

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**

**CABINET**

**Meeting held at Council Offices, Gernon Road, Letchworth Garden City  
on Tuesday, 30 January 2007 at 7.30pm**

**Minutes**

**PRESENT:** *Councillors F.J. Smith (Chairman), T.W. Hone (Vice-Chairman), Tricia Gibbs, I.J. Knighton, Mrs. L.A. Needham, R.A.C. Thake and Sarah Wren.*

**IN ATTENDANCE:** *Chief Executive, Strategic Director of Customer Services, Strategic Director of Financial & Regulatory Services, Head of Financial Services, Head of Leisure & Environmental Services, Service Manager – Waste, Regional & Strategic Sites Manager, Leisure Project Manager, Group Accountant, Markets Manager, Corporate Legal Manager, Senior Lawyer, Democratic Services Manager and Senior Committee & Member Services Officer.*

**ALSO PRESENT:** *Councillors Judi Billing (Chairman of Hitchin Committee), J.M. Cunningham, David Kearns, David Levett, M. Paterson and M. Stears and 5 members of the public.*

**150. APOLOGIES FOR ABSENCE**

An apology for absence was submitted on behalf of Councillor A.D. Young.

**151. NOTIFICATION OF OTHER BUSINESS**

The Chairman stated that Item 12 – Waste Management Contract (Part 2 report) had been tabled at the meeting.

**152. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**153. PUBLIC PARTICIPATION**

Mr John Haykin had given due notice that he wished to speak at the meeting on behalf of the Hitchin Market Traders Association (HMTA) regarding the situation with regard to stall rent levels on the market.

Mr Haykin made the following points in his statement:

- The initial trial period of 6 months was never likely to be sufficient to encompass the effects set out in the HTMA's Business Plan presented to the Council in 2006;
- The trial had attracted new traders, which had made it more attractive for customers and visitors;
- Financial targets had not been met over such trial period because to attract traders it would be necessary to poach them from their existing markets, which would be unlikely as very few would leave a regular for a cheaper pitch of only 3-4 months' duration;
- The HMTA considered that had the Council adopted more of its Business Plan then the financial deficit would be less;
- The Council should not be considering an increase in stall rents, as this would encourage traders to leave and go elsewhere, thereby increasing the

financial shortfall (nowhere in the world of commerce did companies raise their prices when business was deteriorating);

- The HTMA considered that officers would be better employed trying to reduce the amount of internal charges rather than looking at ways to increase rents;
- The HTMA asked that the Council waited until the new management arrangements were in place for the markets before making a decision on rent increases, on the basis that the accepted tender could be from a “not for profit” organisation, in which case the existing rents levels could be acceptable;
- The HTMA asked that at least the current rent levels be maintained for a few more months and ideally for a further 12 months.

The Chairman thanked Mr Haykin for presenting the views of the Hitchin Market Traders Association.

**154. REFERRAL FROM HITCHIN COMMITTEE – 23 JANUARY 2007 – HITCHIN MARKETS**

The Chairman of the Hitchin Committee presented an extract from the draft Minutes of the meeting of that Committee held on 23 January 2007 regarding an option for the continuation of the Hitchin Market stall reduced rents trial.

The Cabinet was informed that the Hitchin Committee had passed the following resolution in connection with the matter:

“(1) That the options for continued financial support to the Tuesday and Saturday Hitchin Markets as presented at Appendix A be ranked as follows:

Rank: Option:

1. Option 4: Continue £10 and £15 scheme until the end of period 13 and then initiate Option 2 until 31 July 2007  
Potential loss = £9,331;
2. Option 2: Tuesday , from 29 February to 31 July 2007  
Casual: £1.50 per foot; Licensed £1.30 per foot.  
Saturday, Casual: £1.90 per foot; Licensed £1.70 per foot.  
Potential loss = £4,911

(2) That the Hitchin Committee agreed to allocate £4,353 of un-allocated funds from the 2006 – 2007 Ward Discretionary Budgets and a contribution of £312 taken from Bearton Ward previously allocated funds (total of £4,665 which is a 50 per cent contribution to the costs of Option 4) subject to the proviso that Cabinet at its meeting to be held on 30 January 2007 commits the sum of £4,666 which would confirm the £10 and £15 scheme until 17 March 2007, followed by the introduction of a reduced cost per foot rate until 31 July 2007.”

