

HERTFORDSHIRE COUNTY COUNCIL

MINUTES of the meeting of the County Council held at County Hall, Hertford, on Tuesday 27 November 2001.

MEMBERS IN ATTENDANCE

N E Agar	K M Crout	M J Hobday	S Quilty
T I Ambrose	A D Dodd	M H T Janes	D Royall
J E Anderson	M Downing	S E Jones	P A Ruffles
D A Ashley	D J Drake	T G M Kent	R Sanderson
S A Batson	R J M Ellis	L R Kercher	H M Saunders
M V Bayes	K F Emsall	B J Lamb	D T F Scudder
D Beatty	B C Engel	A Lee	A M R Searing
D E Billing	F J Escott	D B Lloyd	I Simpson
N K Brook	G D Game	D E Lloyd	E N Singam
P T J Channell	S B A Giles-Medhurst	R Mays	R H Smith
G R Churchard	J Gipps	D R McManus	R J Smith
E M Clarke	P V Goggins	J T Metcalf	W A Storey
D Clayton	R I N Gordon	R Mills	I E M Tarry
F W Clayton	A K Gray (Chairman)	S J Mills	J Taunton
R S Clements	M Green	J R Morton	J W A Usher
K J Coleman	F Guest	V I Muspratt	P A Webb
M D Colne	B N W Hammond	M H O'Neill	G F Wenham
G M Cook	D W Hills	D A A Peek	C J White
R N Copping	J A Hobday	J M Pitman	B A York

Upon consideration of the agenda for the meeting of the County Council held on 27 November 2001, as circulated, action was taken or decisions were reached as follows:-

1. MINUTES

The minutes of the Annual Meeting of the Council held on 19 June 2001 were confirmed.

2. CHAIRMAN'S ANNOUNCEMENTS

2.1 Death of Former County Councillor

The Chairman reported the death on 5 October of former County Councillor Sally Smith, who had represented Ware North from 1981 to 1985.

2.2 Equalities Award

The Chairman reported that Hertfordshire County Council had been awarded a 'Highly Commended' accolade for the submission in relation to the East of England Regional Council for Local Government Service's Equality Award.

2.3 Local Authorities Catering Association Marketing Award

The Council congratulated Shire Catering on being given the LACA Consultancy Trophy Award for 2001, for a significant contribution to local authority catering.

2.4 Regional Teaching Awards

The South-East Region Teaching Awards had taken place in July 2001 and there were four winners from Hertfordshire, namely:-

Lorraine Beasley from Bushey Meads School, Bushey, who won Secondary Teacher of the Year;

Alistair Coupar, also from Bushey Meads, who won Learning Support Assistant of the Year;

Mary Driver, from William Ransom School in Hitchin, who won Primary Teacher of the Year; and

Tracy Jellis from Stonehill School, Letchworth, who was commended in the Awards for Primary School teachers.

The Council congratulated them and the Chairman presented them with gifts to mark their achievement.

3. QUESTIONS UNDER STANDING ORDER 7(1)

- (a) **J A Hobday** asked the Executive Member for Adult Care Services (J M Pitman):-

"When a needs assessment is undertaken in a client's home, is a risk assessment done on that client's ability to escape should there be a fire in the home?"

- (b) **J M Pitman** replied:-

"A needs assessment can be short and focussed or more comprehensive. Any assessment will involve some estimate of 'risk' to the individual as this is a key element of the department's eligibility criteria. However, a full risk assessment will not be undertaken for most clients.

A risk assessment takes account of both the impact and the likelihood of any risky occurrence. For most clients therefore there would be no automatic assessment of their ability to escape. Most of our clients would expect to be dealing independently with their own personal safety arrangements, such as door and window locks and smoke alarms. Where they are unable to do this, Adult Care Services staff may offer advice to their families.

For some clients there is a higher likelihood of fire occurring, for example confused people who smoke, or use cookers unsafely. For such clients we would expect a full risk assessment to be undertaken, and for this to include both minimising the risks of fire as far as possible, and consideration of their escape route.

