

Cabinet  
9 July 2019

## WELWYN HATFIELD COUNCIL

Minutes of a meeting of the WELWYN HATFIELD COUNCIL CABINET held on Tuesday 9 July 2019 at 7.30pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors T.Kingsbury (Leader of the Council) (Chairman)  
D.Bell (Deputy Leader and Executive Member, Resources)  
  
S.Boulton (Executive Member, Environment and Planning)  
T.Mitchinson (Executive Member, Leisure, Culture and Communications)  
N.Pace (Executive Member, Housing and Community)  
B.Sarson (Executive Member, Regeneration, Economic Development and Partnerships)  
F.Thomson (Executive Member, Governance and Public Health)

OFFICIALS Chief Executive (R.Bridge)  
PRESENT: Corporate Director (Housing and Communities) (S.Russell)  
Head of Law and Administration (M.Martinus)  
Head of Housing Operations (S.Pearson)  
Governance Services Manager (G.R.Seal)  
Principal Governance Officer (A.Marston)  
Communications Officer (N.Burrows)

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### 17. PETITION

Jan Tebb presented a petition on behalf of the community of Woolmer Green in respect of New Road, Woolmer Green – Road Safety Issue:-

“Local residents are asking Welwyn Hatfield Borough Council to work with Hertfordshire County Council Highways to complete a footpath and driveways in New Road, Woolmer Green, which have been left unfinished by the developer, who did not comply with planning permission criteria and who was subsequently not enforced to do so by the Borough Council. The lack of footpath creates a danger for school children, elderly residents, dog walkers, cyclists, horse riders and motor vehicles alike.”

The Leader of the Council asked the Executive Member (Environment and Planning) to respond to the petition:-

“The Council shares your concerns and is sorry that this has been going on for so long.

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Legal advice had been taken in respect of the original developer, but this had not resolved the issue.

The Council had however, been working with Hertfordshire County Council and was now hopeful that the matter will be able to be resolved with funding including some money from a locality budget.

This had moved on a long way in the last couple of weeks and it was hopeful that works could be undertaken in the next few months."

18. **MINUTES**

The Minutes of the meeting held on 4 June 2019 were approved as a correct record and signed by the Chairman.

19. **ACTIONS STATUS REPORT**

The status of actions agreed at the Cabinet meeting on 4 June 2019 in the report of the Corporate Director (Public Protection, Planning and Governance) was noted.

20. **ITEMS RELATING TO THE BUDGET AND POLICY FRAMEWORK FOR RECOMMENDATION TO THE COUNCIL**

The following items were considered:-

20.1. **Animal Welfare Act 2006 - Animal Activities Licensing Fees**

Recommendation from the meeting of the Environment Overview and Scrutiny Committee on 10 June 2019 on proposed fees for animal activities licensing.

(1) **The Decision Taken**

RESOLVED:

That the fees and charges listed in Appendix A to the report of the Corporate Director (Public Protection, Planning and Governance) to the meeting of the Environment Overview and Scrutiny Committee on 10 June 2019 for licensing certain animal activities be approved, as recommended by the Committee, for recommendation to the Council for adoption so that the budget book could be adjusted accordingly.

(2) **Reasons for the Decision**

Full cost recovery when licensing certain animal activities was allowed by Regulations.

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This was intended to promote the welfare of animals, via a new licensing system, and would be applied to persons selling animals as pets, providing for or arranging for the provision of boarding for cats or dogs, day care for dogs, hiring out horses, dog breeding and keeping or training animals for exhibition.

The Act did not cover all of those animals protected under the animal welfare act.

Frequency of inspection was the same if it was deemed there was low or high risk as per the statutory requirements. However more inspections could be carried out if there was a high risk.

The fees would be reviewed on a three year basis to ensure that any profits or deficits were adjusted accordingly.

The Committee had clarified that “the minimum requirement of animal welfare” meant “the basic legal requirements.”

## 20.2. Housing and Homelessness Strategy 2019-2024

Recommendation from the meeting of the Social Overview and Scrutiny Committee on 12 June 2019 on the adoption of the Strategy.

### (1) The Decision Taken

RESOLVED:

That the final draft Housing, Homelessness and Rough Sleeper Strategy 2019-2024, as recommended by the Social Overview and Scrutiny Committee be approved and recommended to the Council for adoption.

