

## **HERTFORDSHIRE COUNTY COUNCIL**

MINUTES of a meeting of the County Council held at County Hall, Hertford, on Thursday 19 September 2002.

### **MEMBERS IN ATTENDANCE**

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

Upon consideration of the agenda for the meeting of the County Council held on 19 September 2002, as circulated, action was taken or decisions were reached as follows:-

#### **1. MINUTES**

The minutes of the Extraordinary Meeting of the Council held on 16 July 2002 were confirmed.

#### **2. CHAIRMAN'S ANNOUNCEMENTS**

##### **2.1 Adult Learning Award - Training and Development Centre, Fire and Rescue**

The Chairman reported that the Chief Inspector of the Adult Learning Inspectorate had announced the Training and Development Centre of Hertfordshire Fire and Rescue Service to be a World Class Provider of Training; one of only 24 organisations which had received the classification of Outstanding, and the only Fire Service in the country to receive such recognition.

The Council congratulated the Fire and Rescue Service on this achievement.

## **2.2 Heritage Open Days**

The Chairman reported that County Hall had opened its doors to members of the public on Saturday 14 and Sunday 15 September. Over 100 people from all round the county had turned up and were given guided tours of the Council Chamber, Committee Rooms, Chairman's Room and Ballroom.

The Council congratulated Christine Shearman, the Heritage Services Manager, and all the staff who were involved in making this a success.

## **2.3 Hertfordshire Cultural Strategy - 'Enjoy'**

The Hertfordshire Cultural Strategy 'Enjoy' had been successfully launched on 18 September at Knebworth Barns. Over 200 people had enjoyed an evening celebrating culture in the county.

The Council congratulated Annie Hawkins, the Cultural Officer, and all her colleagues, partners in the districts and in local organisations on this successful enterprise.

## **2.4 County Councillor Janet Anderson**

The Chairman reported that County Councillor Anderson was unwell. The Council wished her a speedy recovery.

## **2.5 Statements from the Leader of the Council**

The Chairman agreed to allow the Leader of the Council to make the following statements:-

### **(a) National Pay Dispute**

*"The ongoing negotiations on the national pay dispute were referred to ACAS in July and in August, a new pay offer was made which both sides recommended be accepted. Any further industrial action was suspended pending a consultation exercise.*

*The National Employers met yesterday to decide on the proposed offer and it was accepted.*

*Locally the UNISON branch conducted a ballot of all of its members on whether the offer should be accepted. Notwithstanding a recommendation from Branch Officers to reject the deal which was against their National Negotiator's advice, staff have sensibly voted to accept.*

*The National Trade Unions side will formally meet to decide on the offer on 20 September and we would hope that the matter will finally be resolved thereafter.*

*The additional cost of the revised pay offer in Hertfordshire will be around £1 million on the pay bill."*

(b) Negotiations with the Fire Brigades Union

*"I have been surprised that as the local employer of the Hertfordshire Fire Service the County Council has not been consulted by the national employers during their negotiations with the FBU; that cannot be right.*

*Like most people we believe that firefighters do a good job protecting the safety of people in Hertfordshire.*

*There is a very good case for reviewing both the pay and working conditions for firefighters. I hope we will all agree that an independent review is the best way to determine what these should be.*

*The national employers have offered 4% followed by the full implementation of the independent review's recommendations on pay and conditions. I hope that as Hertfordshire's Fire Service we will add our commitment to ensuring that firefighters are paid the proper going rate for the job when that has been determined.*

*As such we must do all we can to ensure that the interests of Hertfordshire's firefighters are properly represented. I am therefore very disappointed that the national FBU has decided not to join in the independent enquiry.*

*The Fire Service is and must remain a local service, how else can we ensure that the Fire Service plays a full part in protecting local people and communities. I hope that Councillor Hobday who is a member of the national LGA Fire Executive will ensure that, in future, local employers are fully consulted as negotiations proceed. Or is there another agenda to remove the local fire service from local democratic accountability?"*

### **3. QUESTIONS UNDER STANDING ORDER 7 (1)**

#### **3.1 B A York asked the Executive Member for Environment:-**

*"As by mid-August there had been a further 25% increase in the number of vacancies of School Crossing Patrols since the problem of recruitment was raised in the Environment Scrutiny Committee, bringing the total number of schools without a 'lollipop' person to 50, will the Executive member take immediate steps to raise their pay significantly?"*

