

HERTFORDSHIRE COUNTY COUNCIL

MINUTES of the meeting of the County Council held at County Hall, Hertford, on Tuesday 16 September 2003.

MEMBERS IN ATTENDANCE

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

Upon consideration of the agenda for the meeting of the County Council held on 16 September 2003, as circulated, action was taken or decisions were reached as follows:-

1. MINUTES

The minutes of the meeting of the Council held on 15 July 2003 were confirmed.

2. CHAIRMAN'S ANNOUNCEMENTS

2.1 County Councillor Janet Anderson

The Chairman announced that Janet Anderson, County Councillor for Kings Langley since 1996 had resigned at the end of July after a lengthy illness.

The Council joined him in wishing her a return to full health and good luck in the future.

The by-election would be held on Thursday 18 September.

2.2 Chief Executive

The Chairman welcomed the Chief Executive, Caroline Tapster, to her first Council meeting in her new capacity.

2.3 New Amplification System

The Chairman announced that the sound system had been replaced in the Council Chamber. This included the facility to record the proceedings (in audio) and he informed members that he had consented to the meeting being recorded, to assist the County Secretary in producing the minutes.

3. **QUESTIONS: HERTFORDSHIRE POLICE AUTHORITY – STANDING ORDER 7 (6)**

- (a) **T G M Kent** asked the Chairman of the Police Authority (I H Laidlaw-Dickson):-

“What view will the Hertfordshire Police Authority take on the enforcement of the expected Hunting Act?”

- (b) **I H Laidlaw-Dickson** replied:-

“The Police Authority has not discussed this item.

However, the Police have been meeting with members of local hunts concerning the potential impact of the change in legislation. It is not for the police service to make judgements about the rights and wrongs of the legislation. They are, however, extremely conscious of the sensitivities about the impact of this change in legislation and the practicalities of enforcing it.

Enforcing the law would be a substantial call on resources and so the Police will work closely with all parties to try to prevent any potential offences. If necessary, they will enforce the law appropriately and sensitively. Meetings with affected parties are continuing.”

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

None were notified.

5. **PUBLIC PETITIONS – STANDING ORDER 14**

Marion Baker from Berkhamsted, presented a petition and addressed members for three minutes, asking the Council to:

- request the Secretary of State for Agriculture and the

- European Commission to provide legal protection for Hertfordshire from specific GM crops
- ensure that no GM crops are grown on Hertfordshire County Council land
 - adopt a GM-free policy for all Hertfordshire County Council goods and services

The petition stood referred to the Director of Environment for consideration and report to members.

6. MINERALS LOCAL PLAN REVIEW TO 2016 – 2nd DEPOSIT DRAFT FOR CONSULTATION

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

- “(1) That the Second Deposit Draft of the Minerals Local Plan be approved for public consultation;*
- (2) That the programme for the Plan preparation as set out in section 6.1 of the Cabinet report be adopted;*
- (3) That the County Council actively pursues at regional level the lowest apportionment figure for Hertfordshire as set out in the Plan.”*

7. ANNUAL STATEMENT OF ACCOUNTS 2002/03

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

“That the Statement of Accounts for 2002/03 be approved.”

8. 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.”

9. MEMBERS ALLOWANCES SCHEME

- 9.1 R Mays** declared a prejudicial interest and withdrew from the meeting during consideration of this item.

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

“(1) That the Scheme for Members’ Allowances agreed by the Council on 15 July 2003 be amended to specify that the SRAs paid to the Leaders of the Labour and Liberal Democrat Groups be calculated in accordance with the following formula:

$$\frac{2x \text{ Basic Allowance}}{\text{no of members in largest Group on the Council}} \quad X \quad \text{number of members in the Labour/Lib Dem Groups}$$

and that those SRAs be automatically adjusted should Group numbers change during the life of the Scheme.

(2) That in considering the Allowances Scheme for 2004/5 the Allowances Panel be invited to consider changing the formula in the Scheme for calculating opposition leaders’ SRAs so that the denominator is the number of members on the Council (77) rather than the number of members in the largest group.”

9.3 The following amendment to (2) proposed by **I H Laidlaw-Dickson**, and duly seconded, was LOST:-

“Add at the end ‘and on the basis that the opposition leaders’ SRAs would remain broadly the same as currently given’.”

9.4 The motions at 9.2 were then CARRIED.

10. NOTICES OF MOTION – STANDING ORDER 8 (5)

None were notified.

