

Cabinet  
4 April 2017

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the CABINET held on Tuesday 4 April 2017 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

- PRESENT: Councillors J.Dean (Leader of the Council) (Chairman)  
A.L.Perkins (Deputy Leader and Executive Member, Planning, Housing and Community) (Vice-Chairman)
- D.Bell (Executive Member, Resources)  
H.Bromley (Executive Member, Environment)  
T.Kingsbury (Executive Member, Policy and Culture)  
B.Sarson (Executive Member, Business, Partnerships and Public Health)  
R.Trigg (Executive Member, Governance, Community Safety, Police and Crime Commissioner and Corporate Property)
- OFFICIALS Chief Executive (M.Saminden)  
PRESENT: Executive Director (Public Protection, Planning and Governance) (N.Long)  
Executive Director (Resources, Environment and Cultural Services) (K.Ng)  
Head of Planning (C.Haigh)  
Head of Housing Operations (S.Pearson)  
Governance Services Manager (G.R.Seal)  
Governance Services Officer (S.Hulks)  
Communications Officer (T.Underwood)

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151. MINUTES

The Minutes of the meeting held on 7 March 2017 were approved as a correct record and signed by the Chairman.

152. ACTIONS STATUS REPORT

The status of actions agreed at the Cabinet meeting on 7 March 2017 in the report of the Executive Director (Public Protection, Planning and Governance) was noted.

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

The following items were considered:-

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153.1. Submission Local Plan (Forward Plan Reference FP782)

Recommendations from the meeting of the Cabinet Housing and Planning Panel on 16 March 2017 on the submission of the Local Plan to the Secretary of State for public examination.

Appendix A to the report of the Executive Director (Public Protection, Planning and Governance) to the Panel set out summaries of the main issues raised by consultees at the recent Draft Local Plan Proposed Submission consultation. Since that time a respondent had identified that one of their three representations was not summarised in Appendix A and did not appear on the online consultation portal. This was set out in an Addendum and was also considered by the Cabinet.

RESOLVED:

- (1) That the Cabinet agrees and recommends to the Council that the Local Plan, Policies Map and associated submission documents identified in paragraph 4.59 of the report of the Executive Director (Public Protection, Planning and Governance) should be submitted with minor modifications as set out in the report, to the Secretary of State for public examination.
- (2) That the Cabinet agrees that the Head of Planning, in consultation with the Executive Director (Public Protection, Planning and Governance) and the Executive Member (Planning, Housing and Community), be given delegated powers to continue to agree Memorandums of Understanding and Statements of Common Ground with adjoining authorities and other duty to co-operate bodies as appropriate all the way up until submission in order to secure the best outcome for the public examination.
- (3) That the Cabinet agrees and recommends to the Council that the Head of Planning, in consultation with the Executive Director (Public Protection, Planning and Governance) and the Executive Member (Planning, Housing and Community), be given delegated authority to add to, amend and/or delete items from the Schedule of Minor Modifications that may arise as a result of on-going meetings with adjoining authorities and other duty to co-operate bodies and to update the Infrastructure Delivery Plan, all the way up until the point of submission.
- (4) That the Cabinet agrees that the Head of Planning, in consultation with the Executive Director (Public Protection, Planning and Governance) and the Executive Member (Planning, Housing and Community), be given delegated authority to prepare a Statement of Duty to Co-operate which explains the outcome of on-going duty to co-operate meetings with adjoining authorities and other duty to co-

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operate bodies, to be submitted to the Secretary of State alongside the Submission Local Plan.

- (5) That the Cabinet agrees and recommends to the Council that the Head of Planning and Planning Policy and Implementation Manager, in consultation with the Executive Director (Public Protection, Planning and Governance) and the Executive Member (Planning, Housing and Community) and with regular reporting back to the Cabinet Housing and Planning Panel, be authorised to advocate the Submission Local Plan at the public examination and seek to secure the best outcome for the Borough if the Inspector wishes to discuss possible changes, additions or deletions to the Plan.
- (6) That the Cabinet agrees and recommends to the Council that the inclusion of the omitted comment in Main Issues summary, as set out in the Addendum to Appendix A of the report of the Executive Director (Public Protection, Planning and Governance), be noted and no change be made to the Draft Local Plan Proposed Submission or Policies Map as a result of the representation.