**I E M Tarry** replied:-

*"The problem of recruitment for School Crossing Patrols is not confined to Hertfordshire but is a long standing national issue.*

*However, whilst still concerned by the level of vacancies remaining, I am pleased to report that since our last press release we have had an increase in enquiries. To date six people have been interviewed and are still awaiting clearance. In addition we have received a further 24 enquiries. If the latter are converted into successful applications and cleared through the vetting process then we will have filled more vacancies than Essex as many of their applicants withdrew due to the small number of hours on offer ( 7.5 hrs per week)*

*The recent salary increase in Essex, therefore, does not appear to have made a significant difference. As I told members of the Scrutiny Committee, all our surveys of patrols who have left emphasise that they do so to secure jobs with longer hours, mainly because their children are no longer dependent on them, or that they are moving house or are retiring. Pay levels do not feature as an issue. Nevertheless we promised to keep the pay issue under review and will continue to do so but in the meantime will continue our press campaign to encourage people to come forward to fill this important safety and community role."*

**B A York** asked the following supplementary question:-

*"Since the pay rise for 'lollipop' persons in Essex had led to the recruitment of 20 such staff, will the Executive Member give immediate consideration to a similar pay rise in Hertfordshire?"*

**I E M Tarry** replied:-

*"I have already answered this question."*

**3.2 B A York** asked the Executive Member for Environment:-

*"Given that the Annual Monitoring Report (of the Structure Plan) would normally have been published about last November (2001) and that the Structure Plan Panel was told at its meeting on 28 May that it would be finished by the end of June (2002), when will it be ready?"*

**I E M Tarry** replied:-

*"Much of the information for the Annual Monitoring Report 2001 has been available since last October, as part of the informal consultation on the emerging Structure Plan.*

*Publication of the AMR as a stand alone document was therefore delayed by the production of the Housing Capacity Study, the background technical papers and the pre deposit version of the Structure Plan Alterations.*

*We therefore planned to publish the material during July, after the pre deposit consultation material had been produced but this coincided with officer allocated to the task being head hunted to work for another authority.*

*Nevertheless, the document has now been produced and was circulated to Members and District Councils this week."*

**B A York** asked the following supplementary question:-

*"Will the Executive Member extend the current period of consultation on the Structure Plan, so members can make informed comments?"*

**I E M Tarry** replied:-

*"The consultation period ends at the end of September although there is a certain degree of flexibility. I cannot give a guarantee when the consultation will close."*

**3.3 B A York** asked the Executive Member for Environment:-

*"Could the Executive Member explain in plain English what County Council News Release PR 1570 on the Structure Plan, issued on 19 June actually means?"*

**I E M Tarry** replied:-

*"The press release was issued to supplement the release from full council following questions from journalists to clarify county council policy. Its content is self-explanatory as it is, in the main, a reproduction of the relevant part of the report on the Structure Plan to the full council of the 18<sup>th</sup> June when Members debated the content of the report at considerable length."*

**B A York** asked the following supplementary question:-

*"Does this mean that the County Council is proposing a moratorium on all green field development including every site in Appendix 1?"*

**I E M Tarry** replied:-

*"The Press Release issued after the full Council makes the policy on green belt developments perfectly clear. The confusion has been caused by your group's press release which was totally untrue and irresponsible. You are playing political games. It has diminished your credibility with the public."*

**3.4 N E Agar** asked the Executive Member for Resources:-

*"What plans are there to install solar panels on council owned buildings thereby saving electricity costs and not over-taxing the national grid?"*

**D Beatty** replied:-

*"Photovoltaic panels are relatively new technology that is capable of generating useful amounts of electricity. They can be installed on the roof or walls of buildings. However, the pay-back period for the capital cost appears to be longer than the predicted life of the building itself."*

*The Authority has one photovoltaic installation, which is a small demonstration project at Harvey Road Primary School in Croxley Green, which was sponsored by central Government as part of the 'Scolar programme'.*

*The County Council believes that we should consider the installation of a full-scale photovoltaic system and this will be installed at Howe Dell Primary School shortly to be built in Hatfield. However, the cost will be £13,000 and the pay-back is in excess of 100 years. We will carefully monitor the out-turn from Howe Dell School and will keep the capital costs of such installations under review, as we believe they will decrease over time."*

