

HERTFORDSHIRE COUNTY COUNCIL

MINUTES of an Extraordinary meeting of the County Council held at County Hall, Hertford, on Tuesday 3 April 2001.

MEMBERS IN ATTENDANCE

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

Upon consideration of the agenda for the Extraordinary meeting of the County Council held on 3 April 2001, as circulated, action was taken or decisions were reached as follows:-

1. MINUTES

The minutes of the meeting of the Council held on 15 February 2001, were confirmed, subject to the following amendment:

'Item 8 BEST VALUE PERFORMANCE PLAN

8.1 and 8.2 as printed

Insert new **8.3**:-

- 8.3** (a) The following amendment to 8.1.1, was proposed by **D E Billing**, and duly seconded:-

“That the criteria for assessing whether the County has met its promise to ‘Be one of the top 5 County Education Authorities’ include measures of value added.”

- (b) The following additional wording to (a) proposed by **K F Emsall**, was ACCEPTED by the proposer and seconder of (a)

“Add ‘when appropriate’ at the end.”

Whereupon:-

- (c) The substantive amendment was CARRIED as follows:-

“That the criteria for assessing whether the County has met its promise to ‘Be one of the top 5 County Education Authorities’ include measures of value added, when appropriate.”

- 8.4** The following amendment to 8.1.2, proposed by **C J White**, and duly seconded, was LOST:-

“That the members to be consulted include the Leader of the Liberal Democrat Group.”

- 8.5** The motions at 8.1, as amended by minutes 8.2 and 8.3, were then CARRIED.’

2. CHAIRMAN’S ANNOUNCEMENTS

2.1 Centre of Excellence

The Chairman announced that Hertfordshire County Council had been declared a “Centre of Excellence” by the Government for its work in improving transport across the county.

The award reflected the quality of the County Council’s Local Transport Plan which was published in July 2000.

In particular, the long-running TravelWise initiative and work to solve travel problems to schools and business were cited as good examples for other Authorities to follow.

Hertfordshire was the only Authority in the East of England to be given Centre of Excellence status, and was one of only 14 nation-wide out of 150 Local Transport Authorities.

N K Brook had been to Liverpool to collect the award and formally presented it to the Chairman.

B A York and **M V Moore** then joined the Chairman in congratulating the Environment department and all members who were involved in this work.

2.2 **IIP / ISO 9002 Awards**

The Council congratulated the County Secretary's department on achieving IIP accreditation, and the Adult Care Services department whose Contracts Unit and Inspection & Registration Service had recently achieved the ISO 9002 award.

3. **PRIMARY SCHOOL / NURSERY ADMISSION ARRANGEMENTS 2002-2003**

3.1 **D E Billing** asked the Executive Member for Children, Schools and Families (Schools), **K F Emsall**, a question and he replied. A written copy of both the question and the answer is appended:-

3.2 The following Cabinet proposal, moved by **K F Emsall** and duly seconded was CARRIED:-

“ That the proposed admission rules for community and voluntary controlled primary schools and nursery schools/classes for 2002-2003 be agreed and that a ranking system for allocating children to all state primary schools in Hertfordshire be introduced.”

4. **SECONDARY SCHOOL ADMISSION ARRANGEMENTS 2002-2003**

Immediately before consideration of this item Mr N Woodcock presented a petition and addressed the Council on behalf of the Markyate Village Secondary Transfer Action Group.

4.1 The following Cabinet proposals, moved by **K F Emsall** and duly seconded, were CARRIED:-

- “(1) That the proposed admission rules for community and voluntary controlled secondary schools for 2002-2003 be agreed and that officers continue to discuss with other admitting authorities the rules for their schools and their compliance with the Code of Practice on Admissions.*
- (2) That all current Members be asked for their views on the effect of admission rules in their areas, in order to inform the review for 2003.”*

4.2 The following motion proposed by **T G M Kent**, and duly seconded, was LOST:-

“ That the Director of Children, Schools & Families be instructed to lodge objections with the Adjudicator with respect to any Foundation or Voluntary Aided school whose final decisions in relation to admission rules or arrangements are not consistent with the Code of Practice.”

4.3 The following motion proposed as additional resolution (3) by **R Sanderson**, and duly seconded, was CARRIED:-

“ That the review of Secondary transfer rules to take place in Autumn 2001 should consider the following amendment:

‘That in the application of rule (d) in the case of co-ed schools, or rule (e) in the case of single sex schools, voluntary aided schools should not be considered as alternative schools when measuring the longest extra journey’.”

