

# HERTFORDSHIRE COUNTY COUNCIL

MINUTES of the Meeting of the County Council held at County Hall, Hertford, on Tuesday, 22 March 2016

## MEMBERS IN ATTENDANCE

|                          |                    |                  |
|--------------------------|--------------------|------------------|
| D Andrews                | C M Hayward        | I M Reay         |
| D A Ashley               | R J Henry          | L F Reeve        |
| J R Barfoot              | T C Heritage       | R M Roberts      |
| D J Barnard              | D J Hewitt         | P A Ruffles      |
| R H Beeching             | F R G Hill         | R Sangster       |
| N Bell                   | N A Hollinghurst   | D T F Scudder    |
| J Billing                | T W Hone           | A M R Searing    |
| M Bright                 | T Hunter           | R H Smith        |
| F Button (Chairman)      | T R Hutchings      | A Stevenson      |
| L A Chesterman           | S L C Johnston     | J J Taylor       |
| R F Cheswright           | A Joynes           | R A C Thake      |
| G R Churchard            | P F J Knell        | R G Tindall      |
| C Clapper                | P V Mason          | A S B Walkington |
| M Cowan                  | G McAndrew         | M A Watkin       |
| H K Crofton              | A McKay            | J A West         |
| T L F Douris             | R Mills            | C J White        |
| S B A F H Giles-Medhurst | M B J Mills-Bishop | A D Williams     |
| E M Gordon               | R G Parker         | J D Williams     |
| R I N Gordon             | A Plancey          | C B Woodward     |
| D Hart                   | R G Prowse         | C B Wyatt-Lowe   |
| K M Hastrick             | S Quilty           | W J Wyatt-Lowe   |

Upon consideration of the agenda for the Meeting of the County Council held on 22 March 2016, as circulated, action was taken or decisions were reached as follows:-

### 1. MINUTES

- 1.1 The minutes of the meeting of the Council held on 23 February 2016 were confirmed as a correct record and were signed by the Chairman.

### 2. CHAIRMAN'S ANNOUNCEMENTS

#### (a) LGC Awards 2016

Members were pleased to be advised that the Council had won the

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LGC (Local Government Chronicle) Award for Health and Social Care 2016 for the HomeFirst Service. The Service aims to prevent hospital admissions and improve patient care to help people stay independent and is delivered by a range of professionals from across health and social care. Council congratulated all involved.

**(b) Recognising Hertfordshire**

Council was informed that, since the last County Council meeting in February, the Chairman had attended several events which recognised Hertfordshire.

These events included:

- Attending the Hertfordshire Schools Gala at the Royal Albert Hall, hosted by the Hertfordshire Music Service

She had also:

- Hosted the High Sheriff's Awards Ceremony;
- Hosted 'Fly the Flag for the Commonwealth';
- shown 4 more Districts/Boroughs around the Integrated Traffic Control Centre and Archives, and
- As part of the County's 'Visit Hertfordshire's BIG WEEKEND' initiative, together with the Vice-Chairman of the Council, visited several of the 49 locations open around the County including a tour of the Warner Brothers Studio, Paradise Wildlife Park in Broxbourne, Royston Cave, Welwyn Roman Baths, the Watford Colosseum, the Rothschild Library and National History Museum in Tring, and Knebworth House.

**(c) Cycling Gold Medals for Laura Trott**

Council congratulated former Hertfordshire resident Laura Trott who won two gold medals at the Track Cycling World Championships which took place in London from the 3<sup>rd</sup>-6<sup>th</sup> March 2016. Laura won gold on the Thursday in the non-Olympic scratch race and won a second gold on the Sunday in the omnium.

**(d) Gold Medal for Max Whitlock**

Council congratulated former Hertfordshire resident Max Whitlock who won a gold medal at the 2016 Artistic World Cup in Glasgow on 12 March 2016.

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**2A LOCAL GOVERNMENT ACT 1972 – SECTION 85**

- 2.1** The following motion proposed by **S B A F H Giles-Medhurst** and duly seconded was CARRIED:-

*“That the absence of A Lee from meetings of the Council on grounds of ill health be approved.”*

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

*“That the absence of M S Crawley from meetings of the Council on grounds of ill health be approved.”*

**3. PUBLIC QUESTIONS – STANDING ORDER 8(10)**

- 3.1** There were no public questions.

**4. PUBLIC PETITIONS – STANDING ORDER 15**

- 4.1** There were no public petitions.

**5. OFFICER REPORTS RELEVANT TO EXECUTIVE PORTFOLIOS**

- 5.1** There were no officer reports relevant to Executive Portfolios.

**6. THE EXECUTIVE REPORT**

**6A. LEADER OF THE COUNCIL – EXECUTIVE REPORT**

- 6.1** The following motion proposed by **R I N Gordon** was CARRIED:-

*“That the report of the Executive (being the report under Standing Order 7) be received and that the position of Key Decisions in the decision-making process shown in the current edition of the Forward Plan referred to in the report be noted.”*

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**6B. MOTIONS ARISING FROM THE EXECUTIVE REPORT**

**6B(i) 6.2** The following motion proposed by **S B A F H Giles –Medhurst** was duly seconded:-

*“This Council is dissatisfied with the many failures in the highways service, such as:*

- *delays in carrying out work, with routine slippage into subsequent years*
- *lack of responsiveness from many highways and contractor staff, including inaccurate information to residents*
- *Ringway's failure to carry out the basic housekeeping, including drain clearance, maintenance of signage, litter picking on high speed roads, that has given rise to the emergency programme announced recently*
- *faults being marked as closed despite the issues not being fixed*
- *fault reports being downgraded and left unfixed even when they are serious defects*
- *fault reports being left in some cases for well over a year as "awaiting for assessment"*
- *failure to deal with flooding problems and blocked gullies speedily or not at all*
- *occasions of inadequate and incorrect notifications and engagement with Local Members*
- *failure to clear vegetation blocking pavements even when, as a result, pedestrians are forced to walk into main roads*
- *particular street lights not being fixed for months or even years*