**N E Agar** asked the following supplementary question:-

*"Would we be prepared to examine the cost of installing the system for County Hall?"*

**D Beatty** replied:-

*"Yes we can and we will."*

**N E Agar** asked the following supplementary question:-

*"Can a cost benefit analysis be undertaken?"*

**D Beatty** replied "yes".

**3.5 D E Billing** asked the Executive Member for Children, Schools and Families:-

*"As I understand that it is a legal requirement for those foundation and voluntary aided secondary schools with partially selective admission rules to advertise their rules annually in a local paper, could the Executive Member state when each of these schools in Hertfordshire did so advertise for 2003 entries, and if they have not yet done so then whether they have yet run out of time for this and are in breach of the law?"*

**R I N Gordon** replied:-

*"Standing Order 7 allows the opportunity for members to put questions to Executive Members about the discharge of their responsibilities. Your question does not fall within my area of responsibility."*

**D E Billing** asked the following supplementary question:-

*"Is it not the responsibility of the Local Education Authority to know what is and is not legal in terms of what statements the Voluntary Aided and Foundation schools are making in the 'Moving On' document? Are we not responsible for ensuring the accuracy of such information? Is the Authority not responsible for the co-ordination of all admissions?"*

**R I N Gordon** replied:-

*"The question is about the process by which Voluntary Aided and Foundation schools set their admission rules. We are not responsible for that, although it is of interest to us."*

**3.6 N E Agar** asked the Executive Member for Environment:-

*"We are all pleased for the people of Baldock as they are getting a bypass at last - but our information is that this offer has been on the table for some time. Did we not hear way back at the start of the year that PFI had been abandoned and an offer of c£33m had been made to build the bypass leaving only a few administrative loose ends? Now we hear that an admittedly somewhat larger offer has been accepted. Given that costs are going up all the time - what has the administration gained at the cost of missing the 2003 construction season: Was it worth the wait? Can they convince the people of Baldock, and of course Letchworth which is also being by-passed, that the wait has been worthwhile?"*

**I E M Tarry** replied:-

*"Nigel ought to be aware that the financial details of this very complex financial package, at this stage, must remain confidential to the authority because of the forthcoming tender process."*

*I would also have thought he might have realised the importance to the County Council of securing the best funding regime for this project, to allow it to be constructed in a way that does not place undue risks on the County Council's own budget and hence to minimise the risk to Hertfordshire's tax payers.*

*I am therefore pleased to inform him that officers negotiated a quite remarkably beneficial funding deal for this scheme with civil servants. Any final delay to which he refers must have come from Ministers in his Government playing musical chairs and taking their time to agree the final package.*

*Finally, wouldn't it have been nice for a change if, rather than attempting to carp, the opposition had recorded its appreciation for the work of officers in the Environment Department in securing funding for this scheme and had welcomed the news that work will start on site during this Autumn on the extensive programme of advanced works."*

**N E Agar** asked the following supplementary question:-

*"There appear to have been conflicting statements in the press from Iris Tarry and David Beatty. Can we see the correspondence to see who is right?"*

**I E M Tarry** replied:-

*"Don't believe everything you read in the press."*

**3.7 S B A Giles-Medhurst** asked the Executive Member for Environment:-

*"Does the Executive Member for Environment believe that spending £6,500 on a third consultation and draft plans on a revised traffic junction scheme in my Division (Riverside Road) was best value for money, especially when the local Division member, myself, all three Borough Councillors, and the local residents association and members of the Transport Forum for the area all said they preferred the originally agreed, designed and consulted upon proposals and that the officers were told residents were very unlikely to back the officers' proposals? Will she note that this view has been upheld by the results of this third consultation which has delayed the scheme as well as costing valuable resources?"*

**I E M Tarry** replied:-

*"The proposals put forward for consultation on the Riverside Road scheme did not find universal support. The route is used by buses and concern was expressed that the traffic calming proposals would create problems for the operation of these services which are well used by the local residents.*

*It was therefore absolutely appropriate for officers to investigate whether an even better solution could be found to satisfy a greater number of respondents. This activity was carried out in parallel with the tender process and the first stage of implementation, so no delay resulted from the additional consultation."*

