

HERTFORDSHIRE COUNTY COUNCIL

MINUTES of a meeting of the County Council held at County Hall, Hertford, on Tuesday 15 February 2000.

MEMBERS IN ATTENDANCE

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

Upon consideration of the agenda for the meeting of the County Council held on 15 February 2000, as circulated, action was taken or decisions were reached as follows:-

1. MINUTES

The minutes of the meeting of the Council held on 30 November 1999 were confirmed, subject to noting that on page 6 the amendment at (e) had been moved by **J A Hobday** not **J T Metcalf**.

2. CHAIRMAN'S ANNOUNCEMENTS

2.1 Death of County Councillor S R Munden

The Chairman announced the death on 8 January 2000 of S R Munden, County Councillor for Stevenage Shephall, who had served on the County Council since 1985.

The Chairman paid tribute to County Councillor Munden and the

Council then stood in his memory.

2.2 Departure of Corporate Director (Strategy)

The Chairman announced that the Corporate Director (Strategy), Sarah Tanburn, would be leaving on 27 February 2000 to take up the post of Director of Culture and Regeneration at Brighton and Hove.

The Council acknowledged her valuable contribution to the County Council and wished her success in the future.

2.3 Awards

The Council congratulated staff in the Hertfordshire Registration Service on being awarded a Charter Mark.

It also congratulated the Social Services Money Advice Unit and the Causeway Rehabilitation Service on achieving ISO 9002 status.

3. QUESTION UNDER STANDING ORDER 7(1)

3.1 B A York asked the Chairman of the Policy Committee:-

"In view of the Chairman of the Policy Committee's view that 'the Committee of the Regions is the best vehicle for influencing people's lives in Hertfordshire and it is there we seek to build up our position', can he tell the Council:

- (a) which specific policies of the Committee of the Regions have directly influenced Hertfordshire people's lives to date;*
- (b) how currently the County Council is building up its position;*
- (c) what steps he has taken to ensure that the current members of the COR 'representing' the Eastern Region of England, none of whom are members of this Council, consult with and report to Hertfordshire, and, if not, when is meaningful contact expected to start? "*

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

- (a) *“The Committee of the Regions (COR) is regularly consulted by the decision-making organs of the EU, and as a consequence issues ‘opinions’. These vary from views about for example the removal of protection from cormorants, to European Monetary Union. COR also passes resolutions which can, and have influenced the European Commission. Of interest to Hertfordshire are two resolutions as follows:*

Resolution on obstacles to the free movement of goods in the internal market (CdR 38/97 fin) whereby COR urged the Commission to intensify monitoring of Member States compliance of Community law concerning the free movement of goods, with the necessary legal machinery to deal with non-compliance.

Hertfordshire has as a key sector, haulage and distribution, which may find its businesses subject to disruption as a result of action taken by, for example French or Spanish lorry drivers.

Resolution on the transport of live animals (CdR 269/97 fin). The Commission welcomed this COR Initiative and responded by the fixing of conditions for staging points and the establishment of standards for upgrading lorries.

- (b) *“The County Council is building up its position through the implementation of the recently agreed Hertfordshire Europe Strategy. With respect to policy influence the three main routes are the Hertfordshire MP’s, the East of England and the East of England Brussels office. The office in particular acts as our ‘eyes and ears’ in Brussels. Plans are in hand to agree with the office how best it can respond to Hertfordshire’s particular needs.*

Europe is a ‘Europe of the regions’ – to have influence means working within regional machinery. Hertfordshire therefore has engaged with the region’s MEPs, the East of England Local Government Conference, the Regional Assembly, the Regional Development Agency, GO-EAST and the various regionally organised Government Bodies (Environment Agency, MAFF, Countryside Agency for example). All these bodies have European interests.

- (c) *“HCC has two senior members on the EELGC Executive Committee, and as a consequence on the Regional Assembly. Both members are on the Europe Panel (of the EELGC, and now Assembly). This panel is attended by the COR members who report back to it on their activities and take the views of the panel. Both HCC members are on*

the (HCC) Regeneration, Regionalism and Europe Panel. The links are therefore being developed. A region-wide support structure for the COR members is being put in place; HCC has volunteered the services of chief and senior officers to this network. This is intended to be a temporary arrangement as existing regional groups are linked increasingly into support mechanisms. The emerging regional European Strategy will no doubt assist these processes.”