*and calls for an all-party review on how to reorganise the service to deliver a more reactive, robust and cost-effective service to Hertfordshire residents.”*

**6.3** The following amendment proposed by **T L F Douris** was duly seconded:-

*“Delete the words ‘is dissatisfied with the many failures in’ and insert the words ‘recognises that shortcomings in certain aspects of the’, delete the words ‘such as and all bullet points thereafter’, insert the words ‘has a disproportionate impact on its reputation and public satisfaction. In particular it recognises:*

*(i) that inadequate communication with members and residents has been a problem but notes and welcomes the initiatives outlined in the*

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*"Works Communication" report endorsed by the Cabinet Panel on 20 October 2015, particularly those works undertaken by the Framework contractors*

*(ii) the fault reporting system is still not meeting the reasonable expectations of members and residents particularly in terms of the helpfulness of information and clarity provided*

- (b) welcomes the improvement in Ringway's performance against its 55 performance indicators with January 2016 data showing 43 meeting (or exceeding) target and with just three in the 'failing zone' and, in particular, that the response to category 1 faults and lighting performance are all above target with responses to emergencies just 0.39% below the 100% target*
- (c) acknowledges that Ringway (and the Council's other contractors) should be judged solely against the terms of their respective contracts which, because of the financial constraints on the County Council) are not always as extensive as the public might wish*
- (d) recognising the limited funding available to Ringway for such matters, welcomes the decision of the Administration to initiate a significant, supplementary programme of basic housekeeping, including drain clearance, maintenance of signage, and vegetation clearing'*  
*Delete the words 'and call for an all party review on how to reorganise the service to deliver a' and insert the words 'and asks the Executive Member to ensure that the Cabinet Panel continues to receive regular and informative performance data so that it is able to offer comment on how best to deliver an even'.*

The amended motion to read:-

*This Council*

- (a) recognises that shortcomings in certain aspects of the highways service has a disproportionate impact on its reputation and public satisfaction. In particular it recognises:*
- (i) that inadequate communication with members and residents has been a problem but notes and welcomes the initiatives outlined in the "Works Communication" report endorsed by the Cabinet Panel on 20 October 2015, particularly those works undertaken by the Framework contractors*

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*(ii) the fault reporting system is still not meeting the reasonable expectations of members and residents particularly in terms of the helpfulness of information and clarity provided*

- (b) welcomes the improvement in Ringway's performance against its 55 performance indicators with January 2016 data showing 43 meeting (or exceeding) target and with just three in the 'failing zone' and, in particular, that the response to category 1 faults and lighting performance are all above target with responses to emergencies just 0.39% below the 100% target*
- (c) acknowledges that Ringway (and the Council's other contractors) should be judged solely against the terms of their respective contracts which, because of the financial constraints on the County Council) are not always as extensive as the public might wish*
- (d) recognising the limited funding available to Ringway for such matters, welcomes the decision of the Administration to initiate a significant, supplementary programme of basic housekeeping, including drain clearance, maintenance of signage, and vegetation clearing*

*and asks the Executive Member to ensure that the Cabinet Panel continues to receive regular and informative performance data so that it is able to offer comment on how best to deliver an even more reactive, robust and cost-effective service to Hertfordshire residents.*

**6.4 S B A F H Giles-Medhurst** raised a point of order under Standing Order 10(1) regarding the amendment at 6.3. The Chairman ruled that the amendment was in order.

**6.5 S B A F H Giles-Medhurst** requested that his dissatisfaction with the Chairman's ruling be recorded.

**6.6** In accordance with Standing Order 13 (3) a recorded vote was required on the amendment at 6.3 above.

**6.7** The amendment at 6.3 was then voted upon and CARRIED, the recorded vote being:-

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Those in favour of the amendment (42):-

|                |                    |                |
|----------------|--------------------|----------------|
| D Andrews      | D J Hewitt         | R M Roberts    |
| D A Ashley     | F R G Hill         | P A Ruffles    |
| J R Barfoot    | T W Hone           | R Sangster     |
| D J Barnard    | T Hunter           | A M R Searing  |
| R H Beeching   | T R Hutchings      | R H Smith      |
| M Bright       | S L C Johnston     | A Stevenson    |
| R F Cheswright | P F J Knell        | J J Taylor     |
| C Clapper      | P V Mason          | R A C Thake    |
| H K Crofton    | G McAndrew         | J A West       |
| T L F Douris   | A McKay            | A D Williams   |
| R I N Gordon   | M B J Mills-Bishop | J D Williams   |
| D Hart         | A Plancey          | C B Woodward   |
| C M Hayward    | S Quilty           | C B Wyatt-Lowe |
| T C Heritage   | I M Reay           | W J Wyatt-Lowe |

Those against the amendment (20):-

|                          |                  |                  |
|--------------------------|------------------|------------------|
| N Bell                   | K M Hastrick     | L F Reeve        |
| J Billing                | R J Henry        | D T F Scudder    |
| L A Chesterman           | N A Hollinghurst | R G Tindall      |
| G R Churchard            | A Joynes         | A S B Walkington |
| M Cowan                  | R Mills          | M A Watkin       |
| S B A F H Giles-Medhurst | R G Parker       | C J White        |
| E M Gordon               | R G Prowse       |                  |

Those abstaining (1):-

F Button

**6.8** The substantive motion at 6.3 was then voted upon and CARRIED as follows:-

*"This Council*

(a) *recognises that shortcomings in certain aspects of the highways service has a disproportionate impact on its reputation and public satisfaction. In particular it recognises:*

*(i) that inadequate communication with members and residents has been a problem but notes and welcomes the initiatives outlined in the "Works Communication" report*

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*endorsed by the Cabinet Panel on 20 October 2015, particularly those works undertaken by the Framework contractors*

*(ii) the fault reporting system is still not meeting the reasonable expectations of members and residents particularly in terms of the helpfulness of information and clarity provided*

