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Please ask for:
Alison Marston

21 March 2022

Dear Councillor

You are requested to attend a meeting of the WELWYN HATFIELD BOROUGH COUNCIL CABINET to be held on Tuesday 29 March 2022 at 5.00 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

Yours faithfully



Governance Service Manager

AGENDA
PART 1

1. **APOLOGIES**

2. **MINUTES**

To confirm as a correct record the Minutes of the meeting held on 1 March 2022 (previously circulated).

3. **PUBLIC QUESTION TIME AND PETITIONS**

Up to thirty minutes will be made available for questions from members of the public on issues relating to the work of the Cabinet and to receive any petitions.

4. **ACTIONS STATUS REPORT (Pages 5 - 6)**

Report of the Head of Law and Administration on the status of actions agreed at the last Cabinet meeting.

5. **NOTIFICATION OF URGENT BUSINESS TO BE CONSIDERED UNDER ITEM 9**

6. **DECLARATIONS OF INTERESTS BY MEMBERS**

To note declarations of Members' disclosable pecuniary interests, non-

disclosable pecuniary interests and non-pecuniary interests in respect of items on the Agenda.

7. RECOMMENDATION FROM CABINET PANELS

To consider a recommendation from the meeting of the Cabinet Planning and Parking Panel on 10 March 2022:-

(a) Local Plan - Annual Monitoring Report 2020/21 (Pages 7 - 8)

Recommendation from the meeting of the Cabinet Planning and Parking Panel on 10 March 2022 on the Local Plan Annual Monitoring Report 2020/21.

8. ITEM REQUIRING KEY DECISION NOT IN THE FORWARD PLAN

To consider the following item for decision not in the current Forward Plan:-

(a) Social Housing De-Carbonisation Fund (Pages 9 - 12)

Report of the Chief Executive on the Social Housing De-Carbonisation Fund.

(Note: The Chairman of the Overview and Scrutiny Committee has 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 not in the Forward Plan 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).

The reason for this item is to enable the company to be appointed as soon as possible as the grant applications period is in Spring and therefore cannot wait until the Cabinet meeting in June as it will be too late.

9. SUCH OTHER BUSINESS AS, IN THE OPINION OF THE CHAIRMAN, IS OF SUFFICIENT URGENCY TO WARRANT IMMEDIATE CONSIDERATION

10. EXCLUSION OF PRESS AND PUBLIC

The Cabinet is asked to resolve:

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 Item 11 on the grounds that it involves the likely disclosure of confidential or exempt information as defined in Section 100(A)(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 is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

PART II

11. ANY OTHER BUSINESS OF A CONFIDENTIAL OR EXEMPT NATURE AT THE DISCRETION OF THE CHAIRMAN

Circulation: Councillors T.Kingsbury (Chairman) N.Pace
D.Bell (Vice-Chairman) B.Sarson
S.Boulton F.Thomson

Corporate Management Team
Press and Public (except Part II Items)

If you require any further information about this Agenda please contact Alison Marston, Governance Services on 01707 357444 or email – democracy@welhat.gov.uk

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Agenda Item 4

Part I

Main author: Alison Marston

Executive Member: Cllr Nick Pace

Not Ward Specific

WELWYN HATFIELD BOROUGH COUNCIL
CABINET – 29 MARCH 2022
REPORT OF THE HEAD OF LAW AND ADMINISTRATION

ACTIONS STATUS REPORT

1 Executive Summary

- 1.1 In order to ensure that actions identified at meetings are completed, this report lists the actions from the last Cabinet meeting, those responsible for completing each action and its current status.

