

Cabinet  
6 September 2016

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the CABINET held on Tuesday 6 September 2016 at 7.30 pm  
in the Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE

PRESENT: Councillors J Dean (Leader of the Council) (Chairman)

D Bell (Executive Member, Resources)  
H Bromley (Executive Member, Environment)  
T Kingsbury (Executive Member, Policy and Culture)  
M Perkins (Executive Member, Planning, Housing and  
Community)  
B Sarson (Executive Member, Business, Partnerships and  
Public Health)  
R Trigg (Executive Member, Governance, Community Safety,  
Police and Crime Commissioner and Corporate Property)

ALSO PRESENT: J.Fitzpatrick

OFFICIALS PRESENT: Chief Executive (M Saminaden)  
Director (Finance and Operations) (P Kettle)  
Director (Governance) (R Baldock)  
Head of Law and Administration (M Martinus)  
Governance Services Manager (G R Seal)  
Senior Communications Officer (L Bertram)

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48. PUBLIC QUESTION TIME AND PETITIONS:

Notice of one question had been received. The member of public submitting the question did not attend the meeting. The question was read out by the Governance Services Manager and the Leader gave the following answer which would be provided in writing to the member of public:-

1. Question from Elaine Forman – Community Military Covenant

“My name is Elaine Forman and I am a military Veteran living in the Hatfield area.

It has been recognised and shown the difficulties that the Welwyn and Hatfield Borough has in identifying who are the Military Veterans living in the Borough and thereby achieving the promises they signed up for by signing the Community Military Covenant.

Why then have the Welwyn Hatfield Borough Council (Electoral Services) not seized upon a fantastic opportunity to gather this information NOW.

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They could have carried out this task in their letter sent to every householder in the Borough through the 'Household Enquiry Form' dated 26 August 2016, by either adding a tick box to ask "Have you or anyone else on this form served as a member of HM Forces" or indeed attached a further sheet of A4 paper asking this question perhaps with a bit more information such as Army, Navy, Airforce, military number, are you in receipt of a war pension (just a few examples). Just think of the money you could have saved and how ground breaking the Council could have become, being the first to carry out this exercise.

The next census is not estimated until 2021 and you have failed to grab at the chance to get the information about Veterans in your area and this is vital.

You should all hopefully be aware of the Royal British Legion's campaign "Count Them In". As an example: David, from Pontypridd, joined the Army in 2004. Serving as a Lance Corporal, he completed two tours of Iraq. However, when David left the Army he became invisible to the Government, just like 6.5 million members of the Armed Forces community. Despite an estimated 1 in 10 of the UK population being members of the Armed Forces community, there's very limited information about where they are or what their needs might be. Without information on those who are Serving, veterans and their families, it's hard to provide them the support they deserve.

In Stevenage in 2014 a diabetic ex-soldier died starving and skint after officials axed his benefits.

David Clapson, 59, was stripped of the cash after missing an appointment at the job centre.

He died in Stevenage, Herts, with just £3.44 left in his account. David once faced death on a daily basis as he served his country loyally in the terror hell of Northern Ireland.

And when he left the Army he went straight into the workplace with BT before becoming a full-time carer for his sick mother. After she went into a home, diabetic David turned to the state for help while he looked for work.

David had his £71.70 a week Jobseeker's Allowance axed – merely because he missed an appointment with an adviser. Stripped of his income, the 59-year-old could not afford food or electricity and died starving, penniless and alone at his home. His death was from diabetic - ketoacidosis – caused by not taking his insulin. His distraught sister Gill Thompson told how she believes he may have stopped injecting himself with the life-saving drug after becoming so desperate over his lack of cash and work.

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So who knows if David's life could have been saved if you or we knew about him (the Breakfast Club situated in Hatfield or the Information Centre in Stevenage run by Derrick Hale).

You missed a vital opportunity to find out this information and I want to know why somebody didn't recognise this opportunity and why they didn't act upon it."

Answer

"I would like to thank Ms Forman for her very important question and give her assurance that this Council is doing all it can to assist our service men and women. I take this matter very seriously, as do my colleague Councillors and I will continue to work to find improved ways to give assistance to our military personnel.