Regardless of fire risk, where a person with mobility problems would otherwise be unable to leave their property, we would expect to facilitate this. This might be by ramp, rails, or whatever is deemed to be the most appropriate option.

Adult Care Services is working with the Fire Service to minimise risk and Community Fire Safety Officers have been involved in training ACS Day Centre staff, so that they can advise clients. A leaflet produced by the Fire Service called "Caring Together" is being distributed by Day Centres and Age Concern. Community Fire Safety Officers are working with Day Centres to identify vulnerable people so that they can install smoke alarms in their homes."

(c) **J A Hobday** then asked the following supplementary question:-

"Has the service ever considered installing domestic sprinklers in the homes of the most vulnerable clients?"

(d) **J M Pitman** agreed to reply in writing within 7 days, which would be copied to all members.

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

None were notified.

5. PUBLIC QUESTIONS

None were notified.

6. PUBLIC PETITIONS

Mrs E D Hensby from Bushey presented a petition concerning buses at Bushey Station and addressed the Council.

The petition was referred to the Director of Environment for consideration and report to the Local Member and Group Spokesmen.

7. ANNUAL LIBRARY PLAN - 2001/4

The following motion proposed by **D A Ashley**, and duly seconded, was CARRIED:-

"That the Annual Library Plan 2001/4, as circulated with this agenda, be approved, subject to any necessary amendments arising from changes made to the Constitution elsewhere on this agenda."

8. REPORTS OF SELECT COMMITTEES

8.1 Report of the Children, Schools and Families Select Committee 17 October 2001

(presented by T G M Kent, Chairman)

Item 1 - Children, Schools and Families Plan

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

"(1) With reference to page 44 of the consultation document, strategic area 5 priority 5.2:

That in view of the priority stated in this section (to work with schools and other agencies on national and local initiatives designed to tackle issues facing children and including support for specific vulnerable groups), the Children, Schools and Families Department should ensure that the grants for Home Start groups are at least maintained at their current levels.

(2) With reference to consultation document Page 67, Section 8.5.3:

(a) That as action on the provision of schools places seems to be progressing very slowly with minimal member involvement, a report be made in the next six months on what action is being taken in all the areas identified in the school organisation plan as of high priority.

(b) That all proposals to implement the school organisation plan should be discussed by a panel before going for consultation.

(3) *Strategic area 7 of the plan:*

That in order to meet the priorities expressed in strategic area 7 of the plan, the formal consultation on the revision of secondary admission rules and associated home to school transport should involve the parents of years 3, 4 and 5."

(b) **C J White** declared a personal interest on part (1) of the motion. He remained in the meeting, but did not vote on that part of the motion.

(c) The following amendment proposed by **T I Ambrose**, and duly seconded, was ACCEPTED by the proposer and seconder:-

"Add at the end of (1): 'for each group, with appropriate extra funding for new groups'."

(d) The following amendment to (a), proposed by **R I N Gordon**, and duly seconded, was CARRIED:-

"Add at the start: 'That the following comments be noted as a contribution to the on-going consultation on the draft Children, Schools and Families Plan'."

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

"That the following comments be noted as a contribution to the on-going consultation on the draft Children, Schools and Families Plan:-

(1) *With reference to page 44 of the consultation document, strategic area 5 priority 5.2:*

That in view of the priority stated in this section (to work with schools and other agencies on national and local initiatives designed to tackle issues facing children and including support for specific vulnerable groups), the Children, Schools and Families Department should ensure that the grants for Home Start groups are at least maintained at their current levels for each group, with appropriate funding for new groups.

(2) *With reference to consultation document Page 67, Section 8.5.3:*

(a) *That as action on the provision of schools places seems to be progressing very slowly with minimal member involvement, a report be made in the next six months on what action is being taken in all the areas identified in the school organisation plan as of high priority.*

(b) *That all proposals to implement the school organisation plan should be discussed by a panel before going for consultation.*

(3) *Strategic area 7 of the plan:*

That in order to meet the priorities expressed in strategic area 7 of the plan, the formal consultation on the revision of secondary admission rules and associated home to school transport should involve the parents of years 3, 4 and 5."

