			14			27	
C Ch	10.30	COUNTY COUNCIL		17				27 Budget Meeting			22 Annual Meeting		

*Jt meeting of Ed & SS on 31Jan

B	10.30	HERTFORDSHIRE POLICE AUTHORITY	15		10			16			25		
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School Terms

4 Sept 2000 - 21 December 2000
(Half Term Holiday 23-27 October)

8 January 2001 - 6 April 2001
(Half Term Holiday 19-23 February)

23 April 2001 - 25 July 2001
(Half Term Holiday 28 May - 1 June)

Party Conferences

Liberal Democrats 17-22 September 2000
Labour 25-29 September 2000
Conservatives 2-6 October 2000

COUNTY COUNCIL ELECTION:
Thursday, 3 May 2001

* = may need to meet formally on rising of Council

Bank Holidays

Christmas 2000 - 25, 26 December
New Year 2001 - 1 January
Easter 2001 - 13, 16 April
May Day 2001 - 7 May

Spring 2001 - 28 May