- (b) welcomes the improvement in Ringway's performance against its 55 performance indicators with January 2016 data showing 43 meeting (or exceeding) target and with just three in the 'failing zone' and, in particular, that the response to category 1 faults and lighting performance are all above target with responses to emergencies just 0.39% below the 100% target*
- (c) acknowledges that Ringway (and the Council's other contractors) should be judged solely against the terms of their respective contracts which, because of the financial constraints on the County Council) are not always as extensive as the public might wish*
- (d) recognising the limited funding available to Ringway for such matters, welcomes the decision of the Administration to initiate a significant, supplementary programme of basic housekeeping, including drain clearance, maintenance of signage, and vegetation clearing*

*and asks the Executive Member to ensure that the Cabinet Panel continues to receive regular and informative performance data so that it is able to offer comment on how best to deliver an even more reactive, robust and cost-effective service to Hertfordshire residents."*

**6B(ii) 6.9** Prior to moving the motion at 6.11 below **L F Reefe** raised a point of order under Standing Order 10(1) regarding the amendment at 6.12.

**6.10** The Chairman ruled that the amendment at 6.12 was in order.

**6.11** The following motion proposed by **L F Reefe** was duly seconded:-

*"This Council has no confidence in the ability of our Highways contractor, Ringway, to maintain the County's roads to the standards expected by Hertfordshire residents.*

*Since October 2012 Hertfordshire County Council has relied on the contract signed with Ringway for the maintenance of highway and road*

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*network. Now in the 4<sup>th</sup> year of a 7 year agreement, performance has continually fallen short of the standards the Council & Hertfordshire residents require.*

*The County Council has frequently and laboriously had to negotiate extra payment charges for work carried out beyond the parameters of the agreement. Although arbitration has mainly found in our favour, it is a time consuming distraction and extra costs are a burden on the County finances.*

*To that end and in line with termination clauses, the Council requires the Executive Member together with the Chief Executive and Deputy Director of Environment (Highways) to give notice to the Contractors that the agreement will be terminated on 30<sup>th</sup> September 2019 as a result of the shortfall in performance and failure to meet the expectations set out in the original contract.*

*The Council further requires necessary measures to be undertaken to replace the current contractor so as to maintain our Highways maintenance programme from 1<sup>st</sup> October 2019 and that both in-house and outsourcing methods of providing the maintenance of Hertfordshire's road network be considered."*

- 6.12** The following amendment proposed by **R Sangster** was duly seconded:-

*"Paragraph 1: delete*

*Paragraph 2: delete 'continually' in line 4 and insert the word 'occasionally', delete all words after 'standards' in line 4 and insert the words 'specified by the 55 performance indicators in the contract but the Council welcomes recent improvements which, at January 2016, show 43 meeting (or exceeding) target and with just three in the 'failing zone'.*

*Paragraph 3: delete*

*Paragraph 4: delete 'To that end and in line with termination clauses' Delete all words after 'give' in line 3 and insert 'timely and informed consideration to the options for extension or termination of the agreement on 30th September 2019.'*

*Paragraph 5: delete the words 'replace the current contractor so as to', delete the words '1<sup>st</sup> October', insert the words 'full range of' before 'maintenance' in line 4, insert the word 'services' after the word 'maintenance'*

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The amended motion to read:-

*“Since October 2012 Hertfordshire County Council has relied on the contract signed with Ringway for the maintenance of highway and road network. Now in the 4th year of a 7 year agreement, performance has occasionally fallen short of the standards specified by the 55 performance indicators in the contract but the Council welcomes recent improvements which, at January 2016, show 43 meeting (or exceeding) target and with just three in the 'failing zone'.*

*The Council requires the Executive Member together with the Chief Executive and Deputy Director of Environment (Highways) to give timely and informed consideration to the options for extension or termination of the agreement on 30th September 2019.*

*The Council further requires necessary measures to be undertaken to maintain our Highways maintenance programme from 2019 and that both in-house and outsourcing methods of providing the full range of maintenance services of Hertfordshire's road network be considered.” ”*

- 6.13** The following amendment proposed by **M Cowan** was duly seconded:-

*“Amend first line to add after Highways "contractors, including Ringway" and "and footways" after “ roads”*

*third para: delete "mainly" and replace with "sometimes"*

*Para four , third line replace "will" with "may"*

*add at end of para 4: "and those of residents and elected members."*

*Last para: add after "to", "give the contractors final warning that HCC may"*

*Last para: amend “contractor” to “contractors”*

The amended motion to read:

*“This Council has no confidence in the ability of our Highways contractors, including Ringway, to maintain the County’s roads and footways to the standards expected by Hertfordshire residents.*

*Since October 2012 Hertfordshire County Council has relied on the contract signed with Ringway for the maintenance of highway and road*

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*network. Now in the 4th year of a 7 year agreement, performance has continually fallen short of the standards the Council & Hertfordshire residents require.*

*The County Council has frequently and laboriously had to negotiate extra payment charges for work carried out beyond the parameters of the agreement. Although arbitration has sometimes found in our favour, it is a time consuming distraction and extra costs are a burden on the County finances.*

*To that end and in line with termination clauses, the Council requires the Executive Member together with the Chief Executive and Deputy Director of Environment (Highways) to give notice to the Contractors that the agreement may be terminated on 30th September 2019 as a result of the shortfall in performance and failure to meet the expectations set out in the original contract and those of residents and elected members..*

*The Council further requires necessary measures to be undertaken to give the contractors final warning that HCC may replace the current contractors so as to maintain our Highways maintenance programme from 1st October 2019 and that both in-house and outsourcing methods of providing the maintenance of Hertfordshire's road network be considered.” ”*

- 6.14 L F Reefe**, as mover of the motion set out at 6.11 informed Council that, with the consent of the seconder of the motion, he would accept the amendment at 6.13 which had been proposed by **M Cowan**. In accordance with SO 11 (5) the motion he proposed would be altered to read:-

*“This Council has no confidence in the ability of our Highways contractors, including Ringway, to maintain the County's roads and footways to the standards expected by Hertfordshire residents.*