The Report of the Children, Schools and Families Select Committee dated 17 October 2001, as amended by minute 8.1(e), was received and adopted.

8.2 Report of the Community Information and Protection Select Committee 4 July 2001

(presented by K F Emsall, Chairman)

The Report of the Community Information and Protection Select Committee dated 4 July 2001 was received and adopted.

8.3 Report of the Environment Select Committee - 10 July 2001

(presented by N K Brook, Chairman)

Item 1 - Status Report on Highway Conditions

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

"That the Government's failure to provide additional support to undertake emergency repairs to our flood damaged roads be deplored as yet another example of the way the needs of Hertfordshire are being ignored."

(b) The following amendment proposed by **B A York**, and duly seconded, was LOST:-

"That the motion be amended to read: 'that Hertfordshire MPs be asked to lobby the Government for additional support to undertake emergency repairs to our flood-damaged roads'."

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

"Add the words: 'and that Hertfordshire MPs be asked to lobby the Government for additional support to undertake emergency repairs to our flood-damaged roads'."

- (d) The substantive motion was CARRIED as follows:-

"That the Government's failure to provide additional support to undertake emergency repairs to our flood-damaged roads be deplored as yet another example of the way the needs of Hertfordshire are being ignored and that Hertfordshire MPs be asked to lobby the Government for additional support to undertake emergency repairs to our flood-damaged roads."

The Report of the Environment Select Committee dated 10 July 2001, as amended by minute 8.3(d), was received and adopted.

8.4 Report of the Environment Select Committee - 16 October 2001

(presented by N K Brook, Chairman)

Item 1 - Withdrawal of Commercial Bus Services

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

"That given the 'divorce' between policy formulation and scrutiny under the new constitution and that the Bus Strategy falls within the former category, the Council now asks the Environment Scrutiny Committee to scrutinise the adequacy of current bus services in light of the needs of passengers and potential passengers."

- (b) The following amendment, proposed by **I E M Tarry**, and duly seconded, was CARRIED:-

"That the motion be amended to read: 'Given the separation between policy and scrutiny under the new constitution and that the bus strategy falls within the former category, the Council asks the Environment Scrutiny Committee to scrutinise current bus services only after the completion of public consultation and the formal adoption of the bus strategy has provided a framework against which to test the adequacy of services'."

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

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

"That the Government's failure to provide additional support for bus services in Hertfordshire be condemned and that the three Group Leaders write to the Minister expressing this Authority's particular disappointment at this treatment, as the idea of a national Urban Bus Challenge was originally put forward by Hertfordshire County Council."

- (e) The following amendment proposed by **B A York**, and duly seconded, was LOST:-

"That the motion be amended to read: 'That Hertfordshire's MPs be asked to lobby the Government during the next round of bidding based on a much improved bid from the County Council.'"

- (f) The following amendment proposed by **I E M Tarry**, and duly seconded, was CARRIED:-

"Add the words: 'and that Hertfordshire's MPs be asked to lobby the Government during the next round of bidding based on a much improved bid from the County Council.'"

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

"That the Government's failure to provide additional support for bus services in Hertfordshire be condemned and that the three Group Leaders write to the Minister expressing this Authority's particular disappointment at this treatment, as the idea of a national Urban Bus Challenge was originally put forward by Hertfordshire County Council, and that Hertfordshire's MPs be asked to lobby the Government during the next round of bidding based on a much improved bid from the County Council."

The Report of the Environment Select Committee dated 16 October 2001, as amended by minutes 8.4(c) and (g), was received and adopted.

8.5 Report of the Resources, Prosperity, Partnership and Consultation Select Committee - 1 November 2001

(presented by A M R Searing, Chairman)

Item 1 - Best Value Audit Report BVPP 2001/02

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

"That the Executive report to the next meeting of the Resources, Prosperity, Partnership and Consultation Committee on how it has ensured that the Best Value review programme prioritises the weakest performing services and corporate targets."