#### 153.2. Review of the Constitution

Report of the Executive Director (Public Protection, Planning and Governance) on a comprehensive review of the Constitution in the light of recent major changes.

In noting that the procedure for the call-in of planning applications was being updated, Officers assured the Cabinet that this was to clarify the reasons for call-in only and that they would have no more ability to impede a call-in than as provided for at present.

#### RESOLVED:

- (1) That the Cabinet agrees and recommends to the Annual Council meeting changes to the Constitution relating to the restructuring of the senior management of the Council including responsibility for functions and appointments of Proper Officers, the re-integration of the housing service into the Council, the creation of a property company, external auditor appointments, the formation of a joint building control service, together with general updating, including to Contract and Financial Procedure Rules and the procedure for call-in of planning applications.
- (2) That the Cabinet agrees and recommends to the Annual Council meeting that the Head of Law and Administration as Monitoring Officer be authorised to amend the Constitution to include these changes and to make any other minor amendments where required by Statute or decisions of the Council in accordance with delegated powers.

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(**Note:** The link to the Constitution published on the Council's website is as follows:-

<http://www.welhat.gov.uk/CHttpHandler.ashx?id=470&p=0> )

154. ITEMS REQUIRING KEY DECISION

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

154.1. Community Infrastructure Levy (CIL) Preliminary Draft Charging Scheme Consultation (Forward Plan Reference FP779)

Recommendation from the meeting of the Cabinet Housing and Planning Panel on 16 March 2017 seeking agreement to the Draft Charging Schedule and Initial Draft Regulation 123 List for six weeks of public consultation.

(1) The Decision Taken

RESOLVED:

That the CIL Preliminary Draft Charging Schedule and Initial Draft Regulation 123 List be agreed for six weeks of public consultation.

(2) Reasons for the Decision

The Community Infrastructure Levy (CIL) was a locally set planning charge which local authorities could choose to implement to raise contributions from new housing and other development towards the delivery of necessary supporting infrastructure.

In accordance with the Council's Local Development Scheme, which set out a work programme relating to the preparation of the Local Plan, a CIL Preliminary Draft Charging Schedule had been prepared for public consultation.

The Preliminary Draft Charging Schedule was the first statutory stage of consultation required in respect of CIL. The consultation would set out the type of development which would be liable for the levy, the proposed charging rates and the types of infrastructure that the levy would contribute to.

(**Note:** There were no declarations of interest by a Member(s) in respect of the matter decided).

154.2. Local Development Scheme (LDS) (Forward Plan Reference FP782)

Recommendation from the meeting of the Cabinet Housing and Planning Panel on 16 March 2017 on the adoption of the revised Scheme timetable for the preparation of the Welwyn Hatfield Local Plan.

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(1) The Decision Taken

RESOLVED:

That the Cabinet agrees that the revised Local Development Scheme be adopted.

(2) Reasons for the Decision

The LDS was the Council's official timetable for the preparation and adoption of the Local Plan and other planning documents for the Borough.

The revised timetable reflected that it had taken longer than originally anticipated to analyse some 3,000 representations received to the Proposed Submission Local Plan consultation exercise.

(Note: There were no declarations of interest by a Member(s) in respect of the matter decided).

154.3. Renewal of Insurance Policies 2017/18 - Request for Delegated Authority (Forward Plan Reference FP788)

Report of the Director (Resources, Environment and Cultural Services) on delegated authority for the renewal of the Council's insurance policies for 2017/18.

(1) The Decision Taken

RESOLVED:

That the Executive Director (Resources, Environment and Cultural Services), in consultation with the Executive Member (Resources), be given delegated authority to approve the renewal of insurance policies, in view of the need for expeditious decisions to be made outside of timetabled meetings with the outcome to be reported to the September Cabinet meeting.

(2) Reasons for the Decision

The majority of the Council's insurance policies were tendered in 2015 and new long term agreements entered into with the successful bidders. The leasehold property policy was tendered separately in 2014. Renewal of all policies with existing insurers would therefore be sought in accordance with these agreements, however as in previous years the timetable of meetings precluded the terms from being presented to Cabinet for consideration.

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155. HATFIELD 2030+ RENEWAL PROJECT

Report of the Executive Director (Public Protection, Planning and Governance) on the regeneration of Hatfield.

