

## HERTFORDSHIRE COUNTY COUNCIL

MINUTES of a meeting of the County Council held at County Hall, Hertford, on Thursday 13 February 2003.

### MEMBERS IN ATTENDANCE

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

Upon consideration of the agenda for the meeting of the County Council held on 13 February 2003, as circulated, action was taken or decisions were reached as follows:-

#### 1. MINUTES

The minutes of the extraordinary meeting of the Council held on 17 December 2002 were confirmed.

#### 2. CHAIRMAN'S ANNOUNCEMENTS

##### 2.1 Deaths of Former Council Members

The Chairman reported the death on 23 January of former County Councillor Stella Meldrum, who had represented Watford (Queens) from 1973 to 1977, Central Oxhey from 1981 to 1985 and Vicarage (Holywell) from 1985 to 1997.

The Chairman was joined by County Councillors Mays, Green, Goggins, Kent and Colne in paying tribute to former County Councillor Meldrum.

He also reported the recent death of former County Councillor Renee Short, who served Abbots Langley as County Councillor for 15 years from 1952 to 1967.

The Council stood in memory.

## **2.2 New Year's Honours List**

The Council congratulated David Moses, Head of the Safety, Emergency and Risk Management Unit, on being awarded an OBE in the New Year's Honours List, for services to Emergency Planning.

## **2.3 Regional Health and Safety Award**

The Chairman announced that, for the second year, Hertfordshire County Council had received a regional award from the Health and Safety Executive for its work in facilitating a partnership approach towards the October 2002 European Week of Health and Safety.

The Council congratulated all those who had been involved.

## **2.4 Firefighter Russell Ward**

The Chairman referred to Firefighter Russell Ward, a wholetime Firefighter on Blue Watch at Watford Fire Station, and the actions he had taken whilst on holiday in Bali at the time of the terrorist bomb explosion in October 2002.

The Council commended him for this and the Chairman presented him with an award in recognition.

## **3. APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN OF THE ADULT CARE AND HEALTH SCRUTINY COMMITTEE**

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

*“That R Mills and K J Coleman be appointed as Chairman and Vice-Chairman respectively of the Adult Care and Health Scrutiny Committee, to serve until the Annual meeting of the Council to be held on 20 May 2003.”*

## **4. LOCAL GOVERNMENT ACT 1972 – SECTION 85**

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

*“That for the purposes of Section 85 of the Local Government Act 1972, the reason for the non-attendance, on medical grounds, since 3 September 2002 of County Councillor J E Anderson, be approved.”*

## 5. QUESTIONS UNDER STANDING ORDER 7(1)

(Note: The Executive Member for Environment, **I E M Tarry**, was indisposed and the Leader of the Council responded to questions on her behalf)

### 5.1 (a) **B A York** asked the Executive Member for Environment:-

*“Praise must be given to maintenance staff for their extended hours of work and the eventual clearing of snow, but notwithstanding the briefing sent to members on 31 January, what has been learned which could in future reduce the likelihood of gridlock on the county’s roads for which the Council provides salting and gritting services, when snow and ice hit during peak travel times?”*

### (b) **R J M Ellis**, on behalf of **I E M Tarry**, replied:-

*“I am pleased to endorse your congratulatory comments to staff engaged on winter maintenance, particularly in view of the harsh and unjust criticism in the media. The unprecedented problems experienced during the afternoon and evening of Thursday 30 January were felt across a large proportion of the South-East.*

*We now know the problems resulted from a combination of snow falling with uncharacteristic ferocity over a short period. This stimulated an early start to the evening rush as people left work, just at the time that the motorway network gridlocked and traffic attempted to divert onto our network. From that point onwards our snowploughs and salting vehicles were not able to continue operating until the early hours of the morning.*

*The public appear to have forgotten that even during normal weather conditions, a serious accident on the motorway frequently causes Hertfordshire's roads to gridlock.*

*Let me emphasise that over the Wednesday night every road on our salting routes was treated with a full precautionary treatment, allowing vehicles in the morning to work this into the surface in advance of the snow, thereby providing the most effective solution to resist freezing and melt falling snow.*

*Nevertheless, I have subsequently examined the actions taken by our crews and must say that they reflect a text book adherence to our tried and tested Winter Maintenance Plan. Additionally, the Director has asked for a full debriefing exercise to determine whether we should in anyway add to our activities.*

*In the meantime, from my observations, there are two immediate issues that are worthy of further thought. First, the question of communication and how better to inform the community and travellers of prevailing*

*conditions via our local radio stations. Secondly, we all have stories of appalling driving in these conditions which clearly added to problems for other drivers, and therefore we need to see if we can offer more driver education.”*

(c) **B A York** then asked the following supplementary question:-

*“Is the Executive Member satisfied that the new contractor, Amey Lafarge, is able to provide adequate levels of service and value for money compared to other contractors?”*

(d) **R J M Ellis** replied:-

*“Yes.”*

5.2 (a) **B A York** asked the Executive Member for Children, Schools and Families:-

*“What plans does the County Council have to encourage schools to enter the drawing and painting (for primary aged pupils) and sculpture (for secondary pupils to age 16) competitions organised by the European Commission as part of Green Week (2-5 June 2003)?”*

(b) **R I N Gordon** replied:-

*“I am advised that the Arts Education Development Officer is aware of this competition and the exhibition itself which will take place in Brussels.*

*Many such competitions are organised throughout the year, and unless very long lead times are announced it can be very difficult for schools to support these specific projects, given the pressures on curriculum time.*

*The usual protocol for external organisations wishing to promote competitions is that the relevant adviser for the subject would validate such a request and publicise through networks of teachers and/or subject leaders or Hertfordshire Grid for Learning websites as deemed appropriate.”*

(c) **B A York** then asked the following supplementary question:-

*“Will the Executive Member ask the appropriate advisers to contact those responsible in the Commission so schools are aware of this competition?”*

(d) **R I N Gordon** replied:-

*“Yes, officers have endeavoured to get further information from the Commission and these efforts will continue.”*