- (b) The following amendment proposed by **D B Lloyd**, and duly seconded, was CARRIED:-

"That the motion be amended to read as follows:

"That the Authority be congratulated on being one of the 'Top Performing' Best Value Councils and that the members of staff involved be thanked for their vital contribution to this success and that the Executive reports to the next meeting of the Resources, Prosperity, Partnership and Consultation Select Committee on the outcome of the current review of the Best Value programme which takes into account all recommendations in the District Audit Report'."

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

The Report of the Resources, Prosperity, Partnership and Consultation Select Committee dated 1 November 2001, as amended by minute 8.5(c), was received and adopted.

9. INDEPENDENT REMUNERATION PANEL FOR MEMBERS ALLOWANCES

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

- "(1) That the Council's Independent Remuneration Panel comprise:*
D Latham (Chairman)
P Setterfield
G Grant
together with two persons co-opted by the above following public advertisement.
- (2) That the quorum of the Panel be three.*
- (3) That an annual allowance of £1,500 be paid to the Chairman and £1,000 to each of the other Panel Members."*

10. IMPLEMENTATION OF THE NEW CONSTITUTION

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

- "(1) That the Council adopts the Constitution and begins to operate the executive arrangements set out therein with effect from the end of this meeting, subject to the following amendments to make best value reviews a function of the Executive:*
- (a) In Section 6 delete 6.5 and renumber thereafter.*

- (b) *In Section 7 add a new 7.6 'Best Value Review Groups. The Executive may establish Best Value Review Groups (to which the rules of political proportionality shall apply) to oversee the conduct of best value reviews. Proceedings of BV Review Groups shall take place in accordance with the Guidelines set out in Annex 10'.*
- (c) *In Annex 3 in the 'proposed allocation' column in relation to best value reviews delete (a) to (d) and substitute 'The Executive'.*
- (d) *In Annex 10 retitle Section B as 'Cabinet Panels and Best Value Review Groups' and add a new (8) 'These Guidelines also apply to Best Value Review Groups'; retitle Section C as 'Topic Groups' and delete the second sentence of (5) in that section.*

And also subject to an amendment to Annex 6, Council Standing Orders that the fixed meeting of the Council held in November each year be on the third Tuesday.

- (2) *That Select Committee Panel meetings scheduled to take place before 17 December take place as if they were meetings of Cabinet Panels and report accordingly to the Cabinet.*
- (3) *That the Cabinet be invited to consider the establishment of Cabinet Panels and Best Value Review Groups at its next meeting on 17 December 2001.*
- (4) *That in view of the creation of Cabinet Panels and the change in the role of Scrutiny Committees, the Independent Remuneration Panel be asked to review the scheme of members allowances and make recommendations about any changes they think appropriate to the meeting of the Council on 14 February 2002."*

10.2 The following amendments proposed by **R Mays**, and duly seconded, were CARRIED:-

- "(a) *In Annex 4 (Access to Information Rules) para 11(b) add: 'and group spokesmen' after 'chairman of the relevant scrutiny committee'.*
- (b) *In para 12 of Annex 4 add at the end: 'The person asked to give consent shall consult the group spokesmen on the scrutiny committee before doing so'.*
- (c) *In Annex 5 (Budget and Policy Framework Procedure Rules) para 3.3(b) add 'The person asked to give consent shall consult the group spokesmen on the scrutiny committee before doing so'.*

- (d) *In Annex 6 (Council Standing Orders) SO6(2) insert after (j): '(k) to note the position of Key Decisions in the decision-making process as shown in the current edition of the Council's Forward Plan', re-lettering thereafter.*
- (e) *In Annex 6 SO6(2) insert after (k): '(l) to deal with any item of business that has been requested by five members in writing to the County Secretary at least 14 clear days before the meeting of the Council,' re-lettering thereafter.*
- (f) *In Annex 7 (Standing Orders for the Executive) para 5 insert at the beginning: 'The County Secretary shall at least 5 clear days before the meeting send an agenda with summary reports to all members of the Council (if possible by e-mail); and send an agenda with full reports to executive members and any other members who have requested them.'*