The Chairman of the Hitchin Committee commented that her recollection of the debate at the meeting was that Members were supportive of the option ranked 1<sup>st</sup> in (1) above, but that there had been no consensus on the fall back option ranked 2<sup>nd</sup> in (1) above.

**RESOLVED:** That the recommendation from the Hitchin Committee in respect of the continuation of the Hitchin Market stall rent reduction trial be noted.

**155. PROPOSAL OF FURTHER OPTIONS REGARDING REDUCED RENTS FOR HITCHIN TUESDAY AND SATURDAY MARKETS AND TO REQUEST FUNDS TO ASSIST THE CONTINUATION OF THE SCHEME**

The Portfolio Holder for Leisure & E-Government presented the report of the Head of Leisure & Environmental Services seeking consideration of the options outlined in the report for the possible continuation of a reduced rents scheme for Hitchin Tuesday and Saturday Markets. The report contained the following appendices:

Appendix A – December 2006 Cabinet report;  
Appendix B – Options available and the associated risks.

The Portfolio Holder for Leisure & E-Government commented that he had no objection to the recommendations from the Hitchin Committee regarding the continuation of the reduced rents scheme until 31 July 2007, provided that corporate funding was made available to match the proposed financial contribution offered by that Committee. He hoped that this would enable the Market to retain its viability prior to the Council considering bids for the future management arrangements for all its markets.

**RESOLVED:** That a decision on the provision of funding for the possible continuation of the reduced rents trial at Hitchin Market be deferred, pending Cabinet's consideration of the Budget Proposals 2007/08 later in the meeting (see Minute 157 below).

**REASON FOR DECISION:** To determine this matter in connection with the Budget Proposals for 2007/08.

#### **156. WASTE MANAGEMENT CONTRACT**

The Portfolio Holder for Waste Management & Environment presented the report of the Head of Leisure & Environmental Services seeking consideration of proposals from the Council's existing Waste Management contractor (Serviceteam) in relation to the introduction of 75 Bring sites for the collection of plastic bottles, kerbside collection of cans, and Alternate Weekly Collection (AWC) for landfill and recycling.

The Cabinet was advised of progress with the contract negotiations with Serviceteam, particularly in respect of the Contract Change Notices issued in late December 2006. It was noted that the detailed financial information in connection with the cost of these Change Notices was included in the Part 2 report tabled at the meeting.

**RESOLVED:** That the report be noted.

**REASON FOR DECISION:** To meet future Government and EU Directives in respect of recycling.

#### **157. BUDGET PROPOSALS 2007/08**

The Portfolio Holder for Finance presented the report of the Strategic Director of Financial & Regulatory Services that apprised Cabinet of the factors which contributed to the determination of the District Council Tax level and asked Cabinet to recommend the appropriate level to Council on 8 February 2007. The report also sought approval of the provisional Capital Programme for 2007/08 to 2010/11. The following documents were appended to the report:

Appendix A – Collection Fund;  
Appendix B – List of Savings items;  
Appendix C – List of Growth items;  
Appendix D – General Fund Estimates 2007/08;  
Appendix E - Capital Programme 2007/08 onwards.

The Portfolio Holder for Finance summarised the main issues in the report, and advised Members of the major changes that had been made to the Savings and Growth items contained in the Budget Proposals 2007/08 since Cabinet's consideration of the Draft Budget in December 2006.