*Since October 2012 Hertfordshire County Council has relied on the contract signed with Ringway for the maintenance of highway and road network. Now in the 4th year of a 7 year agreement, performance has continually fallen short of the standards the Council & Hertfordshire residents require.*

*The County Council has frequently and laboriously had to negotiate extra payment charges for work carried out beyond the parameters of the agreement. Although arbitration has sometimes found in our favour, it is a time consuming distraction and extra costs are a burden on the County finances.*

*To that end and in line with termination clauses, the Council requires the Executive Member together with the Chief Executive and Deputy Director of Environment (Highways) to give notice to the Contractors that the agreement may be terminated on 30th September 2019 as a result of the shortfall in performance and failure to meet the expectations set out in the original contract and those of residents and elected members..*

*The Council further requires necessary measures to be undertaken to give the contractors final warning that HCC may replace the current contractors so as to maintain our Highways maintenance programme from 1st October 2019 and that both in-house and outsourcing methods of providing the maintenance of Hertfordshire's road network be considered."*

**6.15** Council sought procedural advice from the Chairman and Chief Legal Officer. Having taken advice from the Chief Legal Officer and the views of Council into account, the Chairman ruled that, in accordance with Standing Order 10 (3)(c), in the interests of convenience she would allow the Conservative Group to move a revised amendment to the revised motion at 6.14 without such notice as otherwise would be required having been given.

**6.16** The following revised amendment proposed by **R I N Gordon** was duly seconded:-

*"Paragraph 1: delete*

*Paragraph 2: delete 'continually' in line 4 and insert the word 'occasionally', delete all words after 'standards' in line 4 and insert the words 'specified by the 55 performance indicators in the contract but the Council welcomes recent improvements which, at January 2016, show 43 meeting (or exceeding) target and with just three in the 'failing zone'.*

*Paragraph 3: delete*

*Paragraph 4: delete 'To that end and in line with termination clauses' Delete all words after 'give' in line 3 and insert 'timely and informed consideration to the options for extension or termination of the agreement on 30th September 2019.'*

*Paragraph 5: delete the words 'give the contractors final warning that HCC may replace the current contractors so as to', delete the words*

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*'1st October', insert the words 'full range of' before 'maintenance' in line 4, insert the word 'services' after the word 'maintenance'*

The amended motion to read:-

*"Since October 2012 Hertfordshire County Council has relied on the contract signed with Ringway for the maintenance of highway and road network. Now in the 4th year of a 7 year agreement, performance has occasionally fallen short of the standards specified by the 55 performance indicators in the contract but the Council welcomes recent improvements which, at January 2016, show 43 meeting (or exceeding) target and with just three in the 'failing zone'.*

*The Council requires the Executive Member together with the Chief Executive and Deputy Director of Environment (Highways) to give timely and informed consideration to the options for extension or termination of the agreement on 30th September 2019.*

*The Council further requires necessary measures to be undertaken to maintain our Highways maintenance programme from 2019 and that both in-house and outsourcing methods of providing the full range of maintenance services of Hertfordshire's road network be considered." "*

**6.17** In accordance with Standing Order 13 (3) a recorded vote was required on the revised amendment at 6.16 above.

**6.18** The revised amendment at 6.16 was then voted upon and CARRIED, the recorded vote being:-

Those in favour of the amendment (42):-

D Andrews  
D A Ashley  
J R Barfoot  
D J Barnard  
R H Beeching  
M Bright  
R F Cheswright  
C Clapper  
H K Crofton  
T L F Douris  
R I N Gordon  
D Hart  
C M Hayward

D J Hewitt  
F R G Hill  
T W Hone  
T Hunter  
T R Hutchings  
S L C Johnston  
P F J Knell  
P V Mason  
G McAndrew  
A McKay  
M B J Mills-Bishop  
A Plancey  
S Quilty

R M Roberts  
P A Ruffles  
R Sangster  
A M R Searing  
R H Smith  
A Stevenson  
J J Taylor  
R A C Thake  
J A West  
A D Williams  
J D Williams  
C B Woodward  
C B Wyatt-Lowe

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T C Heritage

I M Reay

W J Wyatt-Lowe

Those against the amendment (20):-

N Bell

J Billing

L A Chesterman

G R Churchard

M Cowan

S B A F H Giles-Medhurst

E M Gordon

K M Hastrick

R J Henry

N A Hollinghurst

A Joynes

R Mills

R G Parker

R G Prowse

L F Reeve

D T F Scudder

R G Tindall

A S B Walkington

M A Watkin

C J White

Those abstaining (1):-

F Button

**6.19** The substantive motion at 6.16 was then voted upon and CARRIED as follows:-

*“Since October 2012 Hertfordshire County Council has relied on the contract signed with Ringway for the maintenance of highway and road network. Now in the 4th year of a 7 year agreement, performance has occasionally fallen short of the standards specified by the 55 performance indicators in the contract but the Council welcomes recent improvements which, at January 2016, show 43 meeting (or exceeding) target and with just three in the ‘failing zone’.*

*The Council requires the Executive Member together with the Chief Executive and Deputy Director of Environment (Highways) to give timely and informed consideration to the options for extension or termination of the agreement on 30th September 2019.*

*The Council further requires necessary measures to be undertaken to maintain our Highways maintenance programme from 2019 and that both in-house and outsourcing methods of providing the full range of maintenance services of Hertfordshire’s road network be considered.”*

**6B(iii) 6.20** Following the expiry of the two hour period mentioned in SO 14(11)(d) for debate on motions relating to the Executive Report the Chairman advised Council that in accordance with SO 14 (11)(d) the remaining motions and amendments to those motions as listed on the order paper would be moved and seconded without in each case any further discussion and would then be voted upon.