10.3 The following amendments proposed by **R Mays**, and duly seconded, were LOST:-

- "(a) *In Annex 9 (Standing Orders for Scrutiny Committees), in SC.3 delete (6).*
- (b) *In Annex 9, in SC.5(i)(a) add 'Local Panel Topic Group or Best Value Review Group'."*

10.4 The following motion proposed by R Mays, and duly seconded, was LOST:-

"That with immediate effect and until the first meetings following the Annual meeting in 2002, the Chairmen of the new Scrutiny Committees shall be:

<i>Children, Schools & Families</i>	<i>Tanis Kent</i>
<i>Adult Care Services</i>	<i>Roma Mills</i>
<i>Environment</i>	<i>Brian York</i>
<i>Community Information & Protection</i>	<i>Jane Hobday</i>
<i>Resources, Prosperity, Partnership & Consultation</i>	<i>Ian Laidlaw-Dickson</i>
<i>Audit</i>	<i>Chris White."</i>

10.5 The substantive motion as set out at 10.1 and 10.2 was then CARRIED.

11. PROGRAMME OF MEETINGS - SEPTEMBER 2002 TO JULY 2003

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

"That the programme of meetings for September 2002 to July 2003, as circulated with the agenda, be approved, subject to amending the date of the County Council in November 2002 from the 26th to the 19th."

The Leader announced that he would be discussing with the Leaders of the other groups the possibility of adding further meetings of full Council.

12. NOTICE OF MOTION - HEALTH SERVICES IN HEMEL HEMPSTEAD

12.1 The Chairman agreed under Standing Order 8(7) that this item be taken on the day.

12.2 **R Sanderson** declared a pecuniary interest in this item and withdrew from the Chamber during the discussion and voting thereon.

12.3 The following motion was proposed by **G M Cook**, and duly seconded:-

"That the County Council welcomes the Health Minister's decision to order an independent inquiry into the proposal to close the Special Care Baby Unit, the Maternity and Gynaecological services at Hemel Hempstead Hospital. In the meantime, the County Council calls on the Health Trusts to maintain these services at Hemel Hempstead Hospital."

12.4 The following amendment, proposed by **D E Lloyd**, and duly seconded, was CARRIED:-

"That the motion be amended to read as follows:

"That the County Council welcomes the Health Minister's decision to order an independent inquiry into the proposal temporarily to close the Special Care Baby Unit, the Maternity Unit and Gynaecological Services at Hemel Hempstead Hospital. In the meantime the County Council calls on the government adequately to resource the Health Trust to enable it to maintain these services at Hemel Hempstead Hospital'."

12.5 The substantive motion as set out in 12.4 was then CARRIED.

ANDREW LAYCOCK
County Secretary

HERTFORDSHIRE COUNTY COUNCIL

MINUTES of the Extraordinary Meeting of the County Council held at County Hall, Hertford, on Tuesday 27 November 2001.

MEMBERS IN ATTENDANCE

N E Agar	K M Crout	M J Hobday	P A Ruffles
T I Ambrose	A D Dodd	M H T Janes	R Sanderson
J E Anderson	M Downing	S E Jones	H M Saunders
D A Ashley	D J Drake	L R Kercher	D T F Scudder
S A Batson	R J M Ellis	B J Lamb	A M R Searing
M V Bayes	K F Emsall	A Lee	I Simpson
D Beatty	B C Engel	D B Lloyd	E N Singam
D E Billing	F J Escott	D E Lloyd	R H Smith
N K Brook	G D Game	R Mays	R J Smith
P T J Channell	S B A Giles-Medhurst	D R McManus	W A Storey
G R Churchard	J Gipps	J T Metcalf	I E M Tarry
E M Clarke	P V Goggins	R Mills	J Taunton
D Clayton	R I N Gordon	S J Mills	J W A Usher
F W Clayton	A K Gray (Chairman)	J R Morton	G F Wenham
R S Clements	M Green	M H O'Neill	C J White
K J Coleman	F Guest	D A A Peek	B A York
M D Colne	B N W Hammond	J M Pitman	
G M Cook	D W Hills	S Quilty	
R N Copping	J A Hobday	D Royall	