2 Recommendation(s)

- 2.1 That Members note the status of the following actions which were identified at the last Cabinet meeting on 1 March 2022:-

Minute	Action	Responsible	Status/ Date Completed
94.1	Procurement Boards	Andrew Harper	Council agreed the Cabinet recommendations that the Constitution was amended to reflect any approved consequential changes to the Constitution, including Executive Member and Officer delegations and the Contract Procedure Rules.
94.2	Howlands House and Burfield Close Redevelopment	Harvinder Sarohi-Parhar	It was agreed to delegate the decision to award the construction contract for temporary accommodation at Howlands House and Burfield Close to the Executive Member for Housing and Climate Change and the Executive Member for Resources by means of an Executive Member Decision.
94.3	ANPR Vehicles	Kirsten Roberts	It was agreed to delegate the decision to award the contract for two electric vehicles with Automatic Number Plate Recognition (ANPR) cameras and two static cameras to the Executive Member for Resources by means of an Executive Member Decision.
100.1	Bereavement Services	Andrew Harper	The mandatory standstill letters have been despatched. The standstill period ends on 22 March 2022.
100.2	Pest Control Contract	Andrew Harper	The contracts are due to commence on 1 April 2022.
100.3	Electric Charging Point Contract	Kirsten Roberts	The contract will be signed once funding has been secured.

During the period 21 February 2022 to 21 March 2022, the following decisions were taken by Cabinet Members exercising their individual delegated powers in accordance with paragraph 18 of the Cabinet Procedure Rules within the Constitution.

	Action	Responsible	Status / Date Completed
2022-04	Reaffirming our Commitment to the Armed Forces Community Covenant (Decision taken 28 February 2022)	Alison Marston	It had been agreed to reaffirm the Council's commitment to the Hertfordshire armed forces community covenant as it was over ten years since the Council first made this commitment.
2022-05	IT Consultancy – Clarification of Company Name (Decision taken 28 February 2022)	Andrew Harper	The name of the company on the Executive Member Decision Notice dated 20th January 2022 had been clarified as 'Constellia Public Limited'.
2022-06	Home Ownership Policy (Decision taken 10 March 2022)	Simon Kiff	The adoption of the new Home Ownership Policy was approved.
2022-09	Electrical Safety Offences Policy (Decision taken 15 March 2022)	Jo Smith	It was agreed to adopt the Electrical Safety Standards Policy as part of the Council's current Civil Financial Penalty Policy.
2022-10	Banning Order Policy (Decision taken 15 March 2022)	Jo Smith	Adoption of the 2022 Banning Order Policy was agreed.
2022-11	Review of the Tenancy Strategy, Secure Tenancies and the Use of Flexible Tenancies (Decision taken 15 March 2022)	Rachel Sesstein	It was agreed to commence a consultation process with key stakeholders and tenants to seek views on: a) The proposal to amend the current Tenancy Strategy and Tenancy Policy and b) the identified and proposed changes to the existing secure tenancy terms and conditions.
2022-12	Amendment of Resident Permit Parking Schemes, Verge Protection Order and other Waiting Restrictions in Various Roads, Handside, Welwyn Garden City. (Decision taken 17 March 2022)	Jack Carson	It was agreed to introduce the prohibition of stopping and waiting on verge or footway order 2020 (amendment no.2) order 2022 and restriction of waiting and permit parking zones order 2022 in Handside.

WELWYN HATFIELD BOROUGH COUNCIL
CABINET – 29 MARCH 2022

Recommendation from Cabinet Parking and Planning Panel on 10 March 2022:-

46. ANNUAL MONITORING REPORT 2020/21

Report of the Head of Planning on the Annual Monitoring report for the period 1st April 2020 to 31st March 2021. The report served a number of purposes including reporting the amount of development that had taken place in the borough, assessing whether the developments met targets across a number of indicators and sets out the expectation for future developments. It reports on the progress against Local Development Scheme. Officers highlighted some of the key findings from the Report.

- Retail vacancy rate had increased in both Welwyn Garden City and Hatfield, and the rate had been fluctuating in the year before.
- There were 352 new housing units (net) completed, which included 48 new affordable homes.
- The minimum annual local housing need increased slightly to 878 dwelling per annum.
- 5268 dwellings were required when using the housing delivery test for the next 5 years.
- Loss of employment floor space continued, due to office to resident conversions. Article 4 directions which were due to come into force would slow this trend.
- The rate of job seeking allowance or universal credit claimants was steadily declining.

Officers stated the full report covers further topics and provides more detail.

Members asked why there was an improvement in planning appeals. Officers stated they do not have an obvious answer and they would do further work to identify why.

Members sought clarification on how much of the borough was greenbelt, how much of it had changed and how to protect the greenbelt. Officers stated that approximately 79% of the borough was designated greenbelt land. The current boundaries were established in the 1993 Local Plan and have remained largely unaltered since they were designated.