However, although Ms Forman makes a very good point about the Household Enquiry Forms (HEF) that have recently been sent to all households in the Borough, these forms must relate to electoral matters only, by law. The forms are prescribed by the Government, with the sole purpose of ascertaining and confirming who is eligible to register in the residential properties in the Borough. We only gather information we are instructed to request, that is to say, the name of the resident, whether they are over 76 years of age, their nationality, whether they want a postal or proxy vote, and whether they wish to opt out of the open register or not.

We are not permitted to ask for information other than the prescribed questions.

Ms Forman appears to be mixing up the HEF with the census forms that are sent out by the Government every 10 years. The HEF form is sent out every year by local Councils and if Councils wanted to expand the questions on this form, the Government would have to amend the regulations to allow us to do so.

I close by reiterating that the Council will continue to do all we can to support our service men and women in every way possible."

49. MINUTES:

The Minutes of the meeting held on 2 August 2016 were approved as a correct record and signed by the Chairman.

50. ACTIONS STATUS REPORT:

The status of actions agreed at the Cabinet meeting on 2 August 2016 in the report of the Director (Governance) was noted.

51. DECLARATIONS OF INTEREST BY MEMBERS:

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Councillor R.Trigg declared a non-pecuniary interest in Agenda item 21(a) Affordable Housing Programme – All Saints Property Development at Hall Grove, Welwyn Garden City as a Council appointed representative on the Welwyn Hatfield Community Housing Trust and did not participate in the discussion of the item (Minute 65.1 refers).

Councillor B.Sarson declared a non-pecuniary interest in Agenda item 16 Proposal for a Business Improvement District in Welwyn Garden City as a Council appointed representative on the Welwyn Garden City Town Centre Partnership and did not participate in the discussion of the item (Minute 61 refers).

52. ITEMS RELATING TO THE BUDGET AND POLICY FRAMEWORK FOR RECOMMENDATION TO COUNCIL:

The following item was considered:-

52.1. Localised Council Tax Support Scheme 2017/18

The Cabinet agreed in February 2016 to consult on minor changes to the Council Tax Support Scheme (Minute 122 refers) and the report of the Director (Finance and Operations) provided the results of that consultation.

A total of 61 completed responses were received and whilst this was a relatively small return, the majority of the respondents were in support of the proposed changes rather than the alternative options.

The changes were being proposed in order to be consistent with the changes made to the housing benefit regulations and would only apply to new claimants.

Hertfordshire County Council had responded to say it was in support of the changes.

RESOLVED:

- (1) That, having reviewed the consultation results and the equalities impact assessment, the Cabinet agrees to the changes in the council tax support scheme for 2017/18 in relation to abolishing the family premium for new claimants; reducing the backdating of council tax support for working age claimants from six months to one month and abolishing the payment of second adult rebate.
- (2) That the Cabinet recommends to the Council that the localised council tax support scheme for 2017/18 abolishes the family premium for new claimants, reduces the backdating of council tax support for working age claimants from six months to one month and abolishes the payment of second adult rebate with all the other elements of the scheme remaining the same and continuing to help

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vulnerable claimants and those on low/no income to receive a reduction on their council tax.

53. ITEMS REQUIRING KEY DECISION:

There were no items requiring key decisions to be considered.

54. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY COMMITTEES:

There were no recommendations from Overview and Scrutiny Committees to be considered.

55. RECOMMENDATIONS FROM CABINET PANELS:

Recommendations from the meeting of the Cabinet Housing and Planning Panel on 14 July 2016:-

55.1. Rowans, Sloansway and Surrounding Roads, Welwyn Garden City

The Panel had considered the results of the informal consultation, the formal consultation and the recommended course of action in relation to the restriction of waiting proposals for Rowans, Sloansway and surrounding roads. The residents at 694 addresses were consulted and three formal objections had been received.

Residents from two areas in Welwyn Garden City were consulted about proposals to prevent drivers from parking too close to junctions, traffic congestion near schools and on possible locations for constructing new parking spaces in the verge and nearby green areas.