**5.3 (a) T G M Kent** asked the Executive Member for Environment:-

*“Will the County Council consider restoring the salt bins that there used to be in residential areas. Access to a salt bin on 30 and 31 January 2003 would have been of great value to the people in my division who live in the hilly residential areas of Grace Way and Lonsdale Road?”*

**(b) R J M Ellis**, on behalf of **I E M Tarry**, replied:-

*“I am surprised that you don’t recall that one of the first actions of this Administration was to re-introduce the provision of salt bins throughout the county that had so lamentably been withdrawn by the previous administration of which you were a member. We succeeded in replacing them for the winter of 2001, and in total there are now over 30 bins located at key locations throughout Stevenage.*

*Following previous practice, bins are not normally located on existing precautionary salting routes such as the two locations that you have identified at Grace Way and Lonsdale Road. It is clearly impractical to provide bins at every street corner but if there are particular problems then the Highways Area Manager is the most appropriate point of contact.”*

**5.4 (a) S B A Giles-Medhurst** asked the Executive Member for Protection and Registration:-

*“Given the heavy flooding in Hertfordshire along the River Colne, particularly in the Watford area on 1 and 2 January that required the evacuation of homes, what additional measures have been put in place by the County to deal with the problems from this and to correct any differences in the County’s emergency planning for such events? Further more could the Executive Member please comment on what pressure the county is able or willing to apply to the Environment Agency on drawing up both a short and medium term action programme to address these issues?”*

**(b) G D Game** replied:-

*“The responsibilities for responding to emergencies within Hertfordshire are agreed between the partner organisations who form HESMIC (the Hertfordshire Emergency Services Major Incident Committee). For local authorities these are laid out in a HESMIC document entitled “The Role of County & District Councils in an Emergency”, a copy of which I have had placed in the Member’s lounge.*

*No agency has a statutory duty to provide assistance, such as sandbags, to protect individual properties. Within the HESMIC arrangements it is accepted that district and borough councils are better placed to assume this role and this is reflected in the HESMIC document, with HCC’s prime responsibility to focus on maintaining safety on the highways.*

*Nevertheless, to assist in this instance HertsHighways sought to help by purchasing and distributing some 5000 sandbags to assist residents during this emergency. District Councils also have the responsibility for establishing rest centres to accommodate people who are evacuated from their homes, with the County Council providing teams drawn from Adult Care Services and Children, Schools and Families who can offer additional support.*

*A detailed HESMIC debrief of the 2 January incident which affected a number of locations throughout Hertfordshire has been established with the draft report to be discussed at the March series of HESMIC meetings. Once agreed with the HESMIC partner organisations the report will be published on Herts Direct. A number of lessons have already been identified, including the need for Hertfordshire Highways to give priority to highway safety rather than providing assistance to individual property owners even when they will unfairly be criticised for not doing so.*

*However, even where adequate signage was in place, some drivers, particularly those driving lorries or 4x4 vehicles, ignored the signs and drove at speed along flooded roads causing bow waves to enter people's homes. I would therefore like to take the opportunity to remind all drivers of the need to take care and comply with the signs.*

*In respect of the wider issues, the Director of Environment has taken the lead to promote the establishment of a Hertfordshire Water Management Partnership to provide the forum at which such matters could be discussed."*

**(c) S B A Giles-Medhurst** then asked the following supplementary question:-

*"What member involvement will there be in relation to the Water Management Plan to ensure adequate input from residents, particularly in central Watford where flooding has occurred again recently?"*

**(d) G D Game** undertook to reply in writing within 7 days (the answer to be copied to all members).

**5.5 (a) S B A Giles-Medhurst** asked the Executive Member for Environment:-

*"Given the impending transfer of a number of trunk roads in the County from the responsibility of the Highways Agency to the County Council, will the Executive Member please inform Council what arrangements are in hand to deal with the following issues?"*

- 1. Winter gritting*
- 2. Road safety improvement requests*
- 3. Request for pedestrian improvements – in particular for a crossing on the A41 by Woodmere Avenue/Westlea Avenue and improvements to the pedestrian facilities at Horseshoe Lane on the A405*

4. *Central reservation verge cutting and removal of road debris*
5. *Dealing with flooding issues associated with the Coates Way underpass at the A41*
6. *That the County will be provided with all required documents and plans relating to the above as well as funding to deal with issues such as these.”*

**(b) R J M Ellis, on behalf of I E M Tarry, replied:-**

*“I can confirm that agreement has been reached with Highways Agency to transfer, amongst others, the A41 and A405 to County stewardship with effect from 1 April 2003.*

*Following lengthy negotiations a financial package has been agreed to cover the costs of all routine maintenance activity, including winter maintenance, verge cutting and the like. This will be paid as a Specific Grant in the coming year.*

*Officers have therefore been working with their Agency colleagues for a considerable time in order to secure the extensive catalogue of information, including inventories of all assets and historic maintenance records, necessary for our operations on the transferred roads. This process continues.*

*The Director in the summer of last year, following advice from the Transport Panel and discussion with me, set in train arrangements for the transferred roads to be maintained to the standards set for the County Principal Road network. Requests for improvements will, in future, therefore be considered via the County's normal priority setting system and compete for appropriate funding from County sources and via the LTP.*

*However, in addition, any improvement requests currently accepted on the Highways Agency programme for 2003/04 will be eligible for consideration when the agency allocates the final elements of its regional improvement budget. We are awaiting these details.*

*Finally can I inform you that, together with the President of the County Surveyor's Society, the Director this month is meeting civil servants from both the Office of the Deputy Prime Minister and Department for Transport to discuss the longer term funding formula necessary to secure a continuation of adequate budgets for these transferred roads. We are all concerned that the Government may take the opportunity of the transfer to redirect the maintenance funds elsewhere.”*

- (c) **S B A Giles-Medhurst** then asked the following supplementary question:-

*“The answer was not clear regarding adequate funding for the Coates Way Underpass. Will the Executive Member pursue this, as this is the sole route for local residents?”*