**S B A Giles-Medhurst** asked the following supplementary question:-

*"Could you answer the first part of the question about best value for money, and is there a correlation between the delay on this scheme and work on other schemes in the area?"*

**I E M Tarry** replied:-

*"Mr Giles-Medhurst is well aware of the workload on officers and the answer to his question is 'no'."*

**3.8 S B A Giles-Medhurst** asked the Executive Member for Environment:-

*"Does the Executive Member for Environment believe it is appropriate for large coaches and double decker buses to use inappropriate residential side roads in*

*preference to the main roads because this may make journeys shorter for the passengers, who are not residents in that area, and whereby the said coaches and double decker buses neither set down or pick up passengers in these residential side roads. Will she agree with me that such use is inappropriate and should be restricted if possible where more appropriate and equally convenient main roads are present?"*

**I E M Tarry** replied:-

*"Throughout the county where vehicles such as buses or coaches cause significant safety or environmental problems, we seek to manage traffic so as to reduce or remove the problems where this is appropriate, enforceable, in the best interests of the wider community and practical.*

*I assume that Mr Giles-Medhurst is referring to Woodwaye. This is a residential road currently used by a number of vehicles to avoid the busy traffic light controlled junction between Brookdene Avenue and Eastbury Road. Improvements to that junction are already in hand.*

*However, I understand that a petition was presented at the Development Control Committee earlier this week requesting traffic calming for Woodwaye and Green Lane. This was referred to officers to consider the scale of the problems and any possible solutions. Officers were already aware of the concern being expressed about the use of the road by buses and are now investigating this together with the petition. This work will take some time but I will ensure that Stephen is informed of its outcome."*

**S B A Giles-Medhurst** asked the following supplementary question:-

*"Can members be assured that any measures designed for residential side roads are not 'bus friendly' as these are not designated bus routes?"*

**I E M Tarry** replied:-

*"I cannot give any assurances until officers have investigated the problem."*

**3.9 P V Goggins** asked the Executive Member for Environment:-

*"We have already made the Executive Member aware of the considerable concern among the residents of Three Rivers about the sad state of the Highway grass verges. Many of these have not had a single cut since the contingency plans were put into effect in July to cover the period till the new contract comes into force in October. Residents are angry that their requests via the Herts County Council website have gone unanswered, and the grass grows ever longer.*

*Can she reassure us that urgent action will be taken and that the new contract will provide an acceptable level of service?"*

**I E M Tarry** replied:-

*"There has been much misinformation related to the saga of this hand-over, including press releases that have been most 'economical with the truth'. To assist local members I have sought to put the record straight and responded to their enquiries.*

*For many years Three Rivers District Council elected to cut all grass in its area to enhanced standards in a single contract, including our highway verges. We paid a proportion of the cost to cover cuts to the countywide standard for those areas in our ownership. However, with effect from July this year, the District unilaterally decided to withdraw any contribution towards Highway grass cutting and to hand back responsibility to the County.*

*Contingency arrangements had rapidly to be put in place to ensure that the highway grass continued to be cut. These interim arrangements have been greatly hampered by the inability of the District Council to provide detailed plans showing the boundary between District owned land and the highway boundary. A number of the concerns expressed by the public undoubtedly result from this remarkable failure by the District Council to maintain an inventory of land in its ownership.*

*New County contracts commencing in October will see a range of improved highway service standards, including grass cutting. But can I stress that this will not cover municipal grass areas previously maintained by the District Council, they still remain the responsibility of the District Council".*

**P V Goggins** asked the following supplementary question:-

*"What difference will the new highways arrangements make?"*

**I E M Tarry** replied:-

*"I have already answered that question. The grass has been cut since July, and if the Highways Partnership arrangements had been in place all this would have been sorted out more effectively."*

**3.10 N K Brook** asked the Executive Member for Resources:-

*"Can you kindly advise, in percentage terms of Council Tax, the cost of the Government's increase in National Insurance contributions to the County Council and the cost of the recent nationally agreed two year salary increase to Council employees?"*

**D Beatty** replied:-

*"The financial implications for 2003/04 for the County Council arising from:  
The increase in employer's National Insurance contributions.*

*If the full cost of the employers National Insurance increase, which amounts to £3 million has to be funded through council tax, the effect of this in percentage terms of council tax would be in the region of 1%.*