11. QUESTIONS UNDER STANDING ORDER 7 (1)

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

“Would the Executive Member agree that the report detailing the planned work of the County Council presented to and agreed by the County Council on 15 July, namely the Local Transport Plan, should not only be up-to-date but be a full and accurate record of the work carried out and planned?”

(b) D A Ashley replied:-

“Yes.”

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

“Accepting that answer, given that this is the Plan, and as the Executive Member will be aware understandably from speaking to officers that I spent a considerable amount of time going through the South-West Herts section of the Plan trying to ensure it was up-to-date, it was with some consternation when myself and County Councillor Clements were at a meeting to be told that an item in the Plan had only been agreed the week previously and that the implementation for this current financial year would actually not be implemented until the following financial year, does this not make the Plan out of date within a week of publication?”

- (d) **D A Ashley** replied:-

“The current Hertfordshire Local Transport Plan sets out a broad programme of work from 2001/02 to 2005/06. Detailed programmes for each financial year are submitted through the LTP Annual Progress Report. The report agreed by the County Council on 15 July 2003 set out progress on achieving the 2002/03 programme, the agreed programme for 2003/04 and an indicative programme for 2004/05. The 2003/04 programme was consistent with the budgets and Integrated Works Programme set out and agreed at the beginning of the financial year. It is recognised that the programme may need amendment throughout the financial year for a variety of reasons. These changes will be considered at the local panels and submitted to government in the following year’s APR when progress on achieving the previous financial year’s programme will be reported.”

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

“Does the Executive member agree that 30 mph speed limit repeater signs are a useful tool in reminding motorists to keep to a speed limit- especially where its unclear. If so will the Executive Member then contact the Department of Transport for these to be used in Hertfordshire?”

- (b) **D A Ashley** replied:-

“Yes, in appropriate circumstances. Speed limit repeater signs can be either small roadside signs, or roundels painted on the road surface. They are useful for reminding drivers of the posted speed limit, but their use is restricted by Traffic Signs Regulations.”

For example, on 30mph roads with street lighting no repeaters are permitted. The street lighting system informs drivers that they are in a 30mph limit, unless they see repeater signs telling them that the limit is higher.

In complying with Department for Transport regulations we are trying to ensure that we do not prejudice enforcement of speed limits.

I will write to the Dft to seek information on whether their guidance is likely to change.”

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

“In thanking the Executive Member for that answer, and his assurance on writing to the Department, could he stress to the Department that in fact it is not a question of asking for 30 mph repeater signs on every single road in the county, because clearly that would be ludicrous and would clutter the roads, but asking for exceptions in circumstances where no other form of either traffic calming or speed restriction measure can be permitted, but where 30 mph repeater signs would be a useful tool in trying to persuade the motorist to adhere to the speed?”

- (d) D A Ashley** replied:-

“I’ll consider it.”

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

“Given that the current integrated works programme is now over a 15 month period rather than the normal financial year of 12 months what assurances can the Executive Member give that this will not adversely affect service delivery of road repairs, in particular by the Herts Highways, given that in some areas over 40% of the planned pavement repairs for Watford in the IGW programme will not now be done until after 31 March next year?

That figure has now changed since I tabled the question and I am pleased to say that there are now more pavement repairs to be done in Watford prior to March, but it is still over 26%.”

- (b) D A Ashley** replied:-

“First of all I am pleased that the position has been improved to benefit the area this year.

Any schemes included in the approved integrated works programme will be completed either in the current financial year or will be first call on the works budget at the beginning of the next financial period. It was acknowledged at the recent Members' seminar that the presentation of these programmes needs to be improved in future to differentiate between schemes which will be constructed in the financial year and those which will be prepared ready for a rolling start at the beginning of the next year.

So it is not the case that we have a programme scheme this year that runs over 15 months; this is merely a continuation of what has happened previously, so there are a number of schemes from the previous year that have rolled over into this year; so it is a continual process."

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

"I thank the Executive Member both for the seminar and his answer. At the seminar we were told that 179 schemes on the integrated works list out of 955 would not be done until the end of the next financial year. From further analysis, and thanking the officers for the extensive reports they have provided me, I now see that 43 of those schemes are footway repairs, i.e. not requiring substantial pre-delivery service work, will not actually be done in this financial year and will be done in the following financial year. Would the Executive Member therefore not agree, in answer to my earlier question, that it is unfortunate that we are actually moving footway repairs further down the list, effectively not doing at least 43 roads that were previously in the integrated works list for this year until after 1 April next year?"