- (d) **R J M Ellis** replied:-

*“Officers will pursue this matter.”*

- 5.6 (a) **S B A Giles-Medhurst** asked the Executive Member for Environment:-

*“As the Executive Member is aware, a further breach of condition notice has been issued on the Colne Way Transfer Station since I asked my question at the last Council meeting.*

*Given the ongoing problems and complaints from local residents and two neighbouring schools, together with a petition calling for the transfer Station to close, will the Executive Member inform the Council of the action of County officers since the last meeting to ensure that all the planning conditions imposed on this site are met, and report the outcome of the further noise and dust surveys?”*

- (b) **R J M Ellis**, on behalf of **I E M Tarry**, replied:-

*“Since the last full Council meeting on 19 November 2002, the County Council has served a Breach of Condition Notice. The Notice was served in respect of operations at the site continuing past 1.00pm on Saturday afternoons.*

*You will recall that I indicated in my response to you at the last full Council meeting that the Environment Agency had informed us that no action was necessary in respect of dust emanating from the site. Since that time there have been no complaints that specifically relate to dust, nevertheless officers have continued to visit the site and have not identified any dust problems. The most recent visit was on 29 January 2003.*

*You will also recall that the issue of noise related particularly to one piece of equipment on the site: a trommel screener. This piece of equipment has since been modified to reduce noise output. Since November, one complaint has been received relating to noise. However, this concerned vehicle reversing warnings and not the trommel screener. Reversing warnings are required on vehicles and plant that operate at the site under Health and Safety legislation.*

*Finally, you asked about our more detailed noise survey. This was carried out on 7 November 2002. The resulting report highlighted considerable difficulties in obtaining readings which would be acceptable as part of any future enforcement action, as the site suffers a lot of additional background noise from trains, planes, road traffic and children as well. Indeed the children's noise exceeded the planning condition noise limits set for the transfer site!*

*However, two readings were successfully taken when only site noise was recorded. These did not breach the condition. The consultants made helpful recommendations about how to monitor the site in future should any aspects of its operation remain of concern.*

*In the meantime, officers continue to monitor the site on a frequent basis in line with the County Council's formally adopted standards. The latest site visits have, I am pleased to say, confirmed that the site appears to be operating in accordance with all the conditions."*

(c) **S B A Giles-Medhurst** then asked the following supplementary question:-

*"To minimise the time taken to monitor traffic usage of the site, traffic box recorders should be installed; this is the most objective way of monitoring lorries entering the site and is more effective than hearsay for the Council to deal with. Will the Executive Member agree to provide details of the dust and noise surveys?"*

(d) **R J M Ellis** replied:-

*"I am only too pleased to discuss ways of saving officer time. Officers will reply to you in regard to the dust and noise surveys."*

## 6. **QUESTIONS – HERTFORDSHIRE POLICE AUTHORITY**

None were notified.

## 7. **PUBLIC QUESTIONS – STANDING ORDER 7 (10)**

7.1 (a) **Mr I Beament** asked the Leader of the Council:-

*"Paragraph 64 of the HCC element of the recent Audit Commission report into the performances of Local Government bodies draws attention to the fact that Hertfordshire County Council only met 85 out of 216 performance indicators listed in the 2001/2 BVPP, with a further 26 not recorded. It also states in some of these indicators that '...relatively high cost services are not meeting targets. This questions whether value for money is being achieved.' I have been pressing the leader on just this point, and I am delighted to be joined in that challenge by such an august body as the Audit Commission.*

Could Mr Ellis now quantify:

- (1) What was the actual cost of supplying the 105 services where targets were not met?
- (2) What would have been the cost if they had been met?
- (3) How does this compare with the achievement of 'Best Performers' in each indicator in financial terms?
- (4) Why were 26 indicators not recorded?
- (5) Had HCC performed at 'Best Performer' levels in each of these deliverables, what would have been the impact on the percentage increase of the HCC component of the Council Tax increase for 2001/2?
- (6) Has the budget for 2003/4 been set on the expectation that the Officers will deliver services in their respective departments at 'Best Performer' levels?
- (7) Is it the intention now for HCC to focus its attention on external rather than internal indicators in order to clearly deliver value for money to its paying customers?"

(b) **R J M Ellis** replied:-

*"I would like to put the extracts referred to from the Audit Commission's Corporate Assessment of Hertfordshire in context. The findings of this report were a key piece of the evidence that led to Hertfordshire achieving its excellent rating in the CPA process. The report points out that "the council's finances are sound and it generally manages its finances and resources well" (para. 68). With regard to our target setting, the report acknowledges that Hertfordshire is already a high performer, but points out that in some areas our target setting has been over ambitious (para. 62). This is an issue that we have addressed in the development of our Best Value Performance Plan and Budget for the coming year.*

*The performance indicators that we use measure a number of facets of service delivery, ranging from quality, volumes of service delivered, timeliness, customer perception and cost. So, it is not possible to provide costs for each specific indicator, or to calculate the impact on council tax of varied levels performance against each individual indicator.*

*However, despite the recognised higher costs of delivering services in the South East, for those unit cost based indicators where comparison with others is possible, we are in the top performing 25% of authorities for the majority of these indicators.*

*But we do accept that some services have relatively high costs compared to other authorities around the country. The library service being one of them. We will continue to work to bring these costs down, but the costs of the service are partly a function of the high property costs in Herts, and of the number of service points that are necessary to provide the local service that the people of Hertfordshire tell us they want.*

*The proposed 2003/4 budget has been put together after consultation with the public, and aims to deliver further performance improvements (from a recognised high base level). These improvements will be expressed as targets in the 2003/4 BVPP, which the council will consider at its May meeting.*

*HCC will continue to focus its attention on a mixture of local and national performance indicators. National indicators allow comparison with other local authorities, but performance on local priorities also needs to be measured and so we have developed our own indicators to measure these.*

*With regard to the question of why performance was not recorded against 26 indicators. This happened where changes in government guidance came too late to enable publication, where we were required to include the indicator but it was not relevant to the county council, or where data was unavailable because of the costs of collecting the information from the various agencies concerned. Where it is within our power, these problems are being addressed in the development of our Best Value Performance Plan.”*