3.2 B A York then asked the following supplementary question:-

“Why has Robert Ellis changed his mind from what he said at the November County Council meeting, ie that we are concerned about influencing policies that affect people’s lives in Hertfordshire, and that surely the best vehicle for this is the Committee of the Regions?”

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

“Brian York’s capacity for misunderstanding does not diminish. He is talking in the context of Europe, for which the Committee of the Regions is the paramount body. However that does not mean that it is the body which has the greatest effect on Hertfordshire. It may be that this body (ie the County Council) is pre-eminent in that regard.”

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

None were notified.

5. PUBLIC PETITIONS

Mr Khalil Moghul presented a petition requesting a pedestrian crossing in Tippendell Lane, Chiswell Green. This was referred to the Director of Environment for consideration and report to the local member and Group Spokesmen.

6. REPORTS OF COMMITTEES

6.1 Report of Policy Committee – 16 December 1999
(Presented by **R J M Ellis**, Chairman of the Committee)

The Report of the Policy Committee dated 16 December 1999 was received and adopted.

6.2 Report of the Policy Committee - 27 January 2000

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

Item 1 - County Council's Revenue and Capital Budgets Local Performance Plan 2000/01

- (a) The Council received a supplementary report from the Corporate Director (Strategy) and the Chief Financial Officer, circulated as a separate document.
- (b) **M D Colne** presented a petition on behalf of the residents of his division, seeking retention of the BB1 bus service in Bushey.
- (c) The Chairman of the Committee, moved the Policy Committee Recommendations, with amendments as indicated in non-italics below:-

"(1) That the revenue budgets for 2000/01 proposed by service committees and set out in Appendices 1 and 3 of the report be agreed, subject to:

- (i) a reduction in the central contingency of £170,000 to reflect the forecast reduction in capital financing costs.*
- (ii) additional funding of £74,000 being approved for new regional planning.*
- (iii) additional provision of £2.2m to establish a new capital reserve for highways maintenance; the spending programme for which will be prepared by the Capital Panel and the allocations from the reserve agreed by the Chief Financial Officer following consultation with the Capital Panel.*
- (iv) an increase in the Education budget of £40,000 to reflect the increase in the Education SSA in the final settlement
- (v) the following changes within the Education budget:

	Increase/ Decrease £'000
Inflation	812
Pressures for Change	
Early Years Curriculum Policy	(94)
Business Rates	(600)
Growth	
School Budgets	(607)
Grant for School Budgets	1,083
Standards Fund	29
Grant for School Budgets Income	(583)

(vi) the proposed service reduction in Environment of £230,000, for consultation, preparation and design, not being made.

(vii) an increase of £209,000 in the new Capital Reserve for Highways maintenance, taking the total to £2.409m.

(viii) a contribution to council tax benefit costs of £1,584,000.

to produce a budget as set out below:

	£'000
<i>Education</i>	471,818
<i>Social Services</i>	177,706
<i>Social Services Grants</i>	(7,448)
<i>Environment</i>	63,771
<i>Protection Services</i>	30,000
<i>Information Access</i>	16,250
<i>Policy</i>	10,288
<i>Central Items</i>	26,039
<i>Appropriation to Maintenance Reserve</i>	2,409
	790,833
<i>Capitalisation of Annual Provisions</i>	(3,000)
<i>Charged to Gateway provision brought forward</i>	(1,123)
<i>Council Tax Benefit</i>	1,584
<i>Budget for council tax purposes</i>	788,294

- (2) That the budgets allocated to schools cover the 2000/01 teachers' and non-teaching staff awards and that the provisions for other 2000/01 pay awards be made and delegated to service committees when the awards are known.
- (3) *That, to support the proposed expenditure proposals, a council tax increase of 6.5% be agreed.*
- (4) *That the following carry forward requests made by the Education Committee be approved:*
 - i) *the underspend of £200,000 in the MECSS.*
 - ii) *the £350,000 underspend relating to Additional Welfare and Tuition to be used in 2000/2001 to meet urgent expenditure arising from the OFSTED report on the LEA.*
- (5) *That the Capital Programme recommended by the Capital Panel as set out in Appendix 4 be approved.*
- (6) *That £3m of estimated capital resources available in 2002/03 be held back to cover potentially large capital requirements that may emerge.*
- (7) *That the County Council response to the DETR's consultation on the introduction of the Single Capital Pot be agreed.*
- (8) *That the Chief Financial Officer be authorised to borrow on behalf of the County Council for the year ending 31 March 2001 such amounts as are required to meet approved capital expenditure within the limits of the basic and supplementary credit approvals received, such amounts to be borrowed for periods which will not result in the overall borrowing limit of £150m being exceeded, and of which no more than £70m shall be short term and 30% with variable interest rate terms.*
- (9) *That vehicles and equipment up to a value of £1.75m be purchased by the County Council in the year ending 31 March 2001, the total cost of which to be financed by entering into operating lease agreements as defined by Regulation 20 of the Local Authorities (Capital Finance) Regulations 1997, with the County Council acting as lessee."*