4.4 The following motion proposed as additional resolution (4) by **J M Dwerryhouse-Spears**, and duly seconded, was CARRIED:-

“ That the review for the year 2003-2004 should specifically address:

- a) the provision of additional single-sex school places subject to demand*
- b) the designation of traditional area status for village schools*
- c) the designation of traditional area status for primary schools in urban areas where there is only one local secondary school in town*
- d) the relevance of measurement from a resident’s address in determining qualification for entry under the ‘longest extra journey’ rule, when the provision of transport is made from one designated central point in rural areas.”*

5. PROPOSALS FOR EXECUTIVE ARRANGEMENTS

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

“ (1) That the Council adopt the Proposals for Executive Arrangements in the form annexed to the report and send a copy to the Secretary of State, together with a statement describing the consultation exercise and showing how its outcome is reflected in the Proposals

(2) That the new Council be invited to implement the Proposals as soon as the Government has made the necessary modifications to primary legislation

(3) That the current Constitution continue in force until implementation, subject to the amendments suggested in paragraph 7 of the report

(4) That the County Secretary be instructed to prepare, in consultation with Group Leaders, a draft Constitution which will meet the requirements of the Local Government Act 2000, for consideration by the new Council.”

5.2 The following amendment to (1) proposed by **R Mays**, and duly seconded, was LOST:-

Insert after ‘annexed to the report’:

“ Subject to the addition of a new (4) at the end of section 3 (Roles of the Executive):

‘(4)The Executive will be expected to ensure that its meetings are held in public except where exclusion of the public is permitted by the relevant Regulations in order to prevent the disclosure of confidential or exempt information’.”

5.3 The following amendment to (3) proposed by **R Mays**, and duly seconded, was LOST:-

Add “and in Part II.2.(7) to the deletion of the second sentence and the substitution of the following:

‘Meetings of the Cabinet are open to the public except where exclusion of the public is permitted by the access to information provisions of the Local Government Act 1972 to prevent the disclosure of confidential or exempt information’.”

5.4 The motion in the name of **R J M Ellis** was then CARRIED.

URGENT BUSINESS

6. NEW FUNDING ARRANGEMENTS FOR THE LEARNING AND SKILLS COUNCIL: IMPLICATIONS FOR POST-16 PROVISION IN HERTFORDSHIRE

This matter had been considered by the Children, Schools and Families Select Committee on 28 March 2001, who agreed to recommend as follows to the Council:

- “ (1) That the County Council should take all appropriate action to ensure that the DfEE review of school funding properly reflects all of the higher costs which the schools in Hertfordshire face. These costs are best evidenced by the existing Area Cost Adjustment which has been supported by the DETR’s own research study conducted by Professor Elliott of Aberdeen University.*
- (2) That the County Council should support the South East campaign with the aim of retaining the Area Cost Adjustment.*
- (3) That schools be invited to take appropriate action*
- (4) That all parties be urged to subscribe to a press release supporting the campaign.”*

The Chairman agreed that this be taken as urgent business, on the ground that it was necessary to update the recommendations as soon as possible and protect the Council’s interests, whereupon **D A Ashley** proposed, and it was duly seconded:-

“ That the Council fully supports and endorses the recommendations of the Children, School and Families Select Committee dated 28 March 2001 and that a progress report on the matter be brought to the County Council on 22 May 2001.”

The following amendment, proposed by **C J White** and duly seconded was then CARRIED and adopted as the substantive motion:-

“ That the County Council fully supports and endorses the recommendations of the Children, Schools and Families Select Committee, in relation to the new funding arrangements, dated 28 March 2001 and that a progress report on the matter be brought to the next County Council meeting.”

7. IMPLICATIONS OF THE FOOT AND MOUTH OUTBREAK

7.1 The Chairman agreed that this matter be taken as urgent business on the ground that it was necessary to respond as quickly as possible to the latest developments in the foot and mouth crisis. The Director of Environment made a statement, a copy of which is appended to these minutes.

7.2 The following motions were proposed by **R J M Ellis** and duly seconded:-

“(1) That public access to the countryside remains restricted until a phased programme of site-based risk assessments is carried out by the Director of Environment.

(2) That the removal of restrictions should only follow completion of site-based risk assessments including, where appropriate, discussions with individual owners, occupiers, Parish Paths Partnerships and neighbouring authorities.

(3) That the phased programme should give priority to the following sequence of assessments:-

Commons

Visitor attractions

Woodlands

Managed recreational sites and routes

Rights of way adjacent to towns and villages, particularly circular routes

Rights of way in areas of predominantly arable land and away from livestock.