(c) **Mr Beament** then asked the following supplementary question:-

*“Are you comfortable that, in spite of your incapability or unwillingness to give a straight answer to a straight question, you are going to put through a Council Tax increase of 18.2%?”*

(d) **R J M Ellis** replied:-

*“Yes.”*

7.2 (a) **Mrs B Houldsworth**, representing the Whitney Drive Residents, to ask the Leader of the Council:-

*“In reply to my question at the Council meeting on 19 November the Council Leader stated that: ‘we have done all that we can to help, including the provision of low noise surfaces’.*

*The low noise surfaces to which he refers was the only thing. We keep reminding the Council that the low noise surface was only provided on the circulatory part of the Hitchin Road/Martins Way roundabout when it was refurbished in 1998 and that was in accordance with standard policy. It provides no comfort to the Whitney Drive Residents because there is such a small amount and its noise reducing qualities are eclipsed at that specific point by the noise of vehicle acceleration and braking, horns, service vehicle sirens, etc.*

*Would the County Council now consider extending the low noise surface to the main parts of the Hitchin Road and Martins Way where it really matters – where speeds are higher and tyre noise is a much bigger problem?”*

**(b) R J M Ellis** replied:-

*“Not at present. But this will, as a matter of course, be considered as part of any future maintenance refurbishment programme for these roads.”*

**(c) Mrs Houldsworth** then asked the following supplementary question:-

*“Even with low noise tarmac, the relentless expansion of traffic outside our homes is wrecking our quality of life in the same way that ‘the proposed expansion of Luton and Stansted will wreck the quality of life in Hertfordshire’.*

*Would the Leader comment on the World Health Organisation Community Guidelines, which state that noise levels exceeding the 55dBA ‘cause critical health effects’ and relate this to the fact that our homes and gardens continue to experience noise levels well in excess of this?”*

**(d) R J M Ellis** replied:-

*“I am not an expert. Even with noise reduction surfaces, you say that noise levels would still be intolerable, but yet you ask for more. I understand your problem. However, just because there is a problem doesn’t mean there is always an easy solution; if there was, we would have done it.”*

**7.3 (a) Professor J Houldsworth**, representing the Whitney Drive Residents, asked the Executive Member for Environment:-

*“At the County Council meeting on 19 November, I asked a supplementary question: ‘Would the Executive Member for the Environment explain why neither herself nor the Environment Director has visited this problem location to experience the traffic noise patterns?’.*

*The Executive Member for the Environment answered: ‘This is not true, Officers from the Environment Department and myself have visited the site on more than one occasion’ – implying that we were not telling the truth. None of the Whitney Drive Residents has any record of such a visit by either Councillor Tarry or the Director of the Environment to experience the traffic noise patterns, and the only visit by an Officer was to arrange the logistics for noise measurements by Mouchel in May 2001. In fact, Mrs Tarry wrote to us in May 2002 stating that a visit would serve no useful purpose, as a decision had been made not to meet our request for action. Would Councillor Tarry care to back up her response with the dates of visits to any of our residents to experience the traffic noise patterns? (A circuit round the Hitchin Road/Martins Way Roundabout by car or a visit to staff at Whitney Wood House does not qualify).”*

**(b) R J M Ellis**, on behalf of **I E M Tarry**, replied:-

*“On behalf of the Director can I confirm that he has walked the whole area in order personally to experience the situation and I have no doubt that he demonstrated this detailed knowledge in his several meetings with you.*

*In my previous reply I did not indicate that I had visited your property rather that I had familiarised myself with the area once I began to receive correspondence directly from you.*

*In all my very extensive responses to your letters and in answer to your questions raised at 3 previous full meetings of Council, I have sought to stress and explain to you that the decision to erect noise barriers can not and should not be based upon subjective assessments or in response to those who shout the loudest.*

*Decisions must be based upon properly carried out technical assessments, such as the one carried out on your behalf by our consultants and paid for by the County Council. This confirmed that noise levels in Whitney Drive, whilst undoubtedly intrusive, are similar to those increasingly and unfortunately being experienced in many other parts of the county.”*

**(c) Professor Houldsworth** then asked the following supplementary question:-

*“Following the 19 November meeting, I wrote to the Chairman of the Council and explained my reasons for challenging the verbal answer. However, I was informed that, because I had received my response in the Chamber, the procedures did not allow a further written answer.*

*Would the Chairman agree that this reveals a shortcoming in the democratic procedure because it does not include an opportunity for the questioner to refute an answer to a supplementary question, even if the answer may be ‘off the cuff’ and ill-considered?”*

(d) **R J M Ellis** replied:-

*“You are implying that Mrs Tarry has lied in her response; but you do not have any papers to back this up. You are calling both the Director of Environment and Mrs Tarry liars, and I will leave it to the Council to decide where the truth lies.”*

## **8. PUBLIC PETITIONS – STANDING ORDER 14**

None were notified.

## **9. MEMBERS ALLOWANCES 2003/4**

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

*“That having taken account of the recommendations of the Independent Panel, the Council authorise the County Secretary to make a Members Allowances Scheme for 2003/04, containing the following elements:-*

- (a) A Basic Allowance of £8400 per annum per member*
- (b) Special Responsibility Allowances as set out in the attached schedule*
- (c) Care Allowance to be paid at £6 per hour*
- (d) Once appropriate Regulations are introduced, the mileage rate for members to be set at 40p per mile, irrespective of engine size*
- (e) Once appropriate Regulations are introduced, all members who are eligible to join the Pension Scheme be entitled to do so, and that both Basic and Special Responsibility Allowances be treated as amounts in respect of which pensions are payable under the scheme.”*

## **10. COUNTY COUNCIL RESOURCE BUDGET 2003/4 TO 2006/7**

The Council received a supplementary report from the Finance Director, item 10A. It was noted on page 1 of that report, paragraph 3.1 that the Final FSS figure for Fire should read £34.044m not £33.044m.

