

Cabinet
6 June 2017

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the WELWYN HATFIELD COUNCIL CABINET held on Tuesday 6 June 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)
M.Perkins (Deputy Leader) (Executive Member, Planning, Housing and Community)

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)

ALSO
PRESENT: T.Mitchinson

OFFICIALS Chief Executive (R.Bridge)
PRESENT: Executive Director (Public Protection, Planning and Governance) (N.Long)
Executive Director (Resources, Environment and Cultural Services) (K.Ng)
Executive Director (Housing and Communities) (S.Russell)
Head of Law and Administration (M.Martinus)
Governance Services Manager (G.R.Seal)
Communications Officer (T.Underwood)

1. LONDON BRIDGE TERRORIST ATTACK:

The Leader on behalf of the Cabinet shared a moment of thoughts for the victims of the attack on 3 June 2017 and their families and friends.

The Cabinet and Officers stood for a minute's silence as a mark of respect.

2. APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN:

It was noted that Councillor J.Dean as Leader of the Council and Councillor M.Perkins as Deputy Leader were appointed Chairman and Vice-Chairman of the Cabinet.

3. MINUTES:

The Minutes of the meeting held on 4 April 2017 were approved as a correct record and signed by the Chairman.

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4. ACTIONS STATUS REPORT:

The status of actions agreed at the Cabinet meeting on 4 April 2017 in the report of the Executive Director (Public Protection, Planning and Governance) was noted.

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

The following items were considered:-

5.1. Release of Section 106 Funding - Refurbishment of a Changing Pavilion

Report of the Executive Director (Resources, Environment and Cultural Services) seeking the release of £124,000 in Section 106 funding from the playing pitch compensation sum paid to the Council by Crest Nicholson from their partial redevelopment of the Sir Frederic Osborn School playing fields.

The funding would be used to undertake a complete refurbishment of the changing Pavilion within the King George V playing fields. The pavilion served the football pitches and the playing fields generally and was identified as a prospective recipient of this funding when first proposed some years ago. An upgrade now would ensure the building continued to support the playing of sport and other recreational activities on this site for many years to come.

This funding was not included in the Council's agreed capital programme for 2017/18 and so would require Council approval.

RESOLVED:

- (1) That the Cabinet notes the release of the Section 106 funding of £124,036.14 from Crest Nicholson Operations Limited under the terms of the relevant Deed of Variation and agrees to allocate it towards a full refurbishment of the existing changing pavilion within the King George V playing fields in Welwyn Garden City.
- (2) That the Cabinet recommends to the Council that this sum be reflected in the current year's capital programme and budget.

5.2. Food Hygiene Rating Scheme - Cost Recovery

Recommendation from the meeting of the Environment Overview and Scrutiny Committee on 5 April 2017 advising of a change in the Food Standards Agency charging policy and proposing that the Council introduce a set cost recovery fee for food hygiene rating re-inspections/re-visits to food businesses.

There would continue to be no charge for the statutory initial inspection, but should a food business wish to request a further visit to increase their score it was proposed that a fee based on full cost recovery would be charged.

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RESOLVED:

- (1) That the change in the Food Standards Agency charging policy be noted and the proposal to introduce a cost recovery fee for food hygiene rating re-inspections/re-visits to food businesses be agreed.
- (2) That delegated authority be given to the Head of Public Health and Protection and the Executive Director (Public Protection, Planning and Governance), in consultation with the Portfolio Holder for Business, Partnerships and Public Health, to determine a suitable fee having regard to the Food Standards Agency guidance and in consultation with Finance.
- (3) That the changes be introduced and recommended to the Council for adoption and the budget book be adjusted accordingly.

6. ITEMS REQUIRING KEY DECISION:

The following items for decision in the current forward plan were considered:-

6.1. Parking Services Update and Future Work Programmes (Forward Plan Reference FP785)

Recommendations from the meeting of the Cabinet Housing and Planning Panel on 10 April 2017 providing an update on current work programmes and proposing future work programmes for parking restrictions and improvements.