RESOLVED:

- (1) That Members affirm their commitment to the renewal of Hatfield by endorsing the vision and policies in the emerging Local Plan and the vision and objectives in the Hatfield Renewal Framework and also affirm their commitment to ensuring that individual development schemes would be planned and designed to look and feel like an integrated programme of regeneration.
- (2) That Members agree to give delegated authority to the Executive Director (Resources, Environment and Cultural Services), in consultation with the Executive Member (Resources) and the Executive Member (Business, Partnerships and Public Health), to submit a funding bid to the Herts Local Enterprise Partnership for £6M to support the development of Hatfield town centre projects.
- (3) That Members authorise Officers to prepare and submit a planning application for the construction of a multi-storey car park on The Common car park site.
- (4) That Members acknowledge that Officers would investigate and make future proposals in respect of the wider implications of the construction of a multi-storey car park.
- (5) That Members acknowledge that future reports would seek authority to prepare and submit planning application for development on other Council-owned sites.

156. CAPITAL BUDGET ROLL FORWARDS REPORT 2017/18

Report of the Executive Director (Resources, Environment and Cultural Services) on the roll forward of capital schemes from 2016/17 into 2017/18.

RESOLVED:

- (1) That a budget of £8.951M be approved for capital schemes to be rolled forward.
- (2) That all roll forward schemes that had not yet received approval for release of funds, be subject to further detailed reports being brought to Members to seek approval to spend.

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157. BUSINESS RATES BUDGET CHANGES

Report of the Executive Director (Resources, Environment and Cultural Services) seeking delegated authority to agree the Council's discretionary relief guidelines to take into account Government measures to provide additional relief to businesses following the 2017 non-domestic rating evaluation.

RESOLVED:

That delegated authority be given to the Executive Director (Resources, Environment and Cultural Services), in consultation with the Executive Member (Resources), to agree the Council's discretionary relief guidelines to take account of measures contained in the Chancellor's budget to provide additional relief to businesses following the 2017 non-domestic rating revaluation in view of the need for expeditious decisions to be made outside of timetabled meetings with the final discretionary relief guidelines being reported to a future Cabinet meeting for noting.

158. REPORTS SEEKING THE RELEASE OF APPROVED CAPITAL FUNDING IN 2017/18

The following reports of the Executive Directors (Resources, Environment and Cultural Services) and (Housing and Communities) seeking the release of funding from the approved capital programme for schemes in 2017/18 were considered.

- (a) Affordable Housing Programme - £13,929,080
- (b) Housing Revenue Account Services - £11,450,600
- (c) Environment Services Schemes - £4,816,460
- (d) Corporate Property Miscellaneous Schemes - £940,000
- (e) Garages Projects - £644,000
- (f) Disabled Facilities Grant and Private Sector Renewal - £471,000
- (g) Corporate Property Projects - £335,000
- (h) King George V Multi Use Games Area - £160,000
- (i) Finesse Leisure Schemes - £100,000

RESOLVED:

- (1) That the release of the capital budget of £13,929,080 for expenditure arising during 2017/18 under the affordable housing programme, including property acquisitions, grant funding to registered providers

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and costs incurred relating to the Council's own new build programme be approved.

- (2) That the release of the maintenance capital budget of £11,450,600 for 2017/18 funded by the Major Repairs Allowances and Housing Revenue Account reserves be approved.
- (3) That the release of funds of £4,816,460 in April 2017 for capital projects in Environment Services to be progressed be approved.
- (4) That the release of funds of £940,000 for Corporate Property miscellaneous schemes be approved.
- (5) That the capital budget of £644,000 be released to allow asbestos removal and garage renovation and improvement work to be progressed.
- (6) That the release of the capital budget of £471,000 for the payment of Disabled Facilities Grants/Discretionary Grants and Loans be approved.
- (7) That the release of funding of £335,000 from the capital programme for 2017/18 for Corporate Property projects be approved.
- (8) That the capital budget of £160,000 be released for the King George V Multi Use Games Area.
- (9) That the release of the allocated £100,000 for Finesse Leisure schemes be approved.

159. 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 15, 16 and 17 (Minutes 160 -162 refer) on the grounds that they involved the likely disclosure of confidential or exempt information as defined in Section 100A(3) and paragraphs 3 (private financial or business information) and 5 (legal and professional privilege) 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.