The Panel noted that an Equality Impact Assessment had been carried out and no significant differential impacts were found. However the following could be impacted by the proposed restrictions:-

- a number of elderly and disabled residents lived in this area. From the results of the consultation it appeared that none would be adversely affected by the new restrictions. If needed disabled drivers with a valid blue badge could park on yellow lines for up to three hours.
- during the monitoring period should any unintended impacts come to light, Parking Services would investigate and carry out the appropriate remedial actions.

The following issues had been clarified:-

- the nature of the parking problems and road layout, particularly around the junction at Maple Grove and Runsley which was difficult to ascertain from the interpretation of the map alone;

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- parked vehicles obscuring sight lines;
- Vehicles parked on the grass verges due to road narrowness.
- dangerous parking on the junctions and corners;
- confirmation that full consultation took place with the residents of the area.

RESOLVED:

That, having considered the objections received, in particular the issues raised around equalities and diversity and the reasons for the proposal, together with the detailed issues raised including any proposed mitigating actions, the Panel's recommendation to proceed with the creation of the Traffic Regulation Order was approved.

55.2. The Ryde Area, Hatfield - Proposed Resident Permit Parking Scheme and Restriction of Waiting

The Panel had considered the results of the informal consultation, the formal consultation and the recommended course of action. A total of 402 properties were included in the consultation and the Council had received six letters of objection to the formal proposals.

A parking study was carried out in Hatfield in March 2012 to identify the key parking problems, particularly long term parking by non-residents and possible solutions. Subsequent to this in 2014 over 5,000 residents and businesses in the Hatfield Central and East Wards received parking questionnaires. Over 1000 completed questionnaires were returned and this information had been collated and analysed.

In April 2015, the Council decided to split both wards into five separate areas and prioritise these. Residents and businesses in The Ryde and surrounding roads were the first to be consulted.

The Panel noted that:-

- an Equality Impact Assessment had been carried out.
- no significant differential impacts were found.
- age – elderly residents might benefit from a less congested environment with improved access to and egress from their properties. Residents in receipt of a state pension were eligible for 50% discount when purchasing visitor vouchers.
- carers for the elderly - if elderly residents needed a carer there were a number of options to cater for this.

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- disability – disabled residents might feel encouraged to use their vehicle in a less congested environment and residents with a valid blue badge would receive their first permit free of charge.

A full and open dialogue had been held with the Headteacher of the Ryde School during which various times regarding the hour's restriction outside the school had been discussed and agreed.

Many of the residents who had responded to the consultation exercise had requested a restriction of some sort. Although the majority of the responses (41%) opted for a single yellow line during the consultation, a significant number (34%) opted for a resident permit scheme, as either themselves or their visitors would need to park during the proposed hours of operation.

Ward Members had received a full briefing on the proposed scheme and had been fully engaged and involved.

Panel Members had expressed mixed views on the effect of the reopening of the refurbished station car park and it was difficult to ascertain exactly the impact on the migration of cars with regards to the station car park or whether parking was moving further up The Ryde. Many of the properties in the area had driveway access, often large and spacious driveways.

Concerns were expressed regarding the displacement of vehicles into other already congested areas.

The proposals had been amended in respect of part of Mount Pleasant Lane / Close and Howlands in response to the consultation.

**RESOLVED:**

That, having considered the objections received, in particular the issues raised around equalities and diversity and the reasons for the proposal, as amended, together with the detailed issues raised including any proposed mitigating actions, the Panel's recommendation to proceed with the creation of the Traffic Regulation Order was approved.

**56. RECOMMENDATIONS FROM SCRUTINY SUB-COMMITTEES:**

There were no recommendations from Scrutiny Sub-Committees to be considered.

**57. REVENUE BUDGET OUTTURN REPORT AT 30 JUNE 2016 (MONTH 3):**

Report of the Director (Finance and Operations) presenting the revenue outturn for the first three months of the financial year 2016/17.