(1) The Decision Taken

RESOLVED:

- (1) That the update on the current 2016/17 work programme be noted and the parking services programme for 2017/18, as recommended by the Panel, be approved.
 - (2) That the Panel recommendation that the remainder of the Lemsford Road and French Horn Lane schemes (both in Hatfield Central and East – Areas 3 and 4) be placed on hold, until a decision had been made about the planning application for building the multi-storey car park in The Common, Hatfield.
- (2) Reasons for the Decision

Throughout the year, the Council received many requests for parking restrictions and parking improvements through a number of different channels. It was important to manage public requests and expectations and producing an annual work programme, which covered both parking restrictions and parking improvements helped the Council to achieve this.

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Hatfield town centre was currently being re-developed and as part of this the Council would be looking to submit a planning application this year to construct a multi-storey car park on The Common. It was proposed to re-provide the current parking provision into the new multi-storey car park.

With this in mind, it made sense to stop further consultation within the immediate area of the town centre until a decision had been made on the planning application. The construction of the multi-storey car park was likely to influence residents' responses to any parking consultation which took place. Once a decision had been made these areas would be added back in to the work programme as previously agreed.

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

6.2. Revenue Budget Outturn Report for the Financial Year 2016/17 (Forward Plan Reference FP797)

Report of the Executive Director (Resources, Environment and Cultural Services) presenting the revenue outturn for the financial year 2016/17 and summarising main variances for both the General Fund and Housing Revenue Account Services.

(1) The Decision Taken

RESOLVED:

- (1) That the outturn for the General Fund and the Housing Revenue Account as at 31 March 2017 be noted.
- (2) That the position on debts and rechargeable works be noted.
- (3) That movements on all reserves including ring-fenced and strategic reserves be noted.

(2) Reasons for the Decision

The revenue outturn set out the end of financial year position for 2016/17 and explained the main variances from the approved budget at period 9 (31 December 2016) for both the General Fund and the Housing Revenue Account.

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

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6.3. 2016/17 Capital Outturn and Funding Position (Forward Plan Reference FP797)

Report of the Executive Director (Resources, Environment and Cultural Services) providing information on the capital expenditure outturn, the funding details for capital spending and the year-end capital funds position for the financial year 2016/17.

(1) The Decision Taken

RESOLVED:

- (1) That the capital expenditure outturn for 2016/17 of £33.237M be noted.
- (2) That the funding of capital expenditure for 2016/17 be approved.

(2) Reasons for the Decision

The capital outturn set out the end of financial year position for 2016/17 and explained the funding details for capital spending and capital funds.

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

6.4. Adjustment to Capital Roll Forwards Budgets 2016/17 into 2017/18 (Forward Plan Reference FP796)

Report of the Executive Director (Resources, Environment and Cultural Services) recommending changes to the 2016/17 and 2017/18 capital programme.

(1) The Decision Taken

RESOLVED:

That the adjustments to the 2016/17 and 2017/18 capital budgets be approved.

(2) Reasons for the Decision

The capital budget roll forwards into 2017/18 were previously approved at the Cabinet meeting on 4 April 2017 (Minute 156 refers) and changes required by budget managers as a result of updated information from the closure of the accounts process were now highlighted. Adjustments to the roll forwards were not an additional budget request for 2017/18, merely the re-profiling of budgets between 2016/17 and 2017/18.

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

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6.5. Treasury Management Annual Report 2016/17 (Forward Plan Reference FP798)

Report of the Executive Director (Resources, Environment and Cultural Services) reviewing treasury management activity and prudential indicators for the 2016/17 financial year and seeking approval of amendments to treasury management practices which supported the strategy.

(1) The Decision Taken

RESOLVED:

That the report and actual treasury management prudential indicators for 2016/17 be noted and amendments to the treasury management practices be agreed.

(2) Reasons for the Decision

The 2016/17 Treasury Management Strategy was approved by the Council at its special meeting on 1 February 2016 (Minute 55(1)(h) refers).

As the Council had borrowed and invested substantial sums of money it was exposed to financial risks, including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk was therefore central to the Council's treasury management strategy.