### (2) Reasons for the Decision

The Social Overview and Scrutiny Committee in November 2018 agreed to initiate a public consultation on the first draft Housing, Homelessness and Rough Sleeper Strategy and this was completed by the end of January 2019. Overall feedback on the strategy was positive with an average of 83% of respondents saying that the Council had got it right.

In response to Members’ questions, the Committee had noted that there were currently 2700 families on the housing waiting list and 700 on the transfer list. There were 1398 people registered and queuing for one bed properties. Of these 129 were couples and 1269 were single persons with 116 of these queuing for one bed sheltered accommodation only.

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There was an upward trend. Only people with the most pressing needs were on the waiting list.

The Council was taking active measures to prevent homelessness and these included working with Citizens Advice and the Resolve outreach service.

## 21. ITEMS REQUIRING KEY DECISION

The following items for decision in the current Forward Plan were considered:-

### 21.1. Award of Contract for Estates and Development Advisory Services (Draw Down Request from the Eastern Shire Purchasing Organisaton Framework (ESPO) (Forward Plan Reference FP924)

Report of the Corporate Director (Resources, Environment and Cultural Services) asking the Cabinet to make a direct award of contract by calling off the ESPO framework.

#### (1) The Decision Taken

RESOLVED:

That, in accordance with Contract Procedure Rules, the Cabinet agrees to make a direct award to Colliers International by calling off the ESPO Framework to provide specialist property advice and to prepare a new asset management strategy for the non-housing portfolio.

#### (2) Reasons for the Decision

Colliers International had provided development advisory services to the Council in respect of the regeneration of High View and Hatfield Town Centre for a number of years. The current contract appointment followed a direct award from the Cabinet in 2017.

The Estates and Development and Building Services teams required specialist property advice for key, major, regeneration projects:

- High View
- 1-9 Town Centre
- Link Drive
- The Common Multi Storey Car Park

In addition officers would like Colliers to prepare a new asset management strategy for the non-housing property portfolio.

Colliers had a large amount of detailed, commercial knowledge of the schemes and estate. Any other consultant would need time, which

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would result in repeated fee expenditure to get up to speed. It was, therefore considered appropriate to appoint them further without competition drawing down from the ESPO framework and making use of the competitive rates the framework offered.

21.2. Award of Contract for Legal Advice for Welwyn Garden City Town Centre North (Draw Down Request from the Estates Management Lawshare Framework) (Forward Plan Reference FP925)

Report of the Corporate Director (Resources, Environment and Cultural Services) seeking approval to make a direct award of contract utilising the Estates Management Lawshare Framework.

(1) The Decision Taken

RESOLVED:

That the Cabinet approves the continued appointment of Bevan Brittan LLP by calling off the Estates Management Lawshare Framework to provide legal services to the Council in support of the Welwyn Garden City Town Centre North re-development.

(2) Reasons for the Decision

The Council had appointed a broad consultants' team to prepare a Supplementary Planning Document and Delivery Plan for the redevelopment of Welwyn Garden City Town Centre North.

An urgent need for legal assistance had been identified to review the title for the site, comment on leases, rights and general property matters.

Through comparisons with another legal firm, Bevan Brittan demonstrated best value in their fee estimate based on a defined scope for stage 1 of the project and in agreement with the Council's Legal Services had a limited appointment made by calling off the Estates Management Lawshare framework.

At this point in time the detailed scope of later stages of the development were not fully known; however it was beneficial to continue using Bevan Brittan for the latter stages of the project.

21.3. Anti-Social Behaviour Strategy and Policy (Forward Plan Reference FP922)

Recommendations from the meeting of the Social Overview and Scrutiny Committee on 12 June 2019 on the approval of the Strategy and Policy.

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(1) The Decision Taken

RESOLVED:

- (1) That the amended draft Anti-Social Behaviour Strategy and associated Action Plan be agreed for implementation.
- (2) That the Anti-Social Behaviour Policy be agreed for adoption.

(2) Reasons for the Decision

The draft Strategy defined how the Council would tackle crime and anti-social behaviour through a framework of prevention, early intervention, support and enforcement and set out key priorities for the Council's service during 2019 to 2022.

It was noted that the images contained within the draft Strategy would be changed for better fit and greater relevance.