- (d) The following amendment to Recommendation 1 (iii), proposed by **J T Metcalf**, and duly seconded, was LOST:-

"Alter £2.2m to £1.85m; re-instate public transport cuts of £350,000 (Appendix 3, R1 and R2) and amend other Recommendations consequently."

- (e) The Recommendations at (c) (amended as indicated) were then ADOPTED.

- (f) The following additional resolutions, proposed by **R J M Ellis** and duly seconded, were ADOPTED:-

"(1) That the Band D Council Tax for the County Council in 2000/01 be £619.19 and that the amount of tax calculated for all bands be as follows:-

<i>Band A</i>	<i>£412.79</i>
<i>Band B</i>	<i>£481.59</i>
<i>Band C</i>	<i>£550.39</i>
<i>Band D</i>	<i>£619.19</i>
<i>Band E</i>	<i>£756.79</i>
<i>Band F</i>	<i>£894.39</i>
<i>Band G</i>	<i>£1,031.98</i>
<i>Band H</i>	<i>£1,238.38</i>

(2) That the precept amounts required from the District Councils be as follows:-

	<i>£</i>
<i>Broxbourne Borough Council</i>	<i>20,982,590.60</i>
<i>Dacorum Borough Council</i>	<i>33,294,465.49</i>
<i>East Hertfordshire District Council</i>	<i>33,141,983.76</i>
<i>Hertsmere Borough Council</i>	<i>24,389,894.10</i>
<i>North Hertfordshire District Council</i>	<i>27,803,983.92</i>
<i>St Albans City & District Council</i>	<i>35,064,729.70</i>
<i>Stevenage Borough Council</i>	<i>16,516,274.06</i>
<i>Three Rivers District Council</i>	<i>22,509,184.97</i>
<i>Watford Borough Council</i>	<i>18,523,068.85</i>
<i>Welwyn Hatfield District Council</i>	<i>23,464,452.73</i>
<i>Total</i>	<i>255,690,628.18</i>

(3) *That the Chief Executive be authorised to issue the County Report leaflets, after consultation with the Leader of the Council. "*

(g) The following motion, proposed by **R Mays**, and duly seconded, was LOST:-

"That the following motion be added as new (7), with Recommendations (7), (8) and (9) being renumbered accordingly:-

'That the County Council welcomes the Government's support for Education in Hertfordshire which includes a further grant of £4.269m to be delegated to schools for capital purposes and extra revenue funding of £1.083m in addition to the SSA settlement'. "

(h) The Report of the Policy Committee dated 27 January 2000, and the Recommendations contained therein, as amended by minutes 6.2 (c) (e) and (f) was received and adopted.

6.3 Report of the Environment Committee – 23 November 1999
(presented by **M V Bayes**, Vice- Chairman of the Committee)

The Report of the Environment Committee dated 23 November 1999 was received and adopted.

6.4 Report of the Environment Committee – 11 January 2000
(presented by **J M Pitman**, Chairman of the Committee)

Item 2 - Review of the Green County Hertfordshire Strategy

The Chairman of the Council vacated the Chair during consideration of this item and left the Chamber. The Vice-Chairman, **P V Goggins**, took the Chair in his absence.

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

"That the Council:

- (1) *deplores the action of County Councillors Brian York and Reg Smith in issuing a news release on 11 January which made statements which they knew were untrue; namely that a decision had been taken to end work on the County Sustainable Development Pledge and abolish environmental grants to small organisations, when in fact the Environment Committee on that day had resolved to complete work on the Pledge and also to fund Local Agenda 21 grants.*
- (2) *calls on the said County Councillors to apologise to the Council and the public of Hertfordshire; and to give an undertaking not to prejudice the good name of the Council in future. "*

- (b) Following debate, the proposer of the motion, **R J M Ellis**, with the agreement of his seconder, amended the motion as follows:-

"That the Council:

regrets the action of County Councillors Brian York and Reg Smith in issuing a news release on 11 January which made statements which they knew were untrue, namely that a decision had been taken to end work on the County Sustainable Development Pledge and abolish environmental grants to small organisations, when in fact the Environment Committee on that day had resolved to complete work on the Pledge and also to fund Local Agenda 21 grants; and refers the matter to the newly reconstituted Standards Panel for consideration."