All treasury management activity undertaken during the financial year complied with the approved strategy, relevant legislative provisions and good practice.

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

6.6. Disabled Facilities Grant Contract (Forward Plan Reference FP802)

Report of the Executive Director (Housing and Communities) on a one year extension to this contract.

(1) The Decision Taken

RESOLVED:

That the contract with Mears Limited for the Disabled Facilities Grants service be extended by one year to 30 September 2018.

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(2) Reasons for the Decision

The Cabinet in 2015 agreed to award the contract for facilitating applications and managing casework for Disabled Facilities Grants to Mears Limited. The contract was demand led and primarily based on assessments by a County Occupational Therapist. The contract was for two years until 30 September 2017 with an optional one year extension.

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

6.7. Provision of Internal Audit Services (Forward Plan Reference FP803)

Joint report of the Executive Directors (Resources, Environment and Cultural Services) and (Public Protection, Planning and Governance) seeking approval to an extension to the partnership for the provision of these services.

(1) The Decision Taken

RESOLVED:

- (1) That the Cabinet authorises an extension of the Partnership Agreement and Contract for the provision of internal audit services with effect from 1 June 2016 until 31 May 2018.
- (2) That the Cabinet delegates authority to the Director (Resources, Environment and Cultural Services), in consultation with the Executive Member, Resources to approve any further extensions of this agreement.

(2) Reasons for the Decision

The Council in 2011 entered into a Partnership Agreement and a Contract for a collaborative arrangement with Hertfordshire County Council and four other Hertfordshire authorities for the provision of internal audit services. It was proposed to extend this "Inter-Authority Agreement" and Shared Internal Audit Service partnership to 31 May 2018 as it had continued to deliver key benefits.

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

6.8. Food Safety Service Plan 2017/18 (Forward Plan Reference FP800)

Recommendation from the meeting of the Environment Overview and Scrutiny Committee on 5 April 2017 on the adoption of the Plan.

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It was a requirement of the Food Standards Agency that each local authority drew up and implemented a food safety service plan which was approved by Members.

(1) The Decision Taken

RESOLVED:

That the Food Safety Service Plan for 2017/18 be approved and recommended to the Council for adoption.

(2) Reasons for the Decision

The plan set out the Council's approach and priorities in respect of the delivery of food safety interventions and followed a prescribed template detailed by the Food Standards Agency. It identified over 500 food safety interventions which included new businesses, routine inspections and revisits (for compliance). The Council had entered into a new Primary Authority agreement to provide food safety advice to a national food business. Commitment to Hertfordshire's Better Business for all project to support businesses whilst delivering statutory interventions continued. The plan also contained a commitment to deliver nine food hygiene training courses and participate in proactive food safety promotion, including food safety week and supporting public events to ensure food safety.

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

6.9. Health and Safety Service Plan 2017/18 (Forward Plan Reference FP801)

Recommendation from the meeting of the Environment Overview and Scrutiny Committee on 5 April 2017 on adoption of the Plan for 2017/18.

(1) The Decision Taken

RESOLVED:

That the Health and Safety Service Plan 2016/17 be approved and recommended to the Council for adoption.

(2) Reasons for the Decision

The plan set out the Council's arrangements for enforcing Health and Safety at Work legislation over the forthcoming year 2017/18 in accordance with the requirement of section 18 of the Health and Safety at Work etc Act 1974 to have a detailed service plan.

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The general arrangements for delivery of this service were broadly similar to previous years but the main changes related to intervention priorities for the year ahead. These took account of national priorities identified by the Health and Safety Executive and local priorities.

Warehouse safety, particularly work at height which was both a national and local priority as well as violence at work and swimming pool/spa safety were projects that would be looked into for the coming year.

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

7. RECOMMENDATIONS FROM SCRUTINY SUB-COMMITTEES:

Recommendations from the Environment Scrutiny Sub-Committee:-

7.1. Problems Associated with Trees within the Borough

The Environment Overview and Scrutiny Committee at its meeting on 4 July 2016 agreed that a Scrutiny Sub-Committee be appointed look at trees near to residential properties to ensure that their growth was not obstructing everyday life for residents.