(4) That the widest possible publicity be given to the progressive removal of access restrictions, with individual routes being clearly marked as open, together with the display of the code for walkers (Annex C of Government Advice).

(5) That the public be thanked for their compliance with the current restrictions aimed at minimising the risk of Foot and Mouth infection in Hertfordshire and encouraged to continue their support for the agricultural community and rural economy in Hertfordshire.

(6) That officers continue to liaise with representatives of the NFU and CLA, and monitor the national and local factors affecting the risk of the disease spreading to Hertfordshire, in order that decisions can be kept under review in consultation with all three Groups.”

7.3 The following amendment to (1), proposed by **R Mays** and duly seconded was CARRIED:-

“Insert ‘an urgent phased programme’ in place of ‘a phased programme’.”

7.4 The substantive motion (1) was then CARRIED as follows:-

“(1) That public access to the countryside remains restricted until an urgent phased programme of site-based risk assessments is carried out by the Director of Environment.”

7.5 Motions (2), (3) and (4) were then CARRIED.

7.6 The following amendment to motion (5) proposed by **C J White** and duly seconded was then CARRIED and adopted as the substantive motion:-

“That thanks be given to those members of the public who complied with the current restrictions aimed at minimising the risk of Foot and Mouth infection in Hertfordshire and that the public be encouraged to continue their support for the agricultural community and rural economy in Hertfordshire.”

7.7 The following amendment to motion (6) proposed by **R Mays**, and duly seconded, was LOST:-

“Add ‘and Countryside User and Environment & Amenity Groups’ after ‘CLA’.”

7.8 Motion (6) was then CARRIED.

(The following motions proposed by **R Mays** and duly seconded were not voted upon, having been superseded by the motions at 7.2 (1), (3), (4) and (6) being adopted:-

“(1) That public access to the countryside remains restricted until an urgent programme of site-based risk assessments is carried out by the Director of Environment based upon the latest veterinary advice and Government guidance.

(2) That priority should first be given to opening up rights of way on the Commons, where they affect visitor attractions and in areas away from livestock.

(3) That all opened routes should be clearly marked with a copy of the code for walkers (Annex C of Government Advice).

(4) That officers monitor any increase in the risk of the disease spreading to Hertfordshire, so that decisions can be kept under review in consultation with all three Groups.”)

8. POSTPONEMENT OF THE COUNTY COUNCIL ELECTIONS

The Chairman declared this to be an item of urgent business, on the ground that it was necessary for the Council to reconsider the date of the Annual Meeting following the postponement of the County Council elections.

The Leader of the Council, **R J M Ellis**, reported that the Government had announced that legislation would be introduced to move the date of the County Council elections from 3 May to 7 June 2001.

Whereupon he proposed the following motion, and it was duly seconded and CARRIED:-

“ In the event of legislation being passed to move the date of the Council elections from 3 May to 7 June then:

(1) Notwithstanding the provisions of Standing Order 1(1) the date of the Annual Meeting of the Council in 2001 be Tuesday 19 June at 10.30 a.m.

(2) Other member meetings take place as follows:

<i>Council Annual Meeting</i>	<i>19 June a.m.</i>
<i>All Select Committees</i>	<i>19 June p.m.</i>
<i>Cabinet</i>	<i>25 June</i>
<i>Executive Committee</i>	<i>25 June</i>
<i>Audit Committee</i>	<i>26 June</i>
<i>Joint Staff Advisory Committee</i>	<i>27 June</i>
<i>Community Information and Protection Select Committee</i>	<i>4 July</i>
<i>Resources, Prosperity, Partnership and Consultation Select Committee</i>	<i>5 July</i>
<i>Environment Select Committee</i>	<i>10 July</i>
<i>Children, Schools and Families Select Committee</i>	<i>11 July</i>
<i>Adult Care Services Select Committee</i>	<i>12 July</i>
<i>Development Control Committee</i>	<i>13 July</i>
<i>County Council</i>	<i>17 July</i>
<i>Cabinet</i>	<i>23 July</i>
<i>Executive Committee</i>	<i>23 July”</i>

9. COUNTY COUNCILLORS NOT STANDING FOR RE-ELECTION

The Chairman mentioned that this was the last meeting of the present Council, and was joined by **R J M Ellis, R Mays** and **C J White** in thanking and paying tribute to the members who would not be standing for re-election on 7 June.