Members were pleased to see that the Article 4's were working to protect office space.

Members stated that Hatfield Central was the most deprived ward in the borough and asked how Hatfield Central and Peartree would be "levelled up". The Executive Member stated the ongoing development work and new constructions should help level up.

Members noted that population change to the borough was by international migration. Members queried why 30% more house was needed when the population growth was 0.7% however Members were aware that the report was during a covid pandemic year.

Members asked if there were more care homes spaces proposed than needed. Officers stated the area was rapidly meeting the need and they may need to review the need for that type of accommodation in the future.

Members asked whether the warehouse built on green belt land made it into the report or would it be in the following years. Officers stated they would come back with an answer.

Members asked about the over provision for 1 and 2 bed dwellings, and whether 3 and 4 bed dwellings would be provided. Officers stated the urban higher density developments had come forward first. Lower density larger homes would be built on sites currently in the green belt on the edge of settlements to deliver a transition from town to countryside.

Members noted there was a lot of information in the report and felt the information was useful.

**RESOLVED:
(unanimous)**

- (A) That the Cabinet Planning and Parking Panel recommends to Cabinet that the AMR be approved for publication and, that the Head of Planning be given delegated authority to agree any minor alterations to finalise the AMR, following consultation with the Executive Member for Environment, Planning, Estates and Development.

The reports of the Cabinet Planning and Parking Panel meeting can be viewed in full here:

<https://democracy.welhat.gov.uk/ieListDocuments.aspx?CId=266&MId=1348&Ver=4>

Part I

Main author: Andrew Harper

Executive Member: Councillor Fiona Thomson

All Wards

WELWYN HATFIELD BOROUGH COUNCIL
CABINET – 29 MARCH 2022
REPORT OF THE CHIEF EXECUTIVE

SOCIAL HOUSING DECARBONISATION FUND.

1 Executive Summary

- 1.1 During the 2021 spending review the government has committed a further £800m across 3 years for the Social Housing Decarbonisation Fund (SHDF). Wave 2 of the (SHDF) will open for bidding in Spring of 2022.
- 1.2 To assist with this project the Council requires an agent to bid for funding and if successful, manage the project.

2 Recommendation(s)

- 2.1 That Cabinet give delegated authority to the Chief Executive (in consultation with the Section 151 Officer and Executive Member for Housing and Climate Change) to award the contract for an agent to manage the Social Housing Decarbonisation Project.

3 Explanation

- 3.1 In 2019 the government committed £3.8bn over a ten year period to improve the energy performance of social rented homes. During the 2021 spending review the government has committed a further £800m across 3 years for the Social Housing Decarbonisation Fund (SHDF). Wave 2 of the (SHDF) will open for bidding in Spring of 2022.
- 3.2 Wave 1 of the scheme focused on delivering innovative whole house, deep retrofit projects for social housing, demonstrating a targeted performance level and cost reduction. The key principles being a fabric first approach ensuring heat loss prevention measures are installed before other energy efficiency measures, to maximise low carbon heating either now or in the future, and to benefit tenants in terms of comfort, health, wellbeing and bills. Facilitating the treatment of the worst performing homes through a scaled cost cap that allows for greater spend on those homes with a lower starting EPC band. A no regrets approach minimising the potential of measures having to be replaced in the future on the journey to net zero. Registered Providers must improve their stock using a fabric first approach to at least a minimum of EPC C.

In terms of eligible measures this includes any measure that is eligible with SAP to be installed with SHDF funding, with the exception of fossil fuel heating systems. Low Carbon Heating can be installed where a fabric first approach is taken, and all new heating systems must reduce bills in isolation compared to the existing system. Hybrid heating systems will be eligible in some circumstances in on-gas grid homes.

Administrative & Ancillary costs allowable up to 15% of total costs (these costs are in addition to the capital costs for home upgrades) and Social Housing providers are required to contribute at least 30% of the total eligible project costs.