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After three months of the financial year an overall improved position on the General Fund and no real change on the Housing Revenue Account. The key favourable variances on the General Fund related to a council tax administration grant being higher than anticipated in the budget and inflation on the Serco contract being lower than anticipated.

There was now a forecasted net increase in General Fund reserves of £139,000 for the year.

There were also other uncertainties in the budget indicating a net potential favourable variance of £481,000 that was yet to be reported in the forecast, given the uncertainty around these budgets.

The Housing Revenue Account was forecast to result in a £4.3M deficit for the year but this would still leave the year-end balance higher than anticipated in the original budget at £9M due to the slippage in the contribution to capital expenditure.

RESOLVED:

- (1) That the Cabinet agrees the changes to the General Fund forecasted outturn as at 30 June 2016 to be included in the current budget, which in turn would then be used as the basis of comparison to the forecasted outturn.
- (2) That the Cabinet agrees the Housing Revenue Account changes to the forecasted outturn as at 30 June 2016 to be included in the current budget, which in turn would then be used as the basis of comparison to the forecasted outturn.
- (3) That all service managers be informed that any significant changes to the forecasted outturn which could not be met by a similar level of savings would need a report to the Cabinet to request additional funds.
- (4) That the position on debts and rechargeable works be noted.

58. CAPITAL BUDGET MONITORING AT 30 JUNE 2016 (PERIOD 3):

Report of the Director (Finance and Operations) providing information on the capital budget for the first quarter of 2016/17.

The forecast for capital expenditure in this financial year was £47.321M and this was no change on the current budget.

Capital reserves were anticipated to reduce from an opening position of £36.5M to a closing forecast position of £17.6M with a further £3.8M of internal borrowing used.



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RESOLVED:

That the overall position on capital spending, funding and reserves, together with the latest current budget to date of £47.321M, the forecast outturn and the Prudential Indicators be noted.

59. RELEASE OF BUDGET ALLOCATIONS:

59.1. Resurface of the Cherry Tree Car Park at Campus East, Welwyn Garden City

Report of the Director (Finance and Operations) seeking the release of the approved 2016/17 capital budget of £60,000 to cover the cost of resurfacing the Cherry Tree car park at Campus East, Welwyn Garden City.

RESOLVED:

That the release of the approved capital budget allocation of £60,000 for this scheme be approved.

59.2. Resurface of the Car Park at Mardley Heath Wood

Report of the Director (Finance and Operations) seeking the release of the approved 2016/17 capital budget of £20,000 to cover the cost of resurfacing the car park at Mardley Heath Wood.

RESOLVED:

That the release of the approved capital budget allocation of £20,000 for this scheme be approved.

59.3. Resurface of the Car Park at Sherrards Wood

Report of the Director (Finance and Operations) seeking the release of the approved 2016/17 capital budget of £25,000 to cover the cost of resurfacing the car park at Sherrards Wood.

RESOLVED:

That the release of the approved capital budget allocation of £25,000 for this scheme be approved.

60. MINOR BUILDING WORKS - CONTRACT EXTENSION:

Report of the Director (Finance and Operations) on the award of framework contracts for minor building works.

RESOLVED:

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That the framework contracts for minor building works be extended for a period of one year to 31 March 2018.

(Note: Councillor M.Perkins declared a non-pecuniary interest in this item because she had requested a quote for private work from one of the companies in the framework and did not participate in the discussion).

61. PROPOSAL FOR A BUSINESS IMPROVEMENT DISTRICT (BID) IN WELWYN GARDEN CITY:

Report of the Director (Finance and Operations) on arrangements for the development of the Welwyn Garden City Business Improvement District (BID).