The current Anti-Social Behaviour and Harassment Policy was approved by the Welwyn Hatfield Community Housing Trust Services Committee in August 2014.

Following the re-integration of the former Trust in February 2017 and changes in legislation since the previous policy was approved, a full review of the current policy had been carried out and it had been updated.

The Policy played to the five themes within the Community Safety Partnership Action Plan and set out what the Council considered to be anti-social behaviour, what powers there were available to prevent it and what action could be taken when it did occur.

22. RECOMMENDATIONS FROM CABINET PANEL

The following recommendations from the meetings of the Cabinet Planning and Parking Panel on 6 June and 3 July 2019 were considered:-

6 July 2019

22.1. Parking Services Work Programme Update

The Panel had considered a revised parking services work programme for 2019 to 2021.

In July 2018, following a recommendation from the Panel, the Cabinet approved an additional Officer resource on a fixed two year contract to be appointed to the Parking Services Team. This Officer role was to carry out

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consultations with residents and businesses for schemes which were on the approved Council's Parking Services Work Programme. Initially, the post was successfully filled for six months, however it had become vacant in February 2019 and although the vacancy had been advertised on two occasions, the Council had not succeeded in employing a person to the position.

Additionally, another two year fixed term position in the Team became vacant in April 2019 and one of the Senior Parking Technician posts had more recently became vacant. Every endeavour was being made to promptly fill the vacancies. The vacancies had been discussed by the Panel and it was suggested that an additional resource should be made available to the Team because of the number of large projects in the work programme and the adverse impact on these of the current vacancies. It was noted that the Council was proposing to merge two fixed term vacancies to provide one 3.5 year fixed term contract to make the position a more appealing employment opportunity. It was suggested that the post be made permanent to generate interest in the position and the Panel agreed to ask the Cabinet to consider a permanent post as part of the budget setting process.

RESOLVED:

- (1) That the Cabinet approves the revised Parking Services Work Programme for 2019 to 2021.
- (2) That the process for parking improvements which were carried out by the Council be approved.
- (3) That the Panel's recommendation to the Cabinet to look at parking services overall for the potential to expand resources as part of the budget setting process be noted.

22.2. Introduction of Waiting Restrictions In Various Roads, Handside Ward, Welwyn Garden City

The Panel had considered the proposed waiting restrictions and the objections received.

It was noted that a number of residents in Lemsford Lane living opposite Stanborough School had complained of congestion and unnecessary obstruction. They had requested double yellow lines to replace the existing single yellow line Monday to Friday restriction as parking problems occurred particularly at weekends when the school hosted sporting activities. Buses found it difficult to pass through parked vehicles on either side of the road and residents struggled to access/egress their off-street parking provision.

The elderly and less mobile residents living at the top end of Stanborough Close found it difficult to manoeuvre in and out of their parking bays due to the close proximity of vehicles parked opposite.

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RESOLVED:

That having considered the proposed waiting restrictions, objections received and the issues raised around equalities and diversity, together with all the detailed issues, including any proposed mitigating actions, the Cabinet agrees to proceed with the implementation of the amended proposed waiting restrictions, as recommended by the Panel for the reasons set out.

- 22.3. Introduction of Waiting Restrictions, Resident Permit Parking Scheme In Various Roads, French Horn Lane, East and South West Wards, Hatfield (Forward Plan Reference FP923)

The Panel had considered the proposed waiting restrictions and resident permit parking scheme and the objections received.

It was noted that within the next year work was due to start on the redevelopment of Hatfield Town Centre, including proposals to construct a new multi-storey car park in The Common car park. The redevelopment was likely to cause a level of parking displacement during and after the construction of the new car park. Residents and businesses most likely to be affected in and around the surrounding roads of the town centre were being consulted on parking restrictions to minimise the effect of any displacement. The consultation area of French Horn Lane initially covered 23 roads to the south and east of the town centre and the consultation area was later expanded to include Oaklands Wood and St Albans Road East.

Some roads returned low numbers of responses of less than 20% so were given a second opportunity to respond. As a result of the responses the French Horn Lane area was split into four separate consultation areas for supplementary consultation and detailed parking designs.

Based on the responses from the first two survey letters sent to French Horn Lane areas 1-4, the majority of respondents favoured a permit scheme to operate on Monday to Friday between 8.00am and 6.00pm. 760 survey forms were sent out and 192 responses received.