**10.1** The following motions were proposed by **D Beatty**, and duly seconded:-

*“1. That the revenue budget for 2003/04 proposed by Cabinet on 27 January 2003 be agreed subject to:*

<i>a) the following changes in the Schools Budget</i>	<i>Increase/ (Decrease) £'000</i>
<i>Technical adjustment – Teachers Superannuation</i>	<i>(264)</i>
<i>Inflation – Teachers Pay Award</i>	<i>(1,464)</i>

*Increase in delegated schools budgets to assist schools in budget management and planning in the light of the likely funding gap that will be faced in 2004/05* 1,464

- b) *a reduction of £11,000 to the central budget for flood defence levies*
- c) *an increase of £185,000 in the budget for members allowances*

*to produce a budget set out below:*

		<u><b>2003/04 Proposed Budget £m</b></u>
<i>Adult Care Services</i>		176.278
<i>Children, Schools and Families</i>		674.637
<i>Community Information</i>		19.304
<i>Corporate Services</i>		11.917
<i>Environment</i>		95.816
<i>Protection</i>		
<i>Fire &amp; Rescue</i>	33.247	
<i>Coroners</i>	0.808	
<i>Emergency Planning</i>	0.276	
<i>Registration</i>	0.720	
<i>Trading Standards</i>	<u>2.439</u>	37.490
<i>Central Items</i>		43.696
<i>Asset Management Revenue Account</i>		<u>(102.021)</u>
		<u>957.117</u>

2. *That the schools budget for 2003/4 be agreed as £534.363 million.*
3. *That the provision for the cost of teachers and other schools staff pay awards be met from the proposed schools budget and that the provision for pay awards relating to all other staff be delegated to services when the awards are known.*
4. *That to support the expenditure proposals a council tax increase of 18.2 % be agreed.*
5. *That the Capital Programme, including annual provisions, set out as follows be agreed:*

	<b>2003/04</b>	<b>2004/05</b>	<b>2005/06</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>
<i>Adult Care Services</i>	5.035	1.424	1.734
<i>Children, Schools and Families</i>	61.412	21.692	13.144
<i>Community Information</i>	0.753	0.645	0.595
<i>Corporate Services</i>	3.558	2.266	1.804
<i>Environment</i>	29.261	24.081	22.338
<i>Protection</i>	3.938	4.113	0.593
<b>Total</b>	<b>103.957</b>	<b>54.221</b>	<b>40.208</b>

*of which for 2003/04 £36.066 million is funded from the Council's general capital resources including capital receipts, £59.417 million from capital grants and earmarked borrowing approvals and £8.474 million from revenue contributions.*

6. *That the Finance Director be authorised to borrow on behalf of the County Council for the year ending 31 March 2004 such amounts as are required to meet approved capital expenditure within the limits of the basic and supplementary credit approvals received; the amounts to be borrowed for periods which will not result in the overall borrowing limit of £250 million being exceeded, and of which no more than £100 million shall be short term and 30% with variable interest rate terms.*
  
7. *That vehicles and equipment up to a value of £3.5 million be purchased by the County Council in the year ending 31 March 2004, the total cost of which to be financed by entering into operating lease agreements as defined by Regulation 20 of the Local Authorities (Capital Finance) Regulations 1997, with the County Council acting as lessee.*
  
8. *That the Band D council tax for the County Council in 2003/04 be £849.74 and that the amount of tax calculated for all bands be as follows:*

<i>Band A</i>	<i>£566.49</i>
<i>Band B</i>	<i>£660.91</i>
<i>Band C</i>	<i>£755.32</i>
<i>Band D</i>	<i>£849.74</i>
<i>Band E</i>	<i>£1,038.57</i>
<i>Band F</i>	<i>£1,227.40</i>
<i>Band G</i>	<i>£1,416.23</i>
<i>Band H</i>	<i>£1,699.48</i>

9. That the precept amounts required from the District Councils be as follows:

<i>Broxbourne Borough Council</i>	<i>£29,691,785.03</i>
<i>Dacorum Borough Council</i>	<i>£46,247,949.24</i>
<i>East Hertfordshire District Council</i>	<i>£46,282,686.61</i>
<i>Hertsmere Borough Council</i>	<i>£33,947,707.82</i>
<i>North Hertfordshire District Council</i>	<i>£39,370,663.52</i>
<i>St Albans City &amp; District Council</i>	<i>£49,130,267.32</i>
<i>Stevenage Borough Council</i>	<i>£23,242,530.34</i>
<i>Three Rivers District Council</i>	<i>£31,425,203.64</i>
<i>Watford Borough Council</i>	<i>£25,761,805.51</i>
<i>Welwyn Hatfield District Council</i>	<i>£32,467,290.79</i>
<b>Total</b>	<b>£357,567,889.82</b>

10. That the Chief Executive be authorised to issue the council tax leaflets after consultation with the Leader of the Council.”

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

“Delete 1(c) and replace with ‘a reduction in the budget for Corporate Services of £300,000 to be funded principally from savings in Corporate Communications and an increase in the budget for Adult Care Services of £300,000.

To produce a budget set out below:

	<u><b>2003/04 Proposed Budget £m</b></u>
<i>Adult Care Services</i>	<i>176.578</i>
<i>Children, Schools and Families</i>	<i>674.637</i>
<i>Community Information</i>	<i>19.304</i>
<i>Corporate Services</i>	<i>11.432</i>
<i>Environment</i>	<i>95.816</i>
<i>Protection</i>	
<i>Fire &amp; Rescue</i>	<i>33.247</i>
<i>Coroners</i>	<i>0.808</i>
<i>Emergency Planning</i>	<i>0.276</i>
<i>Registration</i>	<i>0.720</i>
<i>Trading Standards</i>	<u><i>2.439</i></u>
<i>Central Items</i>	<i>43.696</i>
<i>Asset Management Revenue Account</i>	
	<u><i>(102.021)</i></u>
	<u><i>956.932 .”</i></u>