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**6.21 D A Ashley** informed Council that, with the consent of the seconder of the motion in his name on the order paper, he would accept the proposed amendment from **M Cowan** as set out on the order paper; that being that the following words be added to (b) in 6.21 below “*add to the end of (b) the words ‘and in particular to ensure as soon as possible that there are sufficient seats on off-peak services on Great Northern, where standing is a significant and regular feature on Sunday services.’*” In accordance with SO 11(5), therefore, **D A Ashley** proposed the motion set out at 6.22

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

*“County Council*

- (i) welcomes the efforts of the Executive Member for Environment, Planning & Transport to press Govia Thameslink for improvements in its unacceptable service*
- (ii) supports the case for improvement in the West Anglia Mainline*

*Recognising the importance of rail services to Hertfordshire residents County Council calls upon the relevant Executive Members to use their influence and the resources of the Council to campaign for improvements to local rail services and facilities and, particularly, relating to:*

- (a) improved reliability in terms of cancellations, late running and delays*
- (b) securing rolling stock fit for the 21<sup>st</sup> century and in particular to ensure as soon as possible that there are sufficient seats on off-peak services on Great Northern, where standing is a significant and regular feature on Sunday services*
- (c) extending Oyster use from Hertfordshire stations*
- (d) enhanced passenger car and cycle parking at or near local railway stations*
- (e) improved cleanliness and passenger facilities at Hertfordshire stations and, in particular, the long awaited improvements to the interchanges at Stevenage and Watford Junction*
- (f) improved access and connectivity at Hertfordshire stations*

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- (g) *improved frequency and destinations of long-distance main-line services stopping at Hertfordshire stations*
- (h) *improved frequency of services on the Abbey Line through the provision of a passing loop*
- (i) *four lane tracking and Crossrail 2 in the Lee Valley routes.”*

**6B(iv) 6.23** The following motion proposed by **N Bell** was duly seconded:-

*“This Council urges the Cabinet to use the opportunity of the setting up of a property development company to assist our District Councils in tackling the housing emergency in Hertfordshire. This should focus on the proposed property development company addressing both the need for more homes in the Social Rented sector, the development of more affordable homes for sale and part-buy/part rent opportunities.*

*Council also calls on the Cabinet to prioritise, as a matter of urgency, the identification of parcels of land currently owned by the County Council that can be used to provide much needed homes, and working with the local planning authorities, provide homes for all recognised key workers as well as new build social rented homes for those who cannot afford to buy in the private sector or even participate in Housing Association Shared Ownership or other such schemes.”*

**6.24** The following amendment proposed by **C M Hayward** was duly seconded:-

*“Paragraph 1: delete all words after ‘...company to’ in line 2 and insert ‘contribute towards the housing needs of Hertfordshire residents including those of lower-paid key-workers employed in the County.’*

*Paragraph 2: delete all words after ‘Council’ and insert ‘recognises that the release of County Council land for housing purposes is a matter for the local planning authorities, but endorses that positive actions taken by the Administration in responding to ‘calls for sites’ by the District Councils.’*

The amended motion to read:-

*“The Council urges the Cabinet to use the opportunity of the setting up of a property development company to contribute towards the housing needs of Hertfordshire residents including those of lower-paid key-workers employed in the County.*

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*Council recognises that the release of County Council land for housing purposes is a matter for the local planning authorities, but endorses the positive actions taken by the Administration in responding to 'calls for sites' by the District Councils.” ”*

**6.25** The amendment at 6.24 was then voted on and CARRIED.

**6.26** The substantive motion at 6.24 was then voted on and CARRIED as follows:-

*“The Council urges the Cabinet to use the opportunity of the setting up of a property development company to contribute towards the housing needs of Hertfordshire residents including those of lower-paid key-workers employed in the County.*

*”Council recognises that the release of County Council land for housing purposes is a matter for the local planning authorities, but endorses the positive actions taken by the Administration in responding to 'calls for sites' by the District Councils.”*

## **7. QUESTIONS TO EXECUTIVE MEMBERS**

**7.1** During the period for questions to Executive Members under SO(8)(7)(c) the following Members asked questions (and, where indicated, supplementary questions) of the Executive Member or their Deputy as stated [the audio recording of this item of business can be found here [Questions to Executive Members](#)].  
[Questions are listed by portfolio].

**7.2** As a courtesy to members of the public attending the meeting, Council agreed to vary the order of questions to Executive Members so that questions to the Executive Member for Community Safety and Waste Management could be taken before the lunchtime recess. This change of order is reflected in the table below.

| <b>Executive Member</b> | <b>Questioner</b> | <b>Subject</b>  |
|-------------------------|-------------------|---|
| Leader of the Council   | C J White         | Government proposal that all schools convert to academy status by 2020 <sup>1</sup>       |
|                         | L F Reeve         | Action taken by the County Council on the outcome of its consultations on proposed policy |

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|                                     |                          | changes <sup>1</sup>  |
|                                     | N A Hollinghurst         | Revised residual waste treatment programme proposals  |
| Enterprise, Education & Skills      | M A Watkin               | Government proposal that all schools convert to academy status by 2020; impact on Herts for Learning and parent governors <sup>1</sup>                    |
|                                     | J Billing                | Impact on primary school children in Hertfordshire of the Government's White Paper 'Educational Excellence Everywhere' <sup>1</sup>                       |
| Environment, Planning & Transport   | M Cowan                  | Strategic planning role of the County Council; specifically in relation to housing development issues in the County and district local plans <sup>1</sup> |
|                                     | N Bell                   | Transport for London contract relating to bus routes in the Watford area <sup>1</sup>   |
| Highways                            | S B A F H Giles-Medhurst | Opportunities for Member discussion on ongoing performance issues with highways contractors <sup>1</sup>  |
|                                     | J Billing                | Evaluation of the impact of Solar Speed Indicator Devices (SIDs) <sup>1</sup>   |
| Public Health, Localism & Libraries | R G Tindall              | Work with district/borough councils to address the link between poor housing and poor health <sup>1</sup>   |
|                                     | R Mills                  | Government proposals to reduce funding to pharmacies and the impact on the public health agenda <sup>1</sup>  |
| Community Safety & Waste Management | A S B Walkington         | Short notice closure of the household waste recycling centre in St Albans and the incidence of fly-tipping in the County <sup>1 2</sup>                   |
|                                     | R J Henry                | Residual waste treatment programme proposals; voting at the Community Safety and Waste Management Cabinet Panel; and proposed technology <sup>1 2</sup>   |