ANDREW LAYCOCK
County Secretary

Question asked by D E Billing to Executive Member for Children, Schools and Families (Schools), K F Emsall:

"Given the importance of matching the provision and location of primary school places more nearly and more rapidly to the demand, the Hertfordshire School Organisation Plan, June 2000 version, refers to 'high priority for action' in :

Stevenage North West

Stevenage North East

Stevenage South East

Harpenden

Wheathampstead

St Albans North West

St Albans North East

St Albans Central

St Stephens

Hatfield

Hemel Hempstead West

Hemel Hempstead West (Apsley)

Hemel Hempstead North East

Would the Executive Member for Education explain to the County Council why he and his Cabinet have not progressed these high priorities for action, and would he say whether he has sought any reports on possible schemes for these areas? Would he also say whether any additional high priorities for such action have emerged, in the considerations of the Cabinet, since June 2000, and if so then for what areas, and what is he doing to progress them?"

SCHOOL ORGANISATION PLAN 2: 2000-2004

PRIMARY

Ref	Name	Priority	Action
5.2 5.3a 5.5	Stevenage North West, Stevenage North East (a) & Stevenage South East	High	Following consultation in November 1999 and consideration by the County Council in the spring of 2000, the Hertfordshire School Organisation Committee approved on 5th July 2000 a town-wide strategy for the future of primary school provision in Stevenage. The main elements of the strategy are; (1) the reduction of Featherstone Wood and the Roebuck Schools from 2 forms of entry to 1 form of entry each from September 2001 and April 2001 respectively to address the surplus of places in the south of the town; (2) the relocation of an expanded Round Diamond School to a site in the Great Ashby development, and the potential temporary expansion of The Leys school to meet the projected increase in demand for school places in the north of Stevenage. Other minor changes to admission limits across Stevenage are being implemented to the agreed timetables.
7.3 7.4	Bishop's Stortford West Bishop's Stortford East	High	The imbalance in demand between east and west Bishop's Stortford is being responded to by transferring Hillmead Primary School to a new site at Woburn Avenue, Bishop's Park. The scheme has the approval of the DfEE and, although there has been a delay in obtaining planning permission, the building scheme is now being implemented so that the new school building should be available in the Spring of 2002.
11.2 11.3	Wheathampstead Harpenden	High	Funding has been obtained from the developers towards replacing a timber double classroom unit at St Helen's school with permanent accommodation. The project will be completed by the end of the 2001 summer term. There is now a significant inflow of families with children into the Harpenden area and the previously forecast surplus may not materialise. Movement within the area is being closely monitored.
13.1 13.2 13.3 13.7	St Albans North West St Albans North East St Albans Central St Stephen	High	The schools in the north west of the city have sufficient capacity for another year and building work at Garden Fields is in the capital programme for 2002/2003. The new nursery class at Skyswood opened in January 2001 and the Early Excellence Centre (including Muriel Green Nursery) is due to open in September 2001. The proposed new housing development (on the BRE site) in the St Stephen's area is likely to offset the forecast surplus places. We are working closely with the developers to acquire Section 106 contributions.
14.1	Hatfield	High	Activity in Hatfield is focused on providing new school places for the new housing sites on or near the former British Aerospace (BAe) site. A substantial planning obligation package has been agreed which provides for the agreed relocation of Howe Dell School and enlargement of Green Lanes School. The timing of the relocation of Howe Dell School cannot yet be confirmed because it depends on the overall programme for developing the former BAe site.
19.2a 19.2b 19.3a	Hemel Hempstead West (Apsley), Hemel Hempstead West, Hemel Hempstead (North) East	High	Talks are continuing with prospective developers in the west of the town and there will be a delay pending the outcome of a public inquiry. South Hill wants to reduce its standard number in order to cope with the KS1 pledge. This will be considered along with other possible standard number changes across the county. There is significant surplus capacity in the north east of Hemel Hempstead and discussions are taking place about how to reduce this overcapacity. The Standard Number has already been reduced at Barncroft and Aycliffe Drive Schools.