*The proposed pay award*

*It is anticipated that the outcome of the consultation period will be known by the 20 September.*

*If the pay offer is accepted, approximately £15 million will need to be funded in 2003/04 through council tax, which equates to a 5% increase, which is some £4 million above our original 2003/04 budget forecasts.*

*The council tax increases have been estimated using 2002/03 final settlement figures."*

**N K Brook** asked the following supplementary question:-

*"Would it be correct to say that we are looking at a 6% rise in Council Tax due to circumstances outside the control of the County Council?"*

**D Beatty** replied:-

*"Yes, as far as these wage settlements are concerned. There are lots of other issues beyond our control. The cost of meeting in full the FBU 40% wage claim would mean a 2.5% rise in Council Tax."*

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

**H M Saunders** asked the Vice-Chairman of the Police Authority (I H Laidlaw-Dickson):-

*"When are the Police going to enforce the 7.5 tonnes weight limits throughout the County to the satisfaction of the Council Tax payer and the general public?"*

**I H Laidlaw-Dickson** replied:-

*"Any infringements of weight limits reported to the police are reported and investigated. In addition, such infringements witnessed by patrolling officers are dealt with at the time. It is not an issue that generates a great deal of comment to the police from the general public but specific concerns are passed to Road Policing Units."*

**H M Saunders** asked the following supplementary question:-

*"With regard to the B462 between the A41 and Radlett, what is the Police estimate of the number of HGV lorries (single movement) which use this road every day, how many times and for how long have the Police enforced the weight*

*limit on this road in this calendar year, and when was the last prosecution of a lorry driver and/or owner of a lorry for breaking this weight limit?"*

**I H Laidlaw-Dickson** replied:-

*"It is not possible for police to provide traffic flow figures as these are dealt with by other agencies. In relation to the data requested, unfortunately these are not records that could be easily generated as they are not recorded independently of other offences. However, should there be specific concerns regarding this location, the police would be pleased to know of them in order to assess the problem."*

## **5. PUBLIC QUESTIONS - STANDING ORDER 7 (10)**

### **5.1 Mr Ian Beament** asked the Leader of the Council:-

*"Hertfordshire County Council (HCC) is a body whose appetite for increasing expenditure seems to have no limits, and has consistently exceeded, by a significant margin, levels of annual inflation. In 2002/3 it excelled in this respect with an increase of some four times the level of inflation, 9.7%, compared to the income increases of its customers of around the level of inflation. We do not need to be a Charles Dickens scholar to understand Mr Micawber's advice that this is an unsustainable trend. When pressed for a reason, the blame is immediately placed on central government for inadequate funding, which transpires to be a mere 7% increase, or three times the level of inflation, and the amount by which HCC has increased the education budget.*

*HCC has the legal right to challenge the basis of the calculation of the central funding amount, but at 7% it, not surprisingly, doesn't think it would have much chance of success. Easier to pass the burden onto its customers. When further challenged about efficiency improvements, it appears that after two years of comparative statistical information with other similar bodies, HCC has not addressed why it is not in the top 25% of performers in 63 out of some 104 measurable outputs, as published in its Performance Plan, or set meaningful objectives to get its performance to those levels. With such opportunities to make improvements to effectiveness, without detriment to services provided, it is puzzling why HCC has not chosen to go down that route, thus keeping the level of increased costs to its customers to the 7% level funded by central government. It is further puzzling why an offer from me, as a retired Managing Director of a reasonable sized Limited Company, to provide my services free of charge to HCC to help them identify where there is scope for a 1% reduction of their spending levels, which would mean a 3% reduction to Council Tax bills, has been turned down.*

*My question is, therefore, 'Is there a hidden agenda which you fear an objective analysis of your budgeting and financial control methodology would expose, by*

*demonstrating that the 2002/3 budget could have been kept to 99% of the actual budget that was approved, without any reduction of services provided'?"*

**R J M Ellis** replied:-

*"The answer to Mr Beament's question is no. There is no hidden agenda.*

*The question has, quite rightly, been directed to our record of delivering efficiency savings. Let's look at our record:*

*2001/2 £9.0 million equals 2.2% of non schools budget*

*2002/3 £9.1 million " 2.3% "*

*over past five years savings have totalled £38.7 million*

*It is suggested further savings can be made. I agree. We will continue to target savings as part of our best value plan.*