**10.3** The motions at 10.1 were then CARRIED:-

**10.4** The following motion proposed by **I H Laidlaw-Dickson**, and duly seconded, was CARRIED:-

*“That the Council notes the concern of the Resources Scrutiny Committee at the shift over recent years from cashable to non-cashable efficiency savings and endorses the Committee’s recommendation urging the Cabinet rigorously to pursue further cashable efficiency savings.”*

**10.5** The following motion proposed by **I H Laidlaw-Dickson**, and duly seconded, was LOST:-

*“That the further efficiency savings be used to enable the following improvements in services to be made and to reduce the council tax by 1%.*

*Children, Schools and Families:*

*Extension of provision for three-year-olds, initially in areas of greatest need (Letchworth, Cheshunt, Watford, Hemel Hempstead and Stevenage) - £1.9 million.*

*Adult Care Services:*

*Adaptations for the disabled – £250,000*

*Environment:*

*Improved bus information, bus services and bus stops - £300,000*

*Community Information:*

*To achieve Public Library Standard 18 – Time taken to replenish the lending stock on open access or available for loan (Standard 6.7 HCC 7.2) - £250,000.”*

**10.6** The following motions proposed by **R I N Gordon**, and duly seconded, were CARRIED UNANIMOUSLY:-

*“1. That the Council:-*

- (i) records its grave concerns that*
  - (a) the 5.1% cash increase in EFSS exceeds inflation, pay and pension costs, demography and unavoidable pressures by a mere £2.3m*
  - (b) the cost to Hertfordshire education of the Standards Funds Grants cut by the Government amounts to £9.3m*
  - (c) no resources are available within the settlement towards the additional cost of £5m to develop the provision of three-year old nursery provision from its current level in readiness for this new statutory requirement in 2004.*

- (ii) *supports the proposals by the Cabinet (while regretting the additional burden passed to local council taxpayers):*
- (a) *to mitigate the worst effects of the government's net cut in Standards Fund grants by raising an additional £5.9m in 2003/04 from council tax*
  - (b) *to raise from council tax an additional £2m per annum to fund the new strategy for behaviour and achievement*
  - (c) *to raise from council tax an additional £0.5m per annum to support families with vulnerable children.*
- (iii) *notes the prospect of substantial real-term cuts in education funding from 2004/05 given:*
- *the government's anticipated removal of 'damping' for authorities with poor settlements in 2003/04*
  - *the anticipated further government cuts in Standards Funds*
  - *the need to divert resources from current spending to fund the statutory extension of three year-old nursery provision, and*
  - *the likely inability of the Council to continue the mitigation of the government's 2003/04 Standards Funds cuts*
- which, taken together, officers project could lead to a substantial education funding gap in 2004/05.*

2. *That there be a substantial lobbying campaign over the coming months to seek changes in the government's funding regime aimed to increase resources for Hertfordshire's education, and invites all groups on the Council, all Hertfordshire MPs, schools, teacher associations, early years groups, governors and parents to support such a campaign."*

## **11. ANNUAL LIBRARY PLAN 2002/5**

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

*"That the Annual Library Plan 2002/5, as circulated, be approved."*

## **12. CHILDREN, SCHOOLS AND FAMILIES SERVICE PLAN 2003/4**

The following motion proposed by **R I N Gordon**, and duly seconded, was CARRIED:-

*"(a) That subject to (b) below the Children, Schools and Families Service Plan 2003, as circulated, be approved.*

- (b) *That the Director of Children, Schools and Families be authorised, in consultation with the Executive Member for Children, Schools and Families, to make further changes as become necessary prior to the printing of the final version.*”

**13. PROTOCOL FOR NEWS RELEASES**

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

*“That the Constitution be amended so that paragraph 3.3 of Annex 20 reads as follows:-*

*‘Subject to this [requirement that news releases must not be designed to affect support for a political party] news releases which relate to Executive decision-making may contain quotes from the Leader of the Council, an Executive Member or, with the prior consent of the relevant Executive Member, the Chairman of a Cabinet Panel’.*”

**14. HERTFORDSHIRE COUNTY STRUCTURE PLAN ALTERATIONS 2001 – 2016 DEPOSIT VERSION**

**14.1 D A A Peek** declared a prejudicial interest in this item and withdrew from the Chamber, taking no part in the discussion or voting thereon.

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

*“That:*

- 1. the County Council reaffirms its commitment to fighting the loss of greenfields by bringing forward Alterations to the current Structure plan in line with PPG3 and the ‘Plan, Monitor and Manage’ approach.*
- 2. the Structure Plan Policy Alterations be placed on deposit for Public Consultation.*
- 3. the deposit period run from Wednesday 5 March to Wednesday 16 April.*
- 4. representations received after the 16 April only be accepted in exceptional circumstances, such as to assist other Local Authorities in the timetabling of their committees, and in consultation with the Executive Member for the Environment*

5. *the Summary of Representations Received and Proposed Responses, the Stage 2 Sustainability Appraisal, a Statement of Public Consultation, and Revised Technical Reports on Housing Capacity and Employment, also be placed on deposit with the Alterations.*
6. *authority to carry out minor amendments, including typographical errors, to the Explanatory text and Technical Papers before publication be delegated to the Director of Environment in consultation with the Executive Member.*
7. *a revised timetable be agreed for the Structure Plan Alterations leading to its Adoption in Spring 2004, including the holding of an Examination in Public in September / October 2003."*

**15. TREASURY MANAGEMENT STRATEGY INCLUDING BORROWING STRATEGY**

It was noted on the table on page 6 of the report that the column headings should read 'Revised Credit Limit £m'.

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

*"That the Treasury Management Strategy for 2003/4 be approved."*

**16. REGIONAL ASSEMBLIES (PREPARATIONS) BILL**

**16.1** The following motion was proposed by **M H T Janes**, and duly seconded:-

*"That:*

1. *the response to the soundings exercise on the level of interest in holding a referendum about establishing an elected regional assembly, set out in Appendix 3 to the minutes of the Regionalism Panel (attached), and*
2. *the response to the consultation on proposed statutory guidance to be issued to the Boundary Committee for England by the Secretary of State, , set out in Appendix 4 to the minutes of the Regionalism Panel, (attached) be approved, and both responses be endorsed.*
3. *the Council notes the resolution of the Herts Local Government Association Steering Committee that a referendum on a regional assembly would be premature without a review of regional boundaries as they affect Hertfordshire."*

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

“replace the last sentence of penultimate paragraph of Appendix 3 with:

*‘From these figures it is clear that support for a referendum varies widely, dependent on how much and what information is provided to the respondents. One key piece of information not included in MORI’s questions was that an elected regional assembly would replace and subsume an existing unelected body which was already making decisions on their behalf.’*”

- 16.3** The motion at 16.1 was then CARRIED.