The Sub-Committee's recommendations related to the current strategy and approach to street tree management in the Council's Tree Policy and the provision of clear information to Members and residents.

The Cabinet expressed thanks to Councillor H.Quenet, Chairman of the Scrutiny Sub-Committee for the work undertaken on this scrutiny which it valued. The Deputy Leader and Executive Member (Environment) had responded to questions as part of the scrutiny.

RESOLVED:

That the Scrutiny Sub-Committee's recommendations be considered as part of the forthcoming wider Tree Strategy Review.

8. DRAFT ANNUAL GOVERNANCE STATEMENT FOR THE FINANCIAL YEAR 2016/17:

Report of the Chief Executive submitting the Annual Governance Statement for 2016/17 for approval.

It was noted that the Standards Committee at its meeting on 5 June 2017 had made some comments on the Statement which would be updated for the meeting of the Audit Committee on 24 July 2017 prior to final certification.

The Cabinet thanked Officers for their work on the Statement.

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RESOLVED:

- (1) That the Draft Annual Governance Statement be approved, subject to the comments made by the Standards Committee at its meeting on 5 June 2017 (Minute 10 refers).
- (2) That the Chief Executive, in conjunction with the Leader of the Council, be authorised to make any subsequent amendments to the Draft Annual Governance Statement following the Audit Committee meeting.
- (3) That the final Statement be certificated by the Leader of the Council and the Chief Executive.

9. FOOTWAY MAINTENANCE CONTRACT:

Report of the Executive Director (Resources, Environment and Cultural Services) on the extension of the footway repairs contract awarded to Henderson and Taylor (Public Works) in 2014 for three years to 30 September 2017 with an optional one year extension.

RESOLVED:

That the contract for footway repairs with Henderson and Taylor (Public Works) be extended by one year to 30 September 2018.

10. PERFORMANCE EXCEPTION REPORT - JUNE 2017:

Report of the Executive Director (Resources, Environment and Cultural Services) summarising strategic performance data for the last quarter of 2016/17.

RESOLVED:

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

11. COUNCIL ACHIEVEMENTS LIST - JANUARY TO MARCH 2017:

Report of the Executive Director (Resources, Environment and Cultural Services) summarising key achievements and service improvements for the last quarter of 2016/17.

RESOLVED:

That the achievements list be noted.

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12. COUNCIL TAX SUPPORT - HARDSHIP RELIEF AND DISCRETIONARY HOUSING PAYMENT UPDATE:

Report of the Executive Director (Resources, Environment and Cultural Services) providing on update on the operation of the scheme in 2016/17.

RESOLVED:

That the operation of the scheme in 2016/17 be noted.

13. 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 19 and 20 (Minutes 14 - 15 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.

14. ITEM OF AN EXEMPT NATURE REQUIRING KEY DECISION:

The following item of an exempt nature for decision in the current Forward Plan was considered:-

14.1. Award of Contract for Mains Isolator Switch (Forward Plan Reference FP804)

Exempt report of the Executive Director (Housing and Communities) on the award of contract for the installation of these switches in Council domestic properties.

(1) The Decision Taken

RESOLVED:

That the contract for the installation of mains isolator switches in Council domestic properties be awarded to Dawling Limited for a three year period, commencing on 1 July 2017 with an optional one year extension.

(2) Reasons for the Decision

The Council was undertaking a programme to install mains isolator switches in Council domestic properties which was a legal requirement to

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enable safe and lawful working by qualified electricians, such as on kitchen refurbishments. A procurement exercise had taken place.

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

15. CONTRACT PROCEDURE RULES AND REQUIREMENT FOR A MEMBER PROCUREMENT BOARD - 1 AND 3 TO 9 TOWN CENTRE, HATFIELD:

Exempt report of the Executive Director (Resources, Environment and Cultural Services) on the appointment of a Member Procurement Board to oversee the procurement for this development project.

RESOLVED:

That a Member Panel be appointed at the Special Cabinet meeting on 12 June 2017 to oversee the procurement for this development project.

Meeting ended at 8.15 pm
GS