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|-------------------------|----------------|---|
|                         | T R Hutchings  | Revised residual waste treatment programme proposals; planning issues relating to the proposed site at Ratty's Lane, Hoddesdon <sup>1</sup> |
| Resources & Performance | J Billing      | Quality of Life survey; action to improve community engagement and public turnout at county and borough council elections <sup>1</sup>      |
|                         | C B Wyatt-Lowe | Council's role in championing youth engagement in local government issues   |
| Adult Care & Health     | R G Tindall    | Proposed reductions in disability benefits and associated information available from the Money Advice Unit                                  |
|                         | E M Gordon     | Herts Care Standards and carers pay <sup>1</sup>  |
| Children's Services     | M A Watkin     | Time taken for assessment team to feedback to referring parties action being taken in relation to child protection concerns <sup>1</sup>    |
|                         | L A Chesterman | Council plans relating to increased hours of free childcare and for ensuring sufficient places are available <sup>1</sup>                   |

\* Questions answered by the Deputy Executive Member

Notes: 1 - denotes that a supplementary question was also asked  
2 – denotes that a written reply will be given

## 7.2 Written questions to Executive Members – Standing Order 8(9)

The questions and replies are set out in the annex to these minutes.

## 8. HERTFORDSHIRE COUNTY COUNCIL PENSION FUND POOLING OPTIONS

8.1 The following motion proposed by **C M Hayward** and duly seconded, was CARRIED:-

*“That County Council agrees that:-*

- (a) *the Hertfordshire Pension Fund gives its commitment to join the ACCESS LGPS pool subject to ACCESS meeting the Government's criteria for pooling when ACCESS submits its final*

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*proposal in July 2016; and*

- (b) *authorises the Chief Finance Officer, in consultation with the Chairman of the Pension Committee, to sign the memorandum of understanding with ACCESS members on behalf of the Hertfordshire Pension Fund to:-*
- (i) *demonstrate its commitment to LGPS Multi-Asset Pools; and*
  - (ii) *facilitate the work required to meet the requirement to submit detailed proposals to Government by the 15 July 2016 deadline.”*

## **9. PAY POLICY 2016/17**

**9.1 C M Hayward** informed Council that, with the consent of the seconder of the motion in his name on the order paper he would accept the proposed amendment from S Bedford as set out on the order paper; that being that the following words be added as new 5. to the motion at 9.2 below *‘5. Any such agreed salary changes and additional payments and their reasons be made public as soon as practicable.’* In accordance with SO 11(5), therefore, C M Hayward proposed the motion set out at 9.2.

**9.2** The following motion was then proposed by **C M Hayward** and duly seconded:-

- “1. *That County Council adopts the Pay Policy for 2016/17 as set out in Appendix 1 to the report, subject to the removal of the words “attract or” from the second line of paragraph 5.6.*
2. *That County Council delegates to the Chief Executive and Director of Environment the decision to apply an additional payment to attract or retain a senior manager where appropriate, based on the market, subject to consultation with Group Leaders where the proposed additional payment is to an employee whose salary is already £100,000 p.a. or more, or where the proposed additional payment would result in the employee’s salary rising to £100,000 p.a. or more. [If any Group Leader or Group Leaders who individually or collectively represent 5 or more members of the Council dissent from the proposed additional payment then the salary package for that employee shall be referred to full Council for decision].*
3. *That Council authorises the Chief Legal Officer to make any*

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*amendments necessary to ensure that the decisions in 1 and 2 above are reflected consistently throughout the Constitution.*

4. *That Council notes the data release for April 2016 as set out in the report.*
5. *Any such agreed salary changes and additional payments and their reasons be made public as soon as practicable.”*

**9.3** The following amendment was proposed by **L F Reefe** and duly seconded:-

*“In 1. after the words ‘paragraph 5.6’ add ‘and in so doing recognises and values the constructive relationship that we have with our trade unions and their commitment, and the commitment of all our staff, to the delivery of good quality public services’*

*After 1. add the following*

- ‘2. *That this Council further recognises the positive contribution that trade unions and trade union members make in our workplaces including trade unions support of lower paid employees and as such notes with concern the Trade Union Bill which is currently being proposed by the Government and would affect this Council’s relationship with our trade unions and our workforce as a whole. This Council rejects this Bill’s attack on local democracy and the attack on our right to manage our own affairs.*
3. *That this Council resolves to support the campaign against the unnecessary, anti-democratic and bureaucratic Trade Union Bill.*
4. *That this Council further resolves to seek to continue its own locally agreed industrial relations strategy and will take every measure possible to maintain its autonomy with regard to facility time and the continuing use of check-off.*

*Renumber 2 as 5.*

*Renumber 3 as 6.*

*Renumber 4 as 7.*

The revised motion to read:-

1. *That County Council adopts the Pay Policy for 2016/17 as set out in Appendix 1 to the report, subject to the removal of the words*

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*“attract or” from the second line of paragraph 5.6 and in so doing recognises and values the constructive relationship that we have with our trade unions and their commitment, and the commitment of all our staff, to the delivery of good quality public services.*