**17. REPORT OF THE COMMUNITY INFORMATION AND PROTECTION SCRUTINY COMMITTEE – 14 JANUARY 2003**  
(presented by J A Hobday, Chairman of the Scrutiny Committee)

The Report of the Community Information and Protection Scrutiny Committee dated 14 January 2003 was received and adopted.

**18. REPORT OF THE CHILDREN, SCHOOLS AND FAMILIES SCRUTINY COMMITTEE – 22 JANUARY 2003** (presented by T G M Kent, Chairman of the Scrutiny Committee)

The Report of the Children, Schools and Families Scrutiny Committee dated 22 January 2003 was received and adopted.

**19. ACTION TAKEN ON PETITIONS PRESENTED TO FULL COUNCIL SINCE FEBRUARY 2002**

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

*“That the action taken on petitions presented to full Council since February 2002 be noted.”*

**20. 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.”*

**21. COUNTY COUNCIL APPOINTMENTS TO LUTON AIRPORT CONSULTATIVE COMMITTEE**

The following motion, notice of which had been given by **R J M Ellis**, was WITHDRAWN:-

*“That N E Agar be removed with immediate effect as the County Council’s representative on the Luton Airport Consultative Committee and replaced with another member nominated by the Leader of the Opposition.”*

**22. PROVISIONS RELATING TO THE APPOINTMENT OF MEMBERS TO REPRESENT THE COUNTY COUNCIL ON OUTSIDE BODIES – AS SET OUT IN ANNEX 20 TO THE CONSTITUTION**

The following motion, notice of which had been given by **R J M Ellis**, was WITHDRAWN:-

*“That the following sentence be added at the end of paragraph 1.3 of Annex 20 to the Constitution:-*

*‘Members appointed to outside bodies by the County Council must comply with the policies of the Council when carrying out their duties on those bodies’.*”

**23. ALLOCATION OF PLACES ON COMMITTEES**

**23.1** The following motion was proposed by **C J White**, and duly seconded:-

*“That one of the places currently allocated to the Labour Group on the Children, Schools and Families Committee be re-allocated to the Liberal Democrat Group, and that the County Secretary make the necessary adjustment to membership in consultation with the relevant Group Leaders.”*

**23.2** The following amendment, proposed by **R Mays**, and duly seconded, was LOST:-

*“That ‘Resources, Prosperity, Partnership and Consultation’ be substituted for ‘Children, Schools and Families’.”*

**23.3** The motion at 23.1 was then CARRIED.

**24. NOTICES OF MOTION – STANDING ORDER 8(5)**

None were notified.

**ANDREW LAYCOCK**  
County Secretary

**ALLOWANCES SCHEME SCHEDULE 2003/4**

<u>Post</u>	<u>Postholders</u>	<u>Payment £</u>
Leader of the Council	Robert Ellis	29,400
Cabinet Member who normally deputises for Leader / Resources Portfolio	David Beatty	25,200
Cabinet Member for:		
- Children, Schools & Families	Robert Gordon	21,000
- Environment	Iris Tarry	16,800
- Adult Care & Health	Jane Pitman	16,800
- Community Information & Development (including IT)	Derrick Ashley	16,800
- Protection & Registration	Gerald Game	8,400
- Regeneration, the Region and Europe	Michael Janes	8,400
- Best Value	Bernard Lloyd	8,400
Leader of the Labour Group	Bob Mays	10,500
Leader of the Liberal Democrat Group	Chris White	4,620
Chairmen of Scrutiny Committees (5)	Jane Hobday Tanis Kent Bob Mays Roma Mills Chris White	8,400 8,400 8,400 8,400 8,400
Vice-Chairmen of Scrutiny Committees (5)	Ken Coleman Roy Clements Keith Emsall Mary Bayes Bill Storey	6,300 6,300 6,300 6,300 6,300
Chairmen of the following Cabinet Panels:		
- (Children, Schools & Families) Achievement	Richard Smith	6,300
- (Children, Schools & Families) Resources	Seamus Quilty	6,300
- (Children, Schools & Families) Strategy	David Lloyd	6,300
- (Environment) Structure Plan	Martin Saunders	6,300
- (Environment) Transport	Nigel Brook	6,300
- (Resources) Property	Alan Searing	6,300
Chairman of Development Control Committee	Bryan Hammond	6,300
Chairman of Audit Committee	Paul Goggins	4,200
Chairman of the Council	Keith Gray (to 20 May)	8,400
Vice-Chairman of the Council	Keith Emsall (to 20 May)	2,100

**NOTE: Members are restricted to one SRA each** (that of the highest value)

## REGIONALISM PANEL MINTUES

### Appendix 3

#### **Draft response to soundings exercise on the level of interest in holding a referendum about establishing an elected regional assembly**

Thank you for consulting Hertfordshire County Council on the issue of whether a referendum should be held in the East of England region. In order to ascertain the views of local people on this issue, the County Council commissioned MORI to undertake a telephone survey of 1,000 Hertfordshire residents in January 2003. The results of the telephone survey are attached as appendix 1. The County Council also wrote to all the town and parish councils in Hertfordshire, the main voluntary organisations we work with and our further and higher educational establishments to seek their views on this issue. A summary of responses we have received is attached as appendix 2.