The overall effect of the proposed restrictions would be to remove all commuter parking and businesses and other organisations located within areas 1 and 2 would be entitled to buy permits for their staff.

RESOLVED:

That, having considered the proposed waiting restrictions and resident permit parking schemes, the objections received and the issues raised around equalities and diversity, together with all the detailed issues, including any proposed mitigating actions, the Cabinet agrees to proceed with the creation of a traffic regulation order for the reasons set out and as recommended by the Panel.

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22.4. Pearmtree Conservation Area

The Panel had considered the designation of Peartree as a conservation area for public consultation.

The Council had a duty to decide whether parts of the Borough had special architectural or historic interest that should be preserved and enhanced and had commissioned "Place Services" to look at the Peartree area of Welwyn Garden City. Their appraisal concluded that this area did warrant conservation area status.

Conservation Area status would remove certain permitted development rights and people would have to apply for planning permission. The Panel had debated this in the light of the climate change emergency agenda, but decided that energy efficiency features might be acceptable, even in a conservation area.

The Panel had unanimously recommended that the Cabinet authorise public consultation and a public meeting on the designation of Peartree as a conservation area.

RESOLVED:

- (1) That the Cabinet authorises public consultation on the designation of Peartree as a conservation area proposing that a meeting be held at somewhere like Woodhall community centre and the consultation take the form of a letter to every property within the proposed conservation area and with other interested parties such as Ward Councillors, Hertfordshire County Council as the highway authority, utilities bodies, the Welwyn Garden City Society, the Welwyn Garden City Heritage Trust and the Welwyn Garden City Centenary Foundation.
- (2) That the results of the public meeting and consultation be reported back to the Cabinet Planning and Parking Panel for report to the Cabinet to decide whether to designate Peartree as a conservation area.

22.5. Article 4 Direction - Employment Sites

The Panel had considered the issue of an Article 4 Direction covering the most strategically important office sites in the Borough for public consultation.

The Borough had lost a significant amount of office space in recent years, particularly due to permitted development rights. Permitted development had

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delivered housing, but there was concern that the tipping point had been reached.

The Local Plan sought to achieve a balance between homes and jobs and an Article 4 Direction would remove permitted development rights for offices to become flats.

It was proposed to apply the Article to the most important employment areas:-

- Welwyn Garden City employment area
- Hatfield Business Park
- Beaconsfield Road and Great North Road, Hatfield
- Sopers Road Industrial Estate, Cuffley

Owners would need to apply for planning permission and become subject to Section 106 requests for affordable housing, education and healthcare etc.

Following discussion the Panel had recommended that the Direction come into force after one year in accordance with the Town and Country Planning (Compensation) Regulations to allow any claims to fall away.

Officers had reported that the level of compensation was unknown and not possible to quantify but the risk was considered to be real.

RESOLVED:

- (1) That an Article 4 Direction covering the most strategically important office sites in the Borough be issued for a six week public consultation which would remove permitted development rights that currently allowed the change of use of B1 office buildings to C3 residential use without the need for planning permission and instead protect those sites for on-going employment use on the basis that they would only be allowed to be converted to residential use if they secured planning permission from the Council or the Planning Inspectorate via appeal.
- (2) That the results of the consultation process be reported back to the Cabinet Planning and Parking Panel with the aim that the Article 4 Direction be recommended to the Cabinet for adoption once a period of twelve months had passed to allow any compensation claims to fall away.

22.6. Parking Improvements - Part of Aldykes and Firs Close, Hatfield

The Panel had considered parking improvements in Aldykes and Firs Close, Hatfield by way of a resident parking scheme, junction protection and waiting restrictions and the objections received, following public consultation.

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The following locations in Hatfield had been investigated for parking improvements:

- 76-100 Aldykes
- 102-130 Aldykes
- Firs Close
- Hillcrest
- Holliers Way
- Haseldine Meadow
- Elm Drive

Most parking improvements were normally well received by residents but there were two locations, 76-100 Aldykes and Firs Close, Hatfield where significant objections had been received from residents, mainly around the need for more parking provision to reduce congestion.

Parking Services Officers had met with residents to discuss suggestions for improving parking arrangements within the layout and physical restrictions of the area. The Council had looked at all possibilities to provide as much parking as possible and proposals had been agreed with Hertfordshire County Council to make improvements.