2. *That this Council further recognises the positive contribution that trade unions and trade union members make in our workplaces including trade unions support of lower paid employees and as such notes with concern the Trade Union Bill which is currently being proposed by the Government and would affect this Council’s relationship with our trade unions and our workforce as a whole. This Council rejects this Bill’s attack on local democracy and the attack on our right to manage our own affairs.*
3. *That this Council resolves to support the campaign against the unnecessary, anti-democratic and bureaucratic Trade Union Bill.*
4. *That this Council further resolves to seek to continue its own locally agreed industrial relations strategy and will take every measure possible to maintain its autonomy with regard to facility time and the continuing use of check-off.*
5. *That County Council delegates to the Chief Executive and Director of Environment the decision to apply an additional payment to attract or retain a senior manager where appropriate, based on the market, subject to consultation with Group Leaders where the proposed additional payment is to an employee whose salary is already £100,000 p.a. or more, or where the proposed additional payment would result in the employee’s salary rising to £100,000 p.a. or more. [If any Group Leader or Group Leaders who individually or collectively represent 5 or more members of the Council dissent from the proposed additional payment then the salary package for that employee shall be referred to full Council for decision].*
6. *That Council authorises the Chief Legal Officer to make any amendments necessary to ensure that the decisions in 1 and 2 above are reflected consistently throughout the Constitution.*
7. *That Council notes the data release for April 2016 as set out in the report.”*

**9.4** The amendment at 9.3 was then voted on and LOST.

**9.5** The substantive motion at 9.2 was then voted on and CARRIED as

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follows:-

- “1. That County Council adopts the Pay Policy for 2016/17 as set out in Appendix 1 to the report, subject to the removal of the words “attract or” from the second line of paragraph 5.6.
2. That County Council delegates to the Chief Executive and Director of Environment the decision to apply an additional payment to attract or retain a senior manager where appropriate, based on the market, subject to consultation with Group Leaders where the proposed additional payment is to an employee whose salary is already £100,000 p.a. or more, or where the proposed additional payment would result in the employee’s salary rising to £100,000 p.a. or more. [If any Group Leader or Group Leaders who individually or collectively represent 5 or more members of the Council dissent from the proposed additional payment then the salary package for that employee shall be referred to full Council for decision].
3. That Council authorises the Chief Legal Officer to make any amendments necessary to ensure that the decisions in 1 and 2 above are reflected consistently throughout the Constitution.
4. That Council notes the data release for April 2016 as set out in the report.
5. Any such agreed salary changes and additional payments and their reasons be made public as soon as practicable.”

**10. DESIGNATION OF CHIEF FINANCE OFFICER (S151 OFFICER)**

**10.1** The following motion proposed by **C M Hayward** and duly seconded, was CARRIED:-

- “1. That Council designates with immediate effect Owen Mapley, Director of Resources, as Chief Finance Officer for the Council with responsibility for the proper administration of the Council’s financial affairs in accordance with s151 Local Government Act 1972 (in place of Claire Cook, Assistant Director Finance).
2. That the following Council functions are delegated to the Director of Resources:  
  
‘To exercise the proper administration of the Council’s financial affairs under Section 151 of the Local Government Act 1972 and Section 114 of the Local Government Finance Act 1988.

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*Functions in relation to pensions as specified in Schedule 1 H of the Regulations.'*

3. *That Council notes the allocation of the Executive responsibilities to the Director of Resources and the amendments that have been made to the Constitution to reflect this allocation as referred to in paragraph 2.5 of the report.*
4. *That the Council authorises the Chief Legal Officer to make any amendments necessary to ensure that the decision(s) mentioned in 1, 2 and 3 above are reflected consistently throughout the Constitution."*

**10.2** The Executive Member for Resources and Performance and the Leaders of the Liberal Democrat and Labour Groups requested that their thanks for the outstanding work undertaken by Claire Cook in her role as S151 Officer for the Council be recorded.

**11. PROGRAMME OF MEETINGS SEPTEMBER 2016 – JULY 2017**

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

*"That Council agrees:-*

- (a) *the Council and Cabinet meetings for September 2016 to July 2017; and*
- (b) *the indicative programme for Committees and Cabinet Panels for September programme of meetings for September 2016 to July 2017."*

**12. NOTICES OF MOTION – STANDING ORDER 9(6)**

**12.1** There were no notices of motions under Standing Order 9(6).

**KATHRYN PETTITT  
CHIEF LEGAL OFFICER**

**CHAIRMAN** \_\_\_\_\_

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**WRITTEN QUESTIONS TO EXECUTIVE MEMBERS – STANDING ORDER 8**

**1. Written question from S B A F H Giles-Medhurst to R I N Gordon, Leader of the Council:**

- “(i) The County Council's Communications team are now regularly tweeting; how many "tweets" have they sent since 1st January this year and in the whole of 2015?*
- “(ii) How many staff are involved in sending the tweets and who checks them for correctness and ensures they are not politically biased?”*

**R I N Gordon** has replied:

- “(i) The County Council's communication's team has been using Twitter and regularly tweeting for the past five years. So far this year they have tweeted 746 times and in 2015 they tweeted a total of 3,139 times. In that time the number of followers has gone up from around 22,000 on January 1st 2015 to 40,100 to date – which we believe makes us one of the highest followed local authorities in the Country. It is, therefore, a useful channel for us to reach our residents to inform them about the many important services and benefits the Council provides and how their council tax is spent. It also provides us with great value for money as we can reach 40,000 people without running expensive advertising campaigns.*
- “(ii) The tweets are sent out by all members of the communications team who are well versed in and abide by the Code of Practice for local government publicity and the Council's own social media guide. Tweets are checked regularly by senior managers in the team.”*

**2. Written question from S B A F H Giles-Medhurst to D A Ashley, Executive Member for Environment, Planning and Transport:**

- “(i) Given the funding cut to the supported bus network was £1.5m affecting some 770,000 passenger trips and now that cut has had an effect, what has been the result in the reduction in passenger trips?*
- “(ii) How many of the 54 routes that were listed for cutting or reductions in service times are still being run and at the same times as before the funding cut?*

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- (iii) *If any of the said routes have been taken over by commercial operators, how many of the said routes are still being run by those operators as at the 11<sup>th</sup> March?*

**D A Ashley** has replied:

- (i) *In terms of overall Passenger Journeys we are unable to give a figure as some passengers will have transferred from contract services to commercial services and we don't have access to the data currently. We do obtain overall passenger numbers on a financial year basis and should have those for the full report that will be produced for the Environment, Planning & Transport Panel in the autumn/winter of this year. This will be a more accurate and a true reflection of impacts 12 months on from the changes introduced to levels of support.*