*You might say I would say this. Well successive reports from government inspectors and the Audit Commission have declared Hertfordshire to be an efficient, well run and high achieving council ranking in the top three county councils. Besides this we have the third lowest Band D council tax of all County Councils and the current year's increase, though higher than we would have wished, was middle of the range nationally.*

*Put together top three performance, third lowest council tax and £38.7 million efficiencies in the past 5 years shows a council that is always pushing to do the best for the people of Hertfordshire.*

*It is right to challenge performance and the allocation of resources, tax levels and efficiencies. In the final analysis we are elected to do that job. We have to balance public demand for services and the demand for even greater efficiencies and tax levels to produce a balanced budget.*

*In coming to our decision we look at all the facts and consult our tax payers. We will continue to do so."*

**Mr Beament** then asked the following supplementary question:-

*"I have offered to help achieve further savings using a zero-based budget and a commercial approach, would you like to reconsider my offer of help? Would you like to reflect on the sentiments expressed in a memo to David Beatty?"*

**R J M Ellis** replied:-

*"I thank Mr Beament for his generous offer but we have professional officers to advise us. The Audit Commission and District Audit have examined our performance. He is giving a vote of no-confidence in the work they have done. Most County Councils are envious of our performance. Because Mr Beament does not like the answers he has been given does not mean they are not right."*

**5.2 Professor J Houldsworth** asked the Executive Member for Environment:-

***Credibility of the Traffic Noise Assessments for Properties Alongside the Hitchin Road and the Martins Way/Hitchin Road Roundabout in Stevenage***

*"In 1983 assessments were made of the level of traffic noise that would be experienced by properties along the Hitchin Road after dualling. The assessments used formal modelling techniques and accepted government recommendations for forecasts of increased traffic volumes. The assessment was that by 2001, the noise level at various Whitney Drive properties would exceed the values in the Government Noise Regulations, 1973, at which the law requires noise mitigation. These properties were all offered noise mitigation in the form of double-glazing but most were unable to implement the solution offered.*

*In 2001 an actual measurement carried out on a specific day, which may or may not have been typical, did not reach the recommended trigger level and this is now deemed by Council officers to invalidate all the previous forecasts and support the Council's refusal to consider a noise barrier.*

*Would the County Council please explain how this anomaly has arisen and why we should place any credence on the formal mechanisms that are used in deciding the eligibility for noise mitigation?*

*Bear in mind that the increase in traffic volume of 20%, which is acknowledged by Council officers to occur when school term begins, would add around 1.5 to 2 dB(A) to the noise level and take it over the threshold."*

**I E M Tarry** replied:-

*"The method used to determine entitlement to noise insulation of residential buildings is set out in The Noise Insulation Regulations 1975, a Statutory Instrument. The calculations take account of many variables in relation to predicted traffic, topography and the physical characteristics of the land between the improved or new road and the premises being assessed.*

*In March 2001 the 18 hour average traffic flow on Hitchin Road was 39,414 vehicles, whereas in 1985 the flow for 2001 had been predicted as 45,255. Therefore, it appears that the 1980's calculations over estimated the potential noise levels at 2001.*

*Against this background, I see no reason to call into question the prediction method used by every authority in the country because in this instance the measured noise levels in 2001 during term time did not reach the level predicted some 18 years ago. Especially as it appears that the predictions erred in favour of those occupiers who were offered noise insulation in accordance with the regulations in 1985."*

**Professor Houldsworth** then asked the following supplementary question:-

*"Hertfordshire County Council's correspondence archives reveal that in 1983 the Council was considering spending £25,000 on St Angela's School (now John Henry Newman school), an unspecified amount on Longfield School and well over £10,000 on various other properties based on these same formal forecasts which are now being declared invalid. This would be a total of nearly £200,000 at 2002 values.*

*Will the Council undertake to re-examine the results which were obtained on a specific day, which was not representative, and relate them to the formal forecasts, which were produced in 1983, and explain why there are not willing to stand by those forecasts?"*

**I E M Tarry** replied:-

*"I have a very thick file on this case. There are much thicker ones in the Environment Department. I do not understand the connection with the schools. I will give you a written reply within 7 days. However I will not re-examine the measurements."*