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

"That the motion be amended to read:-

'That the Council:

- (1) *feels that the allegations by Robert Ellis about the action of County Councillors Brian York and Reg Smith in issuing a news release on 11 January be referred to the newly reconstituted Standards Panel*
- (2) *calls on all councillors not to prejudice the good name of the Council by making unnecessary personal attacks on other members'."*

AMENDED VERSION

- (d) Upon the Vice-Chairman calling for a vote on the amendment, **J T Metcalf** required a recorded vote under Standing Order 13(3)(b).

A recorded vote was taken and the motion was LOST. The voting was:-

Those in favour (29)

N E Agar	N A D Haslam	M V Moore
T I Ambrose	R Hebborn	E A Rafferty
A R Choudhrey	J A Hobday	R Sanderson
R A Clark	M J Hobday	S H Tendeter
F W Clayton	T G M Kent	G F Wenham
M D Colne	D L Kerr	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	R Mills	

Those against (36)

J E Anderson	K F Emsall	S J Mills
D A Ashley	B C Engel	M H O'Neill
M V Bayes	F J Escott	J M Pitman
D Beatty	G D Game	J E Price
J D Beesley	A K Gray	G A G Pulman
H A Burningham	B N W Hammond	P Riches
P T J Channell	D W Hills	A M R Searing
K J Coleman	M H T Janes	R H Smith
R N Copping	A Kilkerr	I E M Tarry
D J Drake	B J Lamb	J Taunton
J M Dwerryhouse-Spears	D B Lloyd	R A G Thomas
R J M Ellis	D E Lloyd	J W A Usher

Those absent (10)

G Burrow, F Button, G R Churchard, G L Francis, I H Laidlaw-Dickson, A Lee, J R Morton, R J Smith, W A Storey, A Webb

- (e) Upon the Vice-Chairman calling for a vote on the motion at (b), **J T Metcalf** required a recorded vote under Standing Order 13(3)(b).

A recorded vote was taken and the motion was CARRIED.
The voting was:-

AMENDED VERSION

Those in favour (35)

J E Anderson	B C Engel	M H O'Neill
D A Ashley	F J Escott	J M Pitman
M V Bayes	G D Game	J E Price
D Beatty	A K Gray	G A G Pulman
J D Beesley	B N W Hammond	P Riches
H A Burningham	D W Hills	A M R Searing
P T J Channell	M H T Janes	R H Smith
K J Coleman	A Kilkerr	I E M Tarry
R N Copping	B J Lamb	J Taunton
D J Drake	D B Lloyd	R A G Thomas
J M Dwerryhouse-Spears	D E Lloyd	J W A Usher
R J M Ellis	S J Mills	

Those against (25)

N E Agar	J A Hobday	S H Tendeter
T I Ambrose	M J Hobday	G F Wenham
A R Choudhrey	T G M Kent	M Wilson
R A Clark	D L Kerr	B Wing
F W Clayton	N Lindop	B A York
J Gipps	R Mays	
M Green	J T Metcalf	
B P Hall	R Mills	
N A D Haslam	E A Rafferty	
R Hebborn	R Sanderson	

Those abstaining (4)

M D Colne, P V Goggins, M V Moore, C J White

Those absent (11)

G Burrow, F Button, G R Churchard, K F Emsall, G L Francis, I H Laidlaw-Dickson, A Lee, J R Morton, R J Smith, W A Storey, A Webb

(f) The Report of the Environment Committee dated 11 January 2000, as amended by minute 6.4 (e) was received and adopted.

6.5 Report of the Social Services Committee – 18 November 1999
(presented by **J E Price**, Chairman of the Committee)

The Report of the Social Services Committee dated 18 November 1999 was received and adopted.

6.6 Report of the Social Services Committee – 6 January 2000
(presented by **J E Price**, Chairman of the Committee)

The Report of the Social Services Committee dated 6 January 2000 was received and adopted.

6.7 Report of the Information and Access Committee – 18 January 2000
(presented by **D A Ashley**, Chairman of the Committee)

The Report of the Information and Access Committee dated 18 January 2000 was received and adopted.