When the County Council submitted its response to the White Paper *Your Region, Your Choice* in July last year, we asked the Government to review the existing regional boundaries to better reflect natural economic and spatial relationships in advance of any referendum taking place. The six counties in the East of England region do not form a natural grouping, with counties such as Suffolk and Norfolk having little in common with those in the south of the region. Hertfordshire has more in common with other counties neighbouring London whose economies and transport networks are closely linked. It would seem sensible to recognise the natural economic groupings of those counties whose economies are closely linked to those of London.

The results of the MORI survey show that Hertfordshire residents have a very low sense of awareness that they are in the East of England region - only 4% of residents knew that they were in the East of England / Eastern region, 15% thought they were in the South East region and 71% did not know. Similarly, only 28% of residents believe that Hertfordshire belongs in the East of England region, with 54% believing Hertfordshire would better fit into the South East region. Moreover, Hertfordshire residents' sense of identity with the East of England region is weak - only 38% have a very or fairly strong sense of belonging to the region, compared with 70% for the county of Hertfordshire and 87% for England as whole. Many of the local stakeholders we contacted made similar comments about not having a strong sense of identity with the East of England region or much in common with other counties in the region. A survey carried out by the East of England Development Agency in 2000 also found that there was a low sense of regional identity amongst the public and businesses in the East of England and that this was particularly so in Hertfordshire.

In the light of the views expressed by the public and other local stakeholders, the County Council remains of the view that the existing regional boundaries should be reviewed before a referendum is held in this region. This view is shared by the Hertfordshire Local Government Association which is a body made up of the County Council and Hertfordshire's ten district councils.

With regard to the level of interest of Hertfordshire residents in holding a referendum, 88% of residents said they did not know very much or knew nothing at all about the possibility of an elected regional assembly being established. Despite this very low

level of awareness, 50% expressed support for a referendum on this issue and 70% said they would be very likely or fairly likely to vote if a referendum is held. However, there was less strong support for a referendum on this than on other constitutional issues (the Euro, reform of the House of Lords, abolition of the monarchy) with significantly fewer people strongly supporting and fewer strongly opposing a referendum on regional assemblies. This suggests that a referendum on this issue has less priority as far as the public is concerned than referendums on other constitutional matters.

In assessing levels of interest in holding a referendum, the County Council believes that the Government should take account of levels of interest in actually having an elected regional assembly. Initially only 14% of Hertfordshire residents said they strongly supported and 23% said they tended to support the East of England having an elected regional assembly but views changed when residents were given further details of the Government's proposals. For example, when told what powers regional assemblies would have, 19% of residents said they strongly supported and 34% said they tended to support the East of England having its own elected assembly. However, when told that the assembly could be based anywhere in the region, support dropped to 9% and 20% and, when told that the establishment of an elected regional assembly would lead to the replacement of the county council and districts councils by unitary councils at an estimated cost of £100 per resident, support dropped even further to 5% and 12%.

*In its response to the White Paper last July, the County Council commented that the issue of whether to establish an elected regional assembly and the issue of whether there should be a unitary form of local government should be considered as two separate issues and that one should not be contingent upon the other. The 1990s review of local government was a costly, lengthy, difficult and disruptive process which diverted local authorities' time and attention away from their core functions as service providers and community leaders. We remain concerned that another local government review which would be triggered by a decision to hold a referendum would have a similarly negative impact and would hinder the region's existing local authorities in serving and leading their communities, especially in attracting and retaining the skilled staff needed to sustain and improve service delivery. For this reason, along with the other reasons given above, the County Council does not believe that a referendum for an elected regional assembly on the terms outlined in the Regional Assemblies (Preparations) Bill would be in the interests of Hertfordshire's residents.*

We hope to be reassured that the Secretary of State will take our views into account when deciding whether to hold a referendum in the East of England.

## REGIONALISM PANEL MINUTES

### Appendix 4

#### **Draft HCC response to the consultation on proposed statutory guidance to be issued to the Boundary Committee for England by the Secretary of State**

Hertfordshire County Council welcomes the opportunity to comment on the proposed guidance. However, we question the need to carry out local government reviews at all in regions where a referendum is to be held on the establishment of an elected regional assembly. Para 2.13 of the draft guidance states that “the functions and responsibilities of local government will not be directly affected by implementation of the new regional tier in regions that opt for directly elected regional assemblies”. If that is the case, it does not appear logical that a decision to hold a referendum on the issue of an elected regional assembly should trigger a local government review in that region.

Moreover, para 17 of the ODPM paper on the consultation exercise states: “the Government’s priority for local councils is for them to be strong community leaders and to deliver quality local services. In general, the Government believes that this priority can equally well be achieved by unitary and two-tier councils.” Again, if that is the case, there does not seem to be any rational basis for instigating a local government review which would preclude the maintenance of the two-tier structure of local government. Such reviews are likely to divert local councils from their responsibilities as community leaders and providers of quality local services and to undermine existing partnership and joint working arrangements in two tier areas. Clearly, we recognise that local councils should continuously strive to improve their performance and that, in some cases, structural change may be an appropriate way of achieving better local services and more effective community leadership. However, we do not accept the Government’s contention that the creation of an extra tier of sub-national government is in itself a justification for restructuring local government and we believe that other factors – such as the CPA judgement of councils’ existing performance and capacity to improve – should also be taken into account. We also believe that the Government should consult local people separately on the issue of local government restructuring as this is likely to have a far greater impact on their quality of life than any decision to establish an elected regional assembly.

However, on the assumption that the Government will proceed with its plans to direct the Boundary Committee to develop proposals for unitary local government in regions where a referendum for an elected regional assembly is to be held, we will now comment on the draft guidance upon which we are being consulted. In general terms, the County Council considers that the factors which will help to determine the precise structure of unitary local government in two tier areas are reasonable. We support the detailed comments made by the County Councils Network. However, if the Boundary Committee does consider it necessary to propose that new unitary authorities are created which cut across existing county boundaries we believe that the boundaries of other statutory agencies such as Police Authorities, Strategic Health Authorities and Learning & Skills Councils should be aligned with those of the new unitary authorities.

Finally, if county councils and district councils are to be replaced by new unitary authorities, we believe that it is very important that town and parish councils are maintained and that consideration is given to strengthening this tier of local government to enhance local democracy.