**5.3 Mrs B Houldsworth** asked the Executive Member for Environment:-

*"The Environment Leader of the Hertfordshire County Council has confirmed in a letter dated 18th July 2002, that the £190,000 S106 Sainsbury's planning gain was used to supplement the routine maintenance budget. The reconstruction work that it was spent on was carried out purely to meet EC requirements and was of no specific benefit to Sainsbury's who provided this outside funding without their knowledge.*

*Did any of the other roundabouts in Stevenage that had to be upgraded in the same way, and for the same reason, receive any outside funding for the reconstruction work involved at those locations?"*

**I E M Tarry** replied:-

*"The upgrading of the Martins Way / Hitchin Road roundabout comprised a variety of elements, including installation of traffic signals, replacement of kerbs and safety barriers, refurbishment of pedestrian subways to current standards, reconstruction of carriageways, as well as the roof strengthening to carry 44 tonne vehicles referred to in the question. The other elements of this comprehensive scheme therefore related directly to the additional traffic associated with the Sainsbury's development.*

*Work on other roundabouts in Stevenage did not coincide with alterations required as a result of development and therefore did not benefit from finance secured as part of a planning obligation under Section 106 of the Town and Country Planning Act 1990."*

**Mrs Houldsworth** then asked the following supplementary question:-

*"A letter dated 13 September 2002 from the Area Network Manager within the Hertfordshire County Council Transport Department said that 'the developers of the Great Ashby development were requested and required by the Secretary of State as part of their planning approval, to pay for the installation of traffic lights at the above junction. The basis for this was that the development would directly cause an increase in traffic and a resultant decrease in service levels at that junction which traffic lights would mitigate. Thus, the standard highway maintenance element of work at the Hitchin Road/Martins Way roundabout was not funded by an outside party'.*

*A letter dated 19 September 2000 from a Policy Officer within the Hertfordshire County Council Transport Department stated that 'it is not Hertfordshire County Council policy to seek developer funding for maintenance of existing highways'.*

*Will the Council confirm that the use of the £190,000 S106 Sainsbury's planning gain to supplement the routine maintenance budget contravened the Council Policy of 'not seeking developer funding for maintenance of existing highways?'*

*And why can Hertfordshire County Council ignore their own regulations whereas we are denied a barrier because measurements taken on single day did not quite fit the criteria in the Noise Insulation Regulations?"*

**I E M Tarry** replied:-

*"I cannot comment as I don't have a copy of the correspondence referred to. If the supplementary question is put in writing to me I will provide a written answer to you within 7 days."*

**5.4 Mrs J Wylie** asked the Executive Member for Environment:-

***Funding for Signalisation of the Martins Way/Hitchin Road Roundabout in Stevenage***

*"A letter dated 18th July 2002 from the Environment Leader of the Hertfordshire County Council asserts that the £190,000 S106 money spent on the Hitchin Road/Martins Way roundabout reconstruction: 'contributed to the procurement of benefits to users of this junction by increasing safety and comfort and improvement of management of delays at that junction'.*

*The £190,000 was all spent on structural alterations to the roundabout to meet EC standards, typically to cater for the new 44 tonne Eurolorries, which would form part of the 60% increase in traffic using the vastly extended Mastercare facility, which was being heralded as the 'Dixon's National Distribution Centre'.*

*The signal lights at the roundabout were paid for by the Great Ashby developers and none of the Sainsbury's £190,000 was spent on traffic control measures.*

*How then can the Council claim that the money was used to "improve the management of delays at that location, contributing to the comfort of the road users?"*

**I E M Tarry** replied:-

*"The questioner is incorrect in asserting that "the £190,000 was spent on structural alterations to the roundabout to meet EC standards ...". The scheme involved a number of elements, to a total value of £670,000, that were built into a single contract to avoid repetitive disruption to traffic that would have occurred had the various elements been separately carried out. The £190,000 was therefore one of a number of budgetary sources that made up the total funding and enabled the combined scheme to be prepared and managed as one project.*

*This had obvious benefits for Hertfordshire's council tax payers and for local road users that travel through the junction on journeys to and from the Sainsbury's store at Hitchin Road. The latter create about 9000 vehicle movements per day. The disruption to those drivers was therefore minimised by use of the Sainsbury's funds as they derive benefits from the improved surface and junction control.*

*The works at the Hitchin Road /Martins Way junction in 1998/9 also included anti noise resurfacing to assist in minimising disturbance to local residents."*

**Mrs Wylie** then asked the following supplementary question:-

*"Can the Council explain why the comfort of the motorists, who each spend only a few minutes at the roundabout, is a more important consideration for justifying expenditure that the comfort of the residents who have to endure every hour of every day, the never-ending traffic noise that they create?"*

**I E M Tarry** replied:-

*"I will undertake to reply to you in writing within 7 days."*

## **6. PUBLIC PETITIONS - STANDING ORDER 14**

None were received.