SECONDARY

Ref	Name	Priority	Action
7	Bishop's Stortford & Sawbridgeworth	High	Architectural feasibility studies which examine the potential and likely cost of enlarging the secondary schools in Bishop's Stortford are scheduled for completion by May 2001. They will inform the construction of a long-term development plan for secondary provision in the area which will need to be the focus of member and local discussion during the second part of 2001.
10	Cheshunt	High	The former Education Committee has agreed that secondary school places in Cheshunt should be expanded to 25 FE to meet future requirements in the area. Additional places will be provided at Turnford, Goffs and St Mary's High Schools. It is also proposed to rebuild St Mary's High School. A proposal to relocate St Mary's to the Park Lane reserved site has met with strong local opposition and the option of rebuilding on the school's existing site and playing fields to the north west is now being explored.
11	Harpenden	High	Successful basic need bid. Consideration now being given to allocating extra places to Sir John Lawes and Roundwood Park.
13	St. Albans	High	Successful basic need bid. Consideration now being given to allocating extra places to Francis Bacon, Marlborough and Sandringham.
20 21 22	Rickmansworth Watford Bushey	High	Following a forecast deficit of secondary school places in SW Herts a basic need bid was submitted to the DfEE. Borrowing approval for £2.78 million was agreed by DfEE to provide 419 school places. School Provision and Resources Panel agreed that detailed work on proposals for expanding some schools in the area should be undertaken by a working party. A package of proposals has now been agreed with schools in the area and feasibility studies for the work are being undertaken. A report will go to CSF Committee and Executive in June 2001.

FOOT AND MOUTH DISEASE

Briefing Note for all County Councillors: 3rd April 2001

1. Foot & Mouth (FMD) is a highly infectious viral disease to which farm livestock (cattle, sheep, goats and pigs) are susceptible. The first case in the current outbreak was reported at Cheales Abattoir in Essex on 20th February. There are now over 900 cases, concentrated mainly in two clusters – Cumbria and Devon / Mid west Wales.
2. Altogether, 25 English counties have confirmed cases. The Government is pursuing a policy of pre-emptive slaughtering in the worst hit areas. Nearly one million animals have been earmarked for slaughter and movements of livestock are being strictly controlled in all parts of the country.
3. The County Council's role in dealing with FMD is governed by the Animal Health Act 1981. A succession of Ministerial Orders has restricted livestock movements and, in line with official veterinary advice, enabled the Authority to close public access to rights of way and Common land in rural areas. In addition County Council owned or managed recreation sites, including Aldenham Country Park, have been closed to the public.
4. The necessary Declaration (under the Foot & Mouth Disease Order 1983 as amended) was made on the 2nd March 2001, and followed consultation with NFU, CLA and most importantly MAFF. County Council staff have dealt with over 2,000 telephone calls, seeking clarification or increasingly, logging dissatisfaction with the situation. Much of this is due to the fact that HCC powers do not extend to private access rights. The approach on the ground has, however, been well supported by the majority of the general public and is clearly welcomed by landowners and farmers. There are in total some 600 livestock units dispersed widely across the whole county.
5. To date, Hertfordshire has remained free of the disease, although some 17 Notices have been served by MAFF on local premises. These have covered both suspected outbreaks, or where animals are thought to have been in possible contact with infected flocks. The existence of these "at risk" premises has meant additional restrictions for all Hertfordshire stock-holders who have sought to send animals to slaughter. The Authority has issued over 130 licences for such movements.

6. The changing circumstances nationally and the critical impact of the disease on the rural economy and tourist industries resulted in the Government setting up a Rural Task Force. The Task Force includes representatives from central and local government, the NFU, the CLA, the National Trust and other agencies and organisations. Based on Task Force discussions, the Government last week issued new guidance to local authorities on access to the countryside. The emphasis in the new guidance is based upon fresh veterinary analysis of risk. The Government is concerned wherever possible to “re-open the countryside” although it recognises the paramount need to limit the spread of the disease particularly in areas so far unaffected.
7. In light of the latest guidance, and in consultation with the NFU and CLA, officers have considered the feasibility of adopting a selective approach to those sites and routes that are within the County Council’s jurisdiction. In the first instance and following individual risk assessment and liaison with neighbouring landowners, access to some Commons can fairly readily be made available. Similarly County Council owned recreation sites and woodlands lend themselves to early assessment. We are also aware that owners of major visitor attractions are reviewing their policy and the County Council will need to work with them in assessing any public rights of way issues as a matter of priority.
8. Landowners/occupiers have indicated that they are willing to work with the County Council to identify those parts of the rights of way network might be re-opened, particularly those close to villages/towns and over arable land. These routes will require risk assessments as the emphasis must remain on the control of the potential spread of the disease.
9. There are over 5,000 individual routes and 315 Commons in the County. Government advice in effect necessitates a risk assessment on a case by case basis. This is clearly no easy task and will take a number of weeks to complete. At any time during this period closures may need to be rapidly re-introduced if the national or local pattern of the disease changes.

Director of Environment, Head of Trading Standards and County Secretary