**RESOLVED:**

- (1) That the Cabinet approves the parking improvements in 76-100 Aldykes, Hatfield as outlined in Appendix B to the report of the Corporate Director (Resources, Environment and Cultural Services) to the meeting of the Cabinet Planning and Parking Panel on 3 July 2019, as unanimously recommended by the Panel.
- (2) That the Cabinet approves the parking improvements in Firs Close, Hatfield as outlined in Appendix H to the report, as unanimously recommended by the Panel.

**23. STREETSCENE MOBILISATION UPDATE**

Report of the Corporate Director (Resources, Environment and Cultural Services) providing an update on the work of the Board.

In June 2019, the Cabinet agreed that a Member led mobilisation Board should be established to oversee the commencement of the new Streetscene contracts and the Tewin Road depot procurement.

**RESOLVED:**

- (1) That the Cabinet agrees that the start of both contracts (namely Waste Collection and Cleansing and Grounds Maintenance) would be on or around Saturday 28 March 2020.

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- (2) That delegated authority be given to the Corporate Director (Resources, Environment and Cultural Services), in consultation with Executive Member (Environment and Planning), to finalise the Service Level Agreement with Hertfordshire County Council in line with the summary in Appendix 1 of the report.

24. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That under Section 100(A)(2) and (4) of the Local Government Act 1972, the press and public be now excluded from the meeting for Agenda items 13 to 16 (Minutes 25 to 27 refer) on the grounds that they involved the likely disclosure of confidential or exempt information as defined in Section 100A(3) and paragraph 3 (private financial or business information) of Part 1 of Schedule 12A of the said Act (as amended).

In resolving to exclude the public in respect of the exempt information, it was considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

25. ITEMS OF AN EXEMPT NATURE REQUIRING KEY DECISION NOT IN THE FORWARD PLAN

To consider the following item of an exempt nature for decision not in the current Forward Plan:-

25.1. Award of Contract for Car Park Machines

Exempt report of the Corporate Director (Resources, Environment and Cultural Services) on the award of contract for the supply and installation of car park machines, together with an exempt Addendum report following the meeting of the Parking Enforcement and Management Board on 1 July 2019 unanimously recommending to the Cabinet the award of contract to Flowbird Smart City UK Limited (Flowbird).

(1) The Decision Taken

RESOLVED:

That the contract for the supply and installation of car park machines be awarded to Flowbird Smart City UK Limited (Flowbird).

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(2) Reasons for the Decision

A Parking Enforcement and Management Contracts Procurement Board was set up to explore the introduction of a new parking management system to replace the current Automatic Number Plate Recognition system. The reason for the change was that the current contract was coming to an end in September 2019 and the machines and equipment were at the end of their useful economic life.

The Board met on a number of occasions to consider the type of parking management system and recommended to the Cabinet the outcome of the tender exercise.

**(Note:** The Chairman of the Environment Overview and Scrutiny Committee had been given notice that it was impracticable to comply with the requirement that at least twenty eight days notice must be given of the intention to make a key decision on the Forward Plan in the private section of the meeting in accordance with Regulations 5 and 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 because it was urgent and could not reasonably be deferred for the reason specified).

(1) The reason for this item was to enable the award of contract to be made.

26. REBRANDING - JIM MCDONALD CENTRE

Exempt report of the Corporate Director (Housing and Communities) providing details of the proposed rebranding of the Jim McDonald Centre.

Positive changes had been delivered in developing services and income had steadily increased to improve the financial viability of the centre.

The Cabinet recorded its thanks to James Tiplady, Community Centre Manager for the work undertaken to achieve this success.

To continue this direction of travel, a more vibrant and distinctive branding was requested to further promote the centre and generally increase its appeal to the wider community.

RESOLVED:

That the rebranding of the Jim McDonald Centre be endorsed and approved.

27. WRITE OFF OF OVER £10,000

Exempt report of the Corporate Director (Resources, Environment and Cultural Services) seeking agreement to a non-domestic write-off of over

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£10,000 where the ratepayer had gone into liquidation and no further recovery action could be taken.

RESOLVED:

That the Cabinet agrees to the non-domestic rate write off as detailed in the exempt report.

Meeting ended 8.15pm  
GS