Cabinet was informed of the following comments/recommendations that were made at the meeting of the Scrutiny Finance Sub-Group held on 23 January 2007, in respect of the proposed lists of Savings and Growth items for 2007/08:

- (1) SG1 - Removal of Health Development Officer post - a six month review be conducted that showed any impact the removal of this post had had on the new arrangements that were proposed.
- (2) SG9 - Reduced noise call-out service - a six month review be conducted that showed any impact the reduction of this service had had, with a breakdown of work that could have been undertaken if no changes were made to the service.
- (3) SG10 - Deletion of the Empty Homes Officer post - investigate whether this post could be job shared with one or more neighbouring authorities, rather than deleting it altogether.
- (4) SG12 - Improve "What the Media Say" service - look at a best practice method operating at Hertfordshire County Council, where they have arranged for councillors to receive a hard copy of press cuttings by signing an agreement which allowed for the copyright fee to be removed.
- (5) SG17 - Discontinue Historic Buildings Grants - a gradual phasing out of the grant scheme over a 3 year period, rather than outright removal.
- (6) SG25 - Introduction of fees for pre-application advice for minor applications - a six month review be conducted on any impact the introduction of the fees had had on the service.
- (7) SG26 - Introduction of fees for street naming and numbering - the Group was concerned that the charge of £100 per unit was too high. The Group would like the effects of this to be reviewed after six months of implementation.

In response to the comments/recommendations of the Scrutiny Finance Sub-Group, the Portfolio Holder for Finance advised as follows:

- Items SG1 and SG25 – both of these items would be reviewed regularly by officers in any event;
- Item SG9 – it was agreed that this item should be removed from the list of Savings items;
- Item SG10 – it was confirmed that this post was unnecessary;
- Item SG12 – this matter would be investigated by officers;
- Item SG17 – it was agreed that the saving figure of £15,000 should be reduced by £10,000, thereby leaving a budget of £5,000;
- Item SG26 – it was considered that the charge of £100 was appropriate.

In debating the Budget Proposals, Cabinet agreed to an additional Growth item of £25,000 in relation to some pilot schemes for the introduction of Traffic Regulation Orders across the District.

In respect of the Hitchin Markets stall rent reduction trial, the financial contribution of £4,665 from the Hitchin Committee towards continuation of the trial was noted. Cabinet agreed to a further Growth item of £3,820 in 2007/08 and £845 from balances in 2006/07 for the trial which, when added to the contribution from Hitchin Committee, would enable its continuation until 31 July 2007.

**RECOMMENDED TO COUNCIL:**

- (1) That Government support for 2007/2008 of £7.559m be noted;
- (2) That the position on the Council Tax Collection Fund and the surplus of £5,115 projected at 31 March 2007 be noted. The North Hertfordshire share is a deficit of £17,687, to be recovered in 2007/2008;
- (3) That the position relating to the Council's balances be noted and that it be further noted that a General Fund balance of £1,275,000 has been used in the precept calculations;
- (4) That the position of the other Reserves and Balances, as detailed in Paragraph 4.5 of the report, be noted;
- (5) That the Savings and Growth items set out at Appendices B and C to the report be included in the budget estimates for 2007/2008, subject to the following amendments:
  - (a) The removal of Item SG19 - Reduced noise call-out service;
  - (b) A revision to Item SG17 - Discontinue Historic Buildings Grants – so that the saving figure of £15,000 be reduced by £10,000, thereby leaving a budget of £5,000;
  - (c) An additional Growth Item of £25,000 in relation to some pilot schemes for the introduction of Traffic Regulation Orders across the District;
  - (d) An additional Growth Item of £3,820 for 2007/08 in order to match fund the contribution from Hitchin Committee to enable the continuation of the Hitchin Market stall rent reduction trial until 31 July 2007;
- (6) That the Hitchin Market Stall rent reduction trial be extended until 31 July 2007 (utilising funding of £4,665 from Hitchin Committee, the £3,820 Growth item referred to in 5(d) above, and £845 from balances in 2006/07);
- (7) That it be noted that all Savings and Growth proposals are in accordance with strategic objectives;
- (8) That the estimated net expenditure for 2007/2008 be noted;
- (9) That the provisional Capital Programme for 2007/2008 to 2010/2011, which included the projects listed in Appendix C2, be approved;
- (10) That a 4.9% precept be levied upon the Collection Fund for 2007/2008.
- (11) That the views of the Scrutiny Finance Sub-Group in relation to the Budget Proposals 2007/08 be noted.