### **7.1 COUNTY COUNCIL CONTRACT REGULATIONS**

The following motion (Cabinet proposal) proposed by **D Beatty**, and duly seconded was CARRIED:-

*"That the amendments to Contract regulations to extend the circumstances when single tenders may be invited and to set out best practice in the allocation of funds from the County Council's voluntary sector budget and funds received from Central Government for specific purposes, be approved".*

## 7.2 MINERALS LOCAL PLAN - DEPOSIT VERSION FOR CONSULTATION

The following motion (Cabinet proposal) proposed by **I E M Tarry**, and duly Seconded was CARRIED:-

- "1. *That the aggregates supply strategy be adopted, based on the average of the last three years' sales as a basis for identifying preferred areas for future aggregates extraction in the 1st Draft Deposit consultation on the Minerals Local Plan Review.*
2. *That the draft Minerals Local Plan attached as Appendix 1 be adopted as the basis of a comprehensive 1st Deposit Draft consultation exercise to be undertaken for a minimum period of ten weeks using the approaches set out in Section 4 of the report.*
3. *That the 1st Deposit Draft Minerals Local Plan Review attached as Appendix 1 be adopted for development control purposes.*
4. *That the Director of Environment be authorised to finalise the documentation in consultation with the Executive Member.*
5. *That the following programme for the completion of the Minerals Local Plan Review be adopted:-*

<i>Oct - Dec 2002</i>	<i>Public consultation on 1st Deposit Draft Plan</i>
<i>Summer 2003</i>	<i>Public consultation on 2nd Deposit Draft</i>
<i>Winter 2003</i>	<i>Local Plan Inquiry</i>
<i>Spring/Summer 2004</i>	<i>Modifications</i>
<i>Autumn/Winter 2004</i>	<i>Adoption</i>
6. *That a comprehensive consultation exercise be carried out on the draft Supplementary Planning Guidance for Mineral Extraction in Hertfordshire on the basis of the document attached at Appendix 2, in parallel with the consultation on the Minerals Local Plan Review."*

**8.1 REPORT OF THE ENVIRONMENT SCRUTINY COMMITTEE  
25 JUNE 2002**

(Presented by C J White, Chairman)

**Topic Group Review of Travelwise Strategies**

The Report of the Environment Scrutiny Committee dated 25 June 2002 was received and adopted.

**8.2 REPORT OF THE ADULT CARE SERVICES SCRUTINY COMMITTEE  
27 JUNE 2002**

(Presented by R Mills, Chairman)

**Residential and Nursing Care Home and Home Care Capacity**

The Report of the Adult Care Services Scrutiny Committee dated 27 June 2002 was received and adopted.

**9. ANNUAL STATEMENT OF ACCOUNTS 2001/2002**

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

*"That the Statement of Accounts for 2001/2002 be approved."*

**10. KEY DECISIONS / FORWARD PLAN**

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

*"That the position of Key Decisions in the decision-making process, shown in the current edition of the Forward Plan, be noted."*

**11. ITEM OF BUSINESS REQUESTED BY MEMBERS**

**Provision of Nursery Education at Newberries School in Radlett**

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

*"That the Cabinet consider the provision of a nursery class at Newberries School Radlett."*

- (b) The following amendment proposed by **R I N Gordon**, and duly seconded, was ACCEPTED by the proposer and seconder of the motion at (a):-

*"That the motion be amended to read:-*

*That when considering the impact on pre-school provision of the introduction of free nursery places for those three-year olds whose parents want them the Cabinet consider the provision of a nursery class at Newberries School, Radlett'."*

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

## **12. NOTICES OF MOTION - STANDING ORDER 8 (5)**

None were notified.

**ANDREW LAYCOCK**  
**County Secretary**