*However, of the services identified in the public consultation there are 30 which are still partially/wholly catered for, 18 that are now commercial and 12 that are still contract. Based on estimates made to inform the consultation process before the September changes this equates to around 317,000 passenger numbers per annum.*

- (ii) *Six*
- (iii) *Six and an additional 1 service that was created out of the merger of 2 routes.*

**3. Written question from S B A F H Giles-Medhurst to T L F Douris, Executive Member for Highways:**

*"How many failure to delivery events have there been in Ringway's Contract and what is the total amount of the financial penalties imposed as a result from December 2014 to date?"*

**T L F Douris** has replied:

*"Between 1st December 2014 until 31st January 2016 there were 1,263 Failure to Deliver Events (FDE's) recorded against Ringway which resulted in a deduction of £315,320."*

**4. Written question from S B A F H Giles-Medhurst to T L F Douris, Executive Member for Highways:**

*"Can the Executive Member please detail the number of triage inspector highway defects that have been downgraded since the revised system"*

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*started in October 2015, broken down by the 10 district council areas and types of defects?”*

**T L F Douris** has replied:

*“Because of the way the data has currently been recorded the level of information requested is not readily available. However, I can advise that:*

- a. The triage inspection service was aimed at reviewing all customer reported carriageway and footway defects which fell into the 20 working day repair timeframe (the 20day timeframe was presented to panel on 20<sup>th</sup> October 2015);*
- b. The triage service started on 12<sup>th</sup> October 2015 but we did not have a full complement of triage inspectors on day 1 of the new service and so not all defects in (a) above have been triaged.*
- c. Where defects haven't been triaged Ringway are required to attend and where appropriate repair the reported defect within the 20 working day target;*
- d. Between 1<sup>st</sup> January 2016 and 29<sup>th</sup> February 2016 there were 2,224 customer reported defects which were triaged. Of these:*
  - a. 1,079 were repaired within the 20 day target time frame as the triage process confirmed the original repair time;*
  - b. 271 were closed because they were duplicate defects;*
  - c. 8 were closed because they were on private property;*
  - d. 111 defects were closed because they couldn't be found;*
  - e. 1 was referred to a third party;*

*Of the remaining 754:*

- f. 149 had their repair priority changed to a lower CAT 1 repair timeframe;*
- g. 132 had their repair priority changed and were moved into the CAT 2 repair category;*
- h. 12 were moved into the CAT 5 service for works as part of the cyclical works programme;*
- i. 126 were given a bespoke response and are assumed to have been moved to a lower repair category;*
- j. 335 were closed as no works required because they were below the intervention levels;*

*In summary of 2,224 customer reported defects which were triaged, 419 (149+132+12+126) were moved to a different repair category and won't yet have been repaired and 335 were closed because they did not meet the current repair criteria.”*

**5. Written question from S B A F H Giles-Medhurst to T L F Douris, Executive Member for Highways:**

*"How many fault repairs that have been logged via members of the public via the web site have been closed down with the following response (as below) going to the members of the of public in the 12 months to the 1st March 2016 when in fact no work has been carried out?"*

*"We have inspected this location and the necessary works have been carried out. No further action is planned. Thank you for bringing this to our attention." "*

**T L F Douris** has replied:

*"I cannot give an exact figure in response to the question because of the way the data is held in the systems. However, I can advise that in the period from 1<sup>st</sup> March 2015 to 29<sup>th</sup> February 2016, there were:*

- 1. 39,980 reported defects which when closed used the statement above ("We have inspected this location and the necessary works have been carried out. No further action is planned. Thank you for bringing this to our attention.").*
- 2. Officers undertake a sample audit of responses and from this audit sample approximately 1.4% of responses have been incorrect;*
- 3. Statistics indicate that approximately 50% of customers leave an email address when reporting a defect;*
- 4. Therefore we can assume that around 280 customers may have received this response incorrectly"*

**6. Written question from S B A F H Giles-Medhurst to T L F Douris, Executive Member for Highways:**

*"Is the following (see below) an acceptable response regarding lights not working on a crossing and does the Executive member consider 20 working days to fix such essential lighting is right and if not what is going to do about it?"*

*"Belisha Beacons (Globes) that are not working (out of light) are currently classified as a street lighting fault and the time for repair is within 20 working days. So when reporting on-line, it is under street lighting fault and not traffic signals (Belisha Beacons are not traffic signal controlled and are an uncontrolled crossing)." "*

**T L F Douris** has replied:

*“The 20 working days target time for repairing a belisha beacon which isn’t working is too long and has previously been identified as of concern. Officers have been addressing this matter and Ringway are already working to an informal target of 5 working days for getting belisha beacon working. The current Defect Management Approach is being updated and the 5 working days will become the new target from 4<sup>th</sup> April 2016.”*

**7. Written question from S B A F H Giles-Medhurst to T L F Douris, Executive Member for Highways:**

“Given the problems I have highlighted directly to officers and Ringway regarding the triage system and fault reporting that means that faults reported on unclassified roads are given a much lower priority, even if they are essential and heavily trafficked routes, will the Executive Member be reviewing this with Ringway to ensure that Category 1 defects, that would have dealt with in 24 hours under the old system or at least made safe, do not have to wait up to 20 working days to be fixed or made safe?”

**T L F Douris** has replied:

*“The proposals to change the approach to the management of highway defects were presented to the Highways Panel in October and December 2015, with the aim of providing a more robust and cost effective service by providing the opportunity for better planned and therefore more robust repairs, whilst at the same time maintaining a safe and operational highway. Under the previous defect management approach, potholes on unclassified roads could only ever have achieved the quickest repair time of 7 calendar days and so the introduction of the triage approach should not have a significant impact as we aim to get defects inspected more quickly.*

*However, I have asked officers to review the triage times with a view to ensuring those urgent defects which under the old DMA arrangements would have fallen into the 24hr repair time frame are looked at quickly and where necessary an appropriate repair is carried out as quickly as possible.”*