- (d) D A Ashley** replied:-

"I don't think that the member would expect anything other than a written reply to that question" (subsequent reply appended to these minutes).

- 11.4 (a) N K Brook** asked the Executive Member for Environment:-

"Can the Executive Member for Environment confirm that the recent Stevenage Local Plan Inquiry Inspector's report has supported the County Council's approach towards fighting the loss of green fields?"

(b) D A Ashley replied:-

“The Stevenage Local Plan Inspector’s report has indeed supported the County Council’s position that the green fields of Hertfordshire should only be used to meet development needs when it has been demonstrated that all other sustainable options have been exhausted.

In advising Stevenage Borough Council that West of Stevenage should not be given planning consent until the need for the development has been reassessed, either through the Structure Plan or other strategic planning framework, the Inspector has fully supported the arguments of the County Council which underpinned the Structure Plan Review and the development strategy of the Deposit Plan.

In giving evidence at the Local Plan Inquiry, the County Council pointed to the uncertainties that existed in terms of changing national and regional policies and that now was not the time to bring forward this site. These arguments have been accepted by the Inspector in his report, where he states that :-

‘There is considerable uncertainty over the strategic justification for that development, particularly given the changes in national planning policy guidance.’

This decision has vindicated the County Council’s decision to fight the loss of green fields, and specifically to challenge the Stevenage Local Plan.”

(c) N K Brook then asked the following supplementary question:-

“Thank you for that reply. Could the Executive Member please then tell me what impact the Inspector’s report is likely to have on the Inquiry in Public to be held early next year?”

(d) D A Ashley replied:-

“I would like to think it would have an effect. It is difficult to see how an Inquiry can be held if these issues have not been properly resolved through a strategic planning process.”

11.5 (a) M V Bayes asked the Executive Member for Environment:-

“Can the Executive Member explain current progress on the studies for the Stansted / M11 growth corridor, and what opportunities there will be for the people of Hertfordshire to comment on the Government’s eventual proposals?”

(b) D A Ashley replied:-

“Members will be aware that there have already been a number of studies carried out in connection with the London Stansted Cambridge Area. Most recently, the Harlow Options Study examined the potential for growth and regeneration around Harlow, and was published for public consultation in June this year.

The most recent study to be commissioned has been the Stansted/M11 Corridor development Options Study. This examines the impact of various growth scenarios at Stansted Airport and identifies how development could be accommodated in locations which are accessible to the airport.

The conclusions of this Study will be launched at a Stakeholder event at Stansted which is to take place on Wednesday 17 September. Following this there will be a period of public consultation on the study which will last until 29 October.

The findings of this and the other studies will inform a sub-regional strategy for the M11 corridor which will be prepared for RPG 14. The current programme is that RPG 14 will be agreed by the Regional Assembly in February 2004 and then passed to the Secretary of State, who will carry out public consultation in Spring 2004.

The opportunity for democratic engagement prior to public consultation next Spring would appear to be minimal and the people of Hertfordshire will have little opportunity to influence the content of RPG14 either directly or through their democratically elected representatives. We will be seeking to inform Hertfordshire people as best we can throughout this process and will continue to work with our district partners in trying to achieve what is best for Hertfordshire.”

(c) M V Bayes then asked the following supplementary question:-

“Thank you for your answer, though it doesn't fill me or the people of East Hertfordshire with great joy.

Would the Executive Member agree that it is absolutely vital that the County Council continues to campaign on Strategic Planning matters on behalf of the people of Hertfordshire?”

(d) D A Ashley replied:-

“Yes I would agree, absolutely. In consultation with our district council colleagues they have all expressed support for a continuing role for this County Council in expressing a Hertfordshire view on national and regional planning matters, and as Executive Member I will do my best to continue to do just that.”

ANDREW LAYCOCK
County Secretary

The following is the written answer from the Executive Member for Environment to the supplementary question asked by S B A Giles-Medhurst under minute 11.3 (c).

Supplementary Question

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Written answer from D A Ashley:-

"My original reply has already explained the need for the programme to be delivered over a 15 month period. To maximise the benefits of integrating the work across all activity areas as well as across the County's busy road network, it is necessary to balance workflow to deliver a consistent production rate. Consequently some schemes in a specific area will be implemented early and some at the end of the programme period. Notwithstanding whether or not the schemes identified require extensive preparation work, there is inevitably a need to provide the right mix of activity for the works crews across the full programme period. Just because a scheme does not require detailed design it cannot be assumed that it can be efficiently actioned at the beginning of the year."