Upon consideration of the agenda for the Extraordinary Meeting of the County Council held on 27 November 2001, as circulated, action was taken or decisions were reached as follows:-

1. STRUCTURE PLAN

1.1 The following motion proposed by **B A York**, and duly seconded, was LOST:-

"(1) That the County Council:-

- (a) welcomes the belated decision of the Cabinet and Executive Committee to make public the consultants' propositions, other information and the extensions of the strands;*
- (b) notes that the Urban Capacity Study has put forward a figure of 62,000 new dwellings; way above the Government's target figure for Hertfordshire;*
- (c) apologies to the District Councils for inadequate consultation before the notorious and acrimonious meeting held with them on 4 October;*

- (d) *apologies to the public for distress caused by failure to release information, especially the consultants' propositions, openly and systematically.*
- (2) *That every attempt be made for the initial public consultation document to be based on a consensus view of the County Council and (at least a majority of) the District Councils.*
- (3) *That the Review of the Structure Plan, whilst following the sequential approach for location of housing, with emphasis on town renaissance and use of previously developed sites in accordance with Government and Regional Planning Guidance, should produce policies which:*
 - (a) *will ensure that all residents of Hertfordshire are able to live in decent homes;*
 - (b) *ensure housing provision is adequate to meet the needs of the whole community, including people unable to afford market priced housing;*
 - (c) *enable key workers to be attracted to, and housed in, the county;*
 - (d) *avoid town cramming and overloading of facilities and infrastructure;*
 - (e) *ensure any strategic allocations of new housing are in the most sustainable locations."*

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

- "(1) *That the County Council takes every opportunity to correct the misleading information being deliberately peddled to the press by the opposition about the status of the first stage of the Housing Capacity Study and the role played by the Consultant's survey.*
- (2) *That the County Council will seek to secure a consensus of views with at least the majority of District Councils in reaching its decision on the housing capacity of the urban areas.*
- (3) *That the Roll-Forward of the Structure Plan will seek to strike the right balance between:-*
 - (a) *avoiding too much development in our towns and over-burdening local services such as schools, transport and health facilities.*

- (b) *making sure that investment continues in towns to make the best use of resources, improve facilities and ensure that our towns remain healthy and prosperous, and*
- (c) *protecting our green fields from development wherever possible as they are essential to the overall quality of life in Hertfordshire.*

1.3 The following amendments proposed by **C J White**, and duly seconded, were ACCEPTED by the proposer and seconder:-

"Add 'Labour' before opposition in line 3 of (1); Add 'town cramming, namely' after 'avoiding' in (3)(a)."

1.4 The following amendment proposed by **B A York**, and duly seconded was CARRIED:-

"Add 'and green areas in towns' after 'fields' in (3)(c)."

1.5 The substantive motion was then CARRIED unanimously as follows:-

"(1) That the County Council takes every opportunity to correct the misleading information being deliberately peddled to the press by the Labour opposition about the status of the first stage of the Housing Capacity Study and the role played by the Consultant's survey.

(2) That the County Council will seek to secure a consensus of views with at least the majority of District Councils in reaching its decision on the housing capacity of the urban areas.

(3) That the Roll-Forward of the Structure Plan will seek to strike the right balance between:-

- (a) avoiding town cramming, namely too much development in our towns and over-burdening local services such as schools, transport and health facilities.*
- (b) making sure that investment continues in towns to make the best use of resources, improve facilities and ensure that our towns remain healthy and prosperous, and*
- (c) protecting our green fields and green areas in towns from development wherever possible, as they are essential to the overall quality of life in Hertfordshire."*

ANDREW LAYCOCK
County Secretary