On Item 1, Homework Clubs, it was noted that the club referred to in the report was in South Oxhey, not Oxhey.

6.8 Report of the Improvement and Review Committee – 25 November 1999
(presented by **I E M Tarry**, Chairman of the Committee)

The Report of the Improvement and Review Committee dated 25 November 1999 was received and adopted.

6.9 Report of the Improvement and Review Committee – 20 January 2000
(presented by **I E M Tarry**, Chairman of the Committee)

Item 1 - Best Value Review Programme

- (a) The following motion was proposed by **I E M Tarry**, and duly seconded:-

"That the following views be conveyed to the Department of Environment Transport and the Regions and the Audit Commission:

The Council

- (1) *strongly supports the principle of securing improvement of services through the review process and has itself achieved major improvements through such reviews;*
 - (2) *is concerned at the bureaucratic and prescriptive requirements of the Government's best value regime, and believes that there is a risk that the additional cost will outweigh the benefits of the reviews.*
 - (3) *urges the Government and Audit Commission to review their requirements in order to reduce these additional costs and keep intervention by central agencies to a minimum."*
- (b) The following amendment, proposed by C J White, and duly seconded, was ACCEPTED by the proposer and seconder:-
- “Add ‘and the Hertfordshire Local Government Association’ after ‘Audit Commission’.”
- “Add ‘and the Hertfordshire Local Government Association’ after ‘Audit Commission’.”
- (c) The following amendment, proposed by **M J Hobday**, and duly seconded, was LOST:-
- “In (2) replace ‘Government’s’ by ‘Audit Commission’
- In (2) delete all after ‘regime’
- In (3) replace ‘minimum’ with ‘more appropriate level’.”
- (d) The substantive motion was then CARRIED.
- (e) The Report of the Improvement and Review Committee dated 20 January 2000, as amended by minute 6.9 (d) was received and adopted.

6.10 Report of the Education Committee – 1 December 1999

(presented by **K F Emsall**, Chairman of the Committee)

The Report of the Education Committee dated 1 December 1999 was received and adopted.

6.11 Report of the Education Committee – 12 January 2000

(presented by **K F Emsall**, Chairman of the Committee)

Item 1 - Parent Governor Representatives on the Education Committee

(a) The Committee Recommendations were moved by the Chairman:-

"(1) That the composition of the Education Committee be as follows:

<i>County Councillors</i>	<i>18</i>
<i>Church representatives</i>	<i>2</i>
<i>Parent Governor representatives</i>	<i>4</i>
<i>Non-voting representatives</i>	<i>14</i>
TOTAL	38

(2) That the appointment of parent governors to the Education Committee should be for a period of four years, except when a vacancy arises when the duration will be to the end of the four year period.

(3) That the parent governor representatives be appointed by the Education Committee as soon as possible after their election, but no later than 1 June 2000, and that the Committee fill casual vacancies as they arise."

(b) The following amendment proposed by **C J White**, and duly seconded, was LOST:-

"That the composition of the Education Committee be as follows:

<i>County Councillors</i>	<i>28</i>
<i>Church representatives</i>	<i>2</i>
<i>Parent governor representatives</i>	<i>4</i>
<i>Non-voting representatives</i>	<i>14</i>
TOTAL	48 "

- (c) The Recommendations were ADOPTED.
- (d) The Report of the Education Committee dated 12 January 2000, and the Recommendations contained therein, were received and adopted.

6.12 Report of the Education Committee – 26 January 2000
(presented by **K F Emsall**, Chairman of the Committee)

The Report of the Education Committee dated 26 January 2000 was received and adopted.

6.13 Report of the Joint Meeting of the Social Services and Education Committees – 26 January 2000
(presented by **J E Price** and **K F Emsall**, Chairmen of the Committees)

The Report of the joint meeting of the Social Services and Education Committees dated 26 January 2000 was received and adopted.

7. NOTICES OF MOTION

- (a) **C J White** sought leave to introduce an urgent motion without notice under Standing Order 8(1)(c).

The Chairman declared the item urgent, and 39 members agreed that the motion be introduced.

- (b) The following motion proposed by **C J White** and seconded by **R J M Ellis** was CARRIED UNANIMOUSLY:-

“That a letter be sent to Gloucestershire County Council expressing this Council’s condemnation of the murder of County Councillor Andrew Pennington in the performance of his work as a councillor and conveying its condolences to all who knew him.”

ANDREW LAYCOCK
County Secretary