160. ITEMS OF AN EXEMPT NATURE REQUIRING KEY DECISION

The following items of an exempt nature were considered:-



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160.1. Sale of High Value Council Properties - Affordable Housing (Forward Plan Reference FP799)

Exempt report of the Executive Director (Housing and Communities) on the progress of this scheme and recommending a revised list of high value areas in the Borough.

(1) The Decision Taken

RESOLVED:

- (1) That the Cabinet notes the content of this report on this scheme.
- (2) That the Cabinet agrees that the method of identifying high value homes be carried out via an area approach rather than by a prescribed list as previously agreed and for the reasons set out in the exempt report.
- (3) That the Cabinet agrees the high value areas as set out in Appendix A to the exempt report.
- (4) That delegated authority be given to the Executive Director (Resources, Environment and Cultural Services) and Executive Director (Housing and Communities), in consultation with the Executive Member (Planning, Housing and Community) and Executive Member (Resources), to approve the sale of a vacant property where its valuation met the criteria as previously agreed.
- (5) That the Cabinet notes that if a property became vacant and was considered to have a high value but was not located within one of the areas in Appendix A to the exempt report, a valuation would be carried out and if it met the high value homes criteria a recommendation would be brought to the Cabinet regarding the potential sale.

(2) Reasons for the Decision

Proposals contained in the Government's Housing and Planning Bill included the sale of high value Council homes (or paying the Government annually the equivalent value) to fund the cost of voluntary Right to Buy for housing association tenants, but the detail on when and how this would be rolled out by the Government had been delayed with no indication of an implementation timescale.

(Note: There were no declarations of interest by a Member(s) in respect of the matter decided).

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160.2. Award of Build Contract for the Redevelopment of 16 Bedsit Flats on Northdown Road as part of the Councils Affordable Housing Programme (Forward Plan Reference FP790)

Exempt report of the Executive Director (Housing and Communities) on the award of contract for the demolition and build of this redevelopment scheme.

(1) The Decision Taken

RESOLVED:

That the Affordable Housing Programme Procurement Board recommendation that the contract for the demolition of sixteen council owned bedsits and build of sixteen one bed flats at Northdown Road, Hatfield be awarded to Taylor French Developments Ltd (Taylor French) as detailed in the exempt report be approved.

(2) Reasons for the Decision

The Cabinet previously agreed a selection process for building contractors for direct construction of new affordable homes for the Council and to use suitable Council owned sites for the purpose with the new homes being owned and managed by the Council.

(Note: There were no declarations of interest by a Member(s) in respect of the matter decided).

161. DECOMMISSIONING OF EXISTING UNSUITABLE SHELTERED HOUSING PROPERTIES AND SCHEMES AND PROPOSALS FOR REVISED USE AND OLDER PERSONS NEW BUILD OPPORTUNITY

Exempt report of the Executive Director (Housing and Communities) on a review of sheltered housing stock and development of a programme of regeneration of older persons housing stock.

RESOLVED:

(1) That the Cabinet approves the commencement of initial consultation with residents and family members about the proposal to redevelop Minster House, Hatfield on the basis that the proposed new scheme would be built using current best practice and recommended Housing Our Ageing Population Panel for Innovation (HAPPI) design principles for improved health and well-being and also accommodate more residents than currently occupied the property.

(2) That the Cabinet approves the commencement of consultation on a decommissioning process for two sheltered housing schemes at Burfield Close, Hatfield and Peartree Close, Welwyn Garden City in

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order to change the use from sheltered housing to general need rent or for other possible housing initiatives.

- (3) That the Cabinet approves the commencement of negotiations with the Order of St John of God to explore alternative suitable accommodation for their Hospitaller clients, currently resident in Minster House and to include the option of offering Burfield Close for this purpose and a new leased arrangement.
- (4) That the Cabinet gives authority to cease letting vacancies that arise in the above three schemes under the current allocations policy whilst the consultation was undertaken and until such time as a decision around the future proposals for these schemes had been agreed.

162. WRITE OFFS OVER £10,000

Exempt report of the Executive Director (Resources, Environment and Cultural Services) on a non-domestic rate write off of over £10,000 where the ratepayer had gone into liquidation.

RESOLVED:

That the Cabinet agrees a write off as detailed in the exempt report where no further action could be taken.

Meeting ended at 8.20pm  
GS