For wave 1 BEIS wanted applicants to demonstrate that they can bring together a strong delivery team, including a Retrofit Coordinator, Identify groups of suitable dwellings for retrofit and secure permission from the occupants in advance of works taking place, Procure skills and materials from the retrofit supply chain in a timely manner, Measure baseline dwelling performance to understand retrofit needs, Design and implement retrofits to improve energy performance of stock and meet targets, Measure actual performance, Oversee delivery of retrofit in such a way as to avoid adverse consequences, e.g. overheating, problems associated with damp etc and deliver the projects on time. The social housing sector anticipates that wave 2 of the funding will have similar criteria.

- 3.3 Property Services do not currently have the resources or expertise to successfully manage the bid, procurement and delivery phases of the works without assistance. We aim to procure the services of an agent to provide the necessary expertise and support to deliver a viable project from concept to completion.
- 3.4 The first stage is putting together a viable project bid. From our initial conversation with an agent this is likely to Include desktop analysis and property modelling, adding value by looking at what other funding can also be utilised to include additional measures such as ECO4 and HUG funding, identifying a route to procurement and pulling together a fully costed proposal and programme for delivery and submitting the bid to BEIS.
- 3.5 If the bid is successful the next stage is the implementation and delivery of the project. This would include acting as retrofit coordinator, engaging with our tenants over the proposed project, undertaking property assessments and technical surveys, scheme Governance, contractor management (overseeing delivery of the works), project reporting, compliance management and a completion handover.
- 3.6 Delegated Authority is requested as a decision will need to be made on the appointment of the agent before the June Cabinet.
- 3.7 As the value of the contract is potentially over £1,000,000.00 cabinet are required to consider the matter.

Implications

4 Legal Implication(s)

- 4.1 Any procurement will be undertaken in accordance with the Contract Procedure Rules.

5 Financial Implication(s)

- 5.1 For the work up to and including the submission of the bid agents will be working at risk, meaning that should a funding bid not be successful, the council would not need to make payment, subject to any direct costs incurred by the appointed agent such as the costs of surveys. For a successful bid, the agent would be able to claim for time spent on the project within the 15% administrative and ancillary costs of the grant award.
- 5.2 The grant application will be on the basis that the grant covers 70% of the cost and the Council pay 30% of the costs, which will be attributed to the Housing Revenue Account.
- 5.3 It is unclear at this stage when the funding application window will be open. Following appointment of an agent, and the preparation of a draft submission, the Section 151 Officer will be consulted on the proposed bid submission to ensure that the bid can be accommodated within existing budgets. Should this not be the

case, options will be considered and a report will be presented to Cabinet for consideration.

6 Risk Management Implications

6.1 The risks related to this proposal are:

6.1.1 Construction risks – as with all projects there are construction risks that would need to be managed by all appropriate parties

6.1.2 Risk of bid application not being successful – if this was the case then the council would be liable for the cost of any EPC's undertaken

6.1.3 Delivery of the scheme / reputation – there are risks that the project would not be delivered to plan. Strong contract management would be needed to mitigate against this.

7 Security and Terrorism Implication(s)

7.1 None directly from this report

8 Procurement Implication(s)

8.1 The Procurement of an agent is being undertaken using a framework that is compliant with the Council's Contract Procedure Rules.

8.2 The scope of the tender is that the initial bidding phase undertaken by the agent is at their risk. The only costs on the council would be the costs of undertaking any necessary EPC's. If the bid is unsuccessful then the agent would not receive any direct remuneration from the Council.

9 Climate Change Implication(s)

9.1 This project would have a positive impact on climate change by improving the carbon efficiency of the housing stock.

10 Human Resources Implication(s)

10.1 None directly from this report

11 Health and Wellbeing Implication(s)

11.1 A more carbon efficient home will improve the Health and Wellbeing of the tenants.

12 Communication and Engagement Implication(s)

12.1 Once funding is secured a communications strategy will be developed.

13 Link to Corporate Priorities

13.1 The subject of this report is linked to the Council's Corporate Priority 'Our Housing' and specifically to the achievement of meet the borough's housing need and effectively manage the borough's housing stock.

14 Equality and Diversity

14.1 An EqIA was not completed because this report does not propose changes to existing service-related policies or the development of new service-related policies.

Name of author Andrew Harper / Paul Horsley
Title Procurement Manager / Asset Manager
Date 11 March 2022

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