RESOLVED:

- (1) That the Cabinet supports the BID proposal, having considered the draft Business Plan, baseline agreements and BID boundary and taking into account the right to veto.
- (2) That having reviewed and discussed the proposals for a Welwyn Garden City BID the Cabinet agrees that they were not in conflict with the objectives of the Authority.
- (3) That delegated authority be given to the Director (Governance) to cast a YES vote in the BID ballot.
- (4) That the Cabinet notes the Council will run the ballot.
- (5) That the Cabinet notes the Council will be the billing authority.
- (6) That the Cabinet agrees the Council will purchase the additional system software and any associated licences required to enable it to administer and collect the levy and will invoice the BID company for these fees.
- (7) That the Cabinet agrees the Council will make a separate charge for the billing costs.
- (8) That, subject to a successful ballot, the Cabinet agrees to delegate authority to the Director (Governance), in consultation with the Executive Member (Resources), to enter into an operating agreement and memorandum of understanding with the BID Company.
- (9) That the Cabinet agrees, subject to a successful ballot and the establishment of the BID Company, to appoint a Member to sit as a Director on the Welwyn Garden City Bid Limited Board and a senior Council Officer (Head of Service or Director) to act as adviser to the Board.

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62. COUNCIL'S ACHIEVEMENT LIST - QUARTER 1 (2016/17):

Report of the Director (Finance and Operations) summarising key achievements and service improvements for Quarter 1 of 2016/17 (1 April to 30 June 2016).

RESOLVED:

That the Council's Achievements List be noted.

63. PERFORMANCE EXCEPTION REPORT - AUGUST 2016:

Report of the Director (Finance and Operations) summarising strategic performance data on an exception basis following monitoring and review at the last performance clinic.

RESOLVED:

That strategic performance data be noted and any proposed actions highlighted approved.

64. 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 21 and 22 (Minutes 65 and 66 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.

65. ITEMS OF AN EXEMPT NATURE REQUIRING KEY DECISION NOT ON THE FORWARD PLAN:

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

65.1. Affordable Housing Programme - All Saints Property Development at Hall Grove, Welwyn Garden City

Exempt report of the Director (Finance and Operations) setting out a proposal to fund the purchase of eight newly constructed homes on this site as part of the Council's affordable housing programme.

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It was noted that in the purchase price under financial implications in the report “less” stamp duty should read “plus” stamp duty.

(1) The Decision Taken

RESOLVED:

- (1) That the Cabinet agrees that the Council enters into a legal agreement with Rockwell Homes to purchase eight new affordable homes (the new properties) at All Saints, Hall Grove, and Welwyn Garden City to be built to the Council’s specification.
- (2) That the Cabinet agrees to pay the purchase price of £3,225,000 for the new properties from Rockwell Homes.
- (3) That the Cabinet agrees to delegate authority to the Council’s designated Chief Finance Officer (pursuant to Section 151 of the Local Government Act 1972 (as amended)), in consultation with the Executive Member (Planning, Housing and Community) and the Executive Member (Resources), to agree reasonable changes to the funding requirement if significant abnormal costs were demonstrated or other unknown/unforeseen costs were incurred.

(2) Reasons for the Decision

The Council had been in negotiation for some time on this scheme which was already identified as a pipeline scheme within the Affordable Housing Programme delivery plan and allowed for in the approved capital budget.

(Note: The Chairman of the Social Overview and Scrutiny Committee had been given notice that it was impracticable to comply with the requirements that at least twenty eight days notice must be given of the intention to make a key decision on the Forward Plan and to consider the item 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).

The reason for this item was to be able to enter into a legal agreement to proceed with the proposed new affordable housing development without delay).

66. INSURANCE RENEWAL - 24 JUNE 2016 - 23 JUNE 2017:

Exempt report of the Director (Finance and Operations) providing information on the renewal terms of Council insurance policies following the decision made under the delegated authority previously authorised by the Cabinet (Minute 148.3 of the meeting on 5 April 2016 refers).

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RESOLVED:

That the decisions made by the Director (Finance and Operations), in conjunction with the Executive Member (Resources), to approve insurance renewal terms be confirmed.

(Note: The Chairman of the Resources Overview and Scrutiny Committee had been given notice in accordance with Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that it was impracticable to comply with the requirement that at least twenty eight days notice must be given of the consideration of this item in the private section of the meeting because it was urgent and could not reasonably be deferred for the reason specified).

The reason for this item was to report for confirmation the renewal terms of Council insurance policies agreed under the delegated authority previously approved by the Cabinet without delay.)

Meeting ended at 8.05 pm  
GS