**REASON FOR DECISION:**

- (1) To ensure that Members had considered all relevant factors when arriving at the proposed Council Tax precept for 2007/2008;
- (2) To ensure that the Cabinet recommended a prudent and balanced budget to Council on 8 February 2007;
- (3) To ensure that the Capital Programme met the Council's objectives to allow officers to plan the implementation of the approved schemes.

**158. LAND WEST OF THE A1(M) AT STEVENAGE - UPDATE**

The Portfolio Holder for Planning & Transport presented a report of the Head of Planning & Building Control informing Members of the current position regarding land West of the A1(M) at Stevenage, and seeking endorsement of the Council's response to the Government in respect of the unilateral Deed of Obligation submitted by the West Stevenage Consortium. The report contained the following appendix:

Appendix A – Response to undated Deed of Obligation received 19 December 2006.

Cabinet was advised that, on 25 January 2007, the Council had submitted its comments on the latest version of the Deed of Obligation. The Council's comments had concluded that the document contained serious flaws and should not be used as a basis by the Secretary of State for the granting of planning permission.

Cabinet was further advised that Hertfordshire County Council had fully supported the Council's stance and had submitted a similar response to the Department of Communities and Local Government.

**RESOLVED:** That the response recently sent to Department of Communities and Local Government in respect of the submitted unilateral Deed of Obligation regarding the proposed development west of the A1(M) at Stevenage, as set out at Appendix A to the report, be endorsed.

**REASON FOR DECISION:** To ensure that Cabinet was aware of current developments and supports officer actions.

**159. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the said Act (as amended).

**160. WASTE MANAGEMENT CONTRACT**

The Portfolio Holder for Waste Management & Environment presented a Part 2 report of the Head of Leisure & Environmental Services in respect of the detailed cost and other implications regarding the proposed changes to the Council's Waste Management Contract associated with the introduction of 75 Bring sites for the collection of plastic bottles, kerbside collection of cans, and Alternate Weekly Collection (AWC) for landfill and recycling.

Cabinet was advised that the three Contact Change Notices issued to the Council's Waste Management Contractor in December 2006 were as follows:

(a) Change Notice No. 4 – Proposed Modification to refuse Collection Service

This notice sought to determine the cost and service impact of changing the service for the collection of non-recyclable waste from a weekly collection to a fortnightly collection.

(b) Change Notice No. 5 – Proposed Modification to Kerbside Recycling Collection Service

This notice sought to determine the cost and service impact of expanding the existing kerbside recycling collection scheme for paper and glass to include mixed cans.

(c) Change Notice No. 6 – Proposed Modification to the Recycling Service

This notice sought to determine the cost and service impact of introducing a Bring Bank service for 75 sites for the collection of plastics.

Following a number of Member questions and answers from the Portfolio Holder and officers and a full debate, it was

**RESOLVED:**

- (1) That Change Notice 4, in respect of Alternate Weekly Collections, be accepted;
- (2) That Change Notice 5, in respect of the kerbside collection of cans, be accepted;
- (3) That the Contractor's response to Change Notice 6, in respect of the Bring Bank sites for the collection of plastics, be rejected.
- (4) That Section 10 of the Contract Procurement Rules be waived to allow for two quotes only to be considered for the recycling of plastics for the short term;
- (5) That a 6 month contract be awarded to Recresco for the provision of a collection service for plastics at Bring sites;
- (6) That tenders be sought for plastics recycling and other recycling materials as may be necessary for commencement on expiry of the 6 month contract referred to in (5) above;
- (7) That the Head of Leisure and Environmental Services be delegated authority, in consultation with the Portfolio Holder for Waste Management, in respect of Promotions and Publicity sum and for appointment of staff from that budget.

**REASON FOR DECISION:** To meet future Government and EU Directives in respect of recycling.

The meeting closed at 9.55pm

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Chairman