

Cabinet  
6 February 2018

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the WELWYN HATFIELD COUNCIL CABINET held on Tuesday 6 February 2018 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors J.W.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)

ALSO

PRESENT: T.Mitchinson

OFFICIALS Chief Executive (R.Bridge)  
PRESENT: Executive Director (Resources, Environment and Cultural Services) (K.Ng)  
Executive Director (Housing and Communities (S.Russell)  
Head of Law and Administration (M.Martinus)  
Head of Planning (C.Haigh) (for items 93 -100)  
Governance Services Manager (G.R.Seal)  
Communications Officer (N.Burrows)

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93. PUBLIC QUESTION

93.1. Questions from Mr A. Silvey- Resident Parking Scheme and Double Yellow Lines in various Roads, Welham Green (Minute 98.1 refers)

The questions were answered by Councillor H.Bromley (Executive Member, Environment).

Question 1

“I have lived at this address for 28 years and have never witnessed any problems at the turning point of our part of the close. Therefore whilst I understand safety is paramount can you outline the background evidence and statistical details that you have gathered to deem this action necessary?”

Answer 1

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“During the six month monitoring period following the introduction of the new parking restrictions residents in Nash Close requested double yellow lines opposite number 62 to prevent obstruction of the junction in front of numbers 51 and 52 Nash Close. This request was made on the grounds of road safety.

Residents reported obstruction of the sight lines when exiting the close between numbers 51-62. Residents also reported near misses caused by vehicles forced to drive on the wrong side of the road when entering the close between numbers 51-62.

Obstruction of the sight lines was witnessed by a Parking Services Officer during day and night visits to the area. During the design stage process the residents of 51 and 52 expressed their desire to continue parking at locations within 10 metres of the junction. Other residents and visitors also park in the same locations.

Prior to recommending this scheme to the Cabinet, The Cabinet Planning and Parking Panel considered the desire of the objectors at number 51 and 52 to park within 10 metres of the junction and the opposing request for double yellow lines made on the grounds of road safety. The Panel agreed that they must give more weight to the request made on the grounds of road safety.”

#### Question 2

“I am not sure how many residents were invited specifically to complete your survey but understand there were four who expressed an interest to have double yellow lines and believe there were five who did not want them. Therefore everybody else who did not respond were not bothered and how does this represent any sort of majority decision?”

#### Answer 2

“It is important to note that all the residents of the close between numbers 51 and 62 were consulted.

A letter was sent to the residents in October 2017, which summarises the results of the consultation.

For short double yellow lines at the junction	For 10 metres of double yellow lines at the junction	Against all double yellow lines at the junction	For yellow lines in other parts of the close	Against double yellow lines in other parts of the close
3	4	1	4	5

The first three columns clearly state that they pertain to the junction. In column three it can be seen that there is only one response against all double yellow lines at the junction.”

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94. MINUTES

The Minutes of the meeting held on 9 January 2018 were approved as a correct record and signed by the Chairman.

95. ACTIONS STATUS REPORT

The status of actions agreed at the Cabinet meeting on 9 January 2018 in the report of the Executive Director (Public Protection, Planning and Governance) was noted.

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

To consider the following items:-

96.1. Public Space Protection Order (Forward Plan Reference FP839)

Recommendation from the meeting of the Social Overview and Scrutiny Committee on 17 January 2018 on update on consultation and approval to make a draft Order (Minute 33 refers).

The Committee had considered the outcome of the public consultation on proposals to implement a Public Space Protection Order (PSPO) designed to tackle anti-social behaviour in Hatfield Town Centre which took place between 12 and 26 November 2017.

It was noted that Hatfield Town Centre had long standing issues with street drinking, rough sleeping and begging associated anti-social behaviour; with the people involved in such activity, urinating or defecating in public spaces. These specific behaviours caused harassment, alarm and distress to members of the public, but were particularly difficult to deal with through other legal channels due to the burden of evidence required to pursue them as a criminal act. In addition local residents who were affected by the behaviour were often unwilling to act as witnesses.

Rough sleeping was one of the issues of concern raised by consultees. The PSPO could be used against rough sleepers but only as a last resort, where the person persistently failed to engage with the Council. Council Officers were committed to providing support to rough sleepers and signposting them to the other specialist agencies. The Council had introduced a new initiative 'Housing First' to reduce the number of rough sleepers in Welwyn Hatfield.

It was accepted that there was a risk of raising expectations by making an Order, but the Council had an excellent working relationship with its partners, supported by the Police who wanted to be able to use the Order.

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There would be signage and the operation of the Order would be monitored and could be varied if felt to be appropriate.

Having considered the issues of anti-social behaviours in Hatfield Town Centre and the views of consultees the Committee fully supported making an Order.

RESOLVED:

- (1) That the formal consultation responses received on the proposed Public Space Protection Order (PSPO) for Hatfield Town Centre be acknowledged.
- (2) That the results of the consultation undertaken be noted and the implementation of a zoned PSPO for the designated areas within Hatfield, as recommended by the local Community Safety Partnership Joint Action Group be approved.
- (3) That the Council be recommended to discharge the current PSPO (automatically created by the legislation from the current Designated Public Place Order).

96.2. Tenancy Policy and Flexible Tenancy Policy (Forward Plan Reference FP829)

Recommendation from the meeting of the Cabinet Housing Panel on 22 January 2018 on approval of a revised policy and procedure (Minute 45 refers).

The Panel noted that the Council had been granting five year flexible term tenancies since November 2013 and the review process for these had been due to commence in November 2017. Now that this process was about to commence on current tenancies, the functional details of the review process have been identified, including reporting, and had been updated in a new separate procedural document to provide better guidance for staff who would be carrying out the reviews.

There were no changes in the updated policy to the grounds for refusing to renew a flexible tenancy at the end of the five year term. These were the same as already approved in April 2012.

The legally mandated procedural guidance for tenants who wished to seek a review of a decision not to renew a flexible tenancy was now also in a separate document that could be issued to tenants on request.

The procedure document would be brought back to the Panel for information before any amendments to the flexible tenancy review procedure, legal or otherwise were put in place or implemented.

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Further information on financial assessment, including trigger points relating to income levels, savings, investments or equity would be provided to the Panel.

RESOLVED:

That the revised Tenancy Policy and Flexible Tenancy Policy be approved for recommendation to the Council for adoption.

97. ITEMS REQUIRING KEY DECISION

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

97.1. Revenue Budget Quarter 3 Monitoring for 2017/18 (Forward Plan Reference FP840)

Report of the Executive Director (Resources, Environment and Cultural Services) presenting the forecast revenue outturn position for the financial year 2017/18 and outlining the main variances from the original budget for both the General Fund and Housing Revenue Account.

(1) The Decision Taken

RESOLVED:

- (1) That the Cabinet approves the changes to the forecast outturn position as at Quarter 3 of the 2017/18 financial year and agrees that they be included in the current budget, which in turn would be used as the basis of comparison to the forecast outturn in future periods.
- (2) That the position on debts be noted.

(2) Reasons for the Decision

The forecast contribution to General Fund reserves was now £470,000 against £272,000 at quarter 2. A number of the "opportunities" highlighted at quarter 2 had firmed up and the forecast had been adjusted accordingly.

The favourable variances had also enabled the transfer of £500,000 to earmarked reserves. As well as increasing the pension reserve, this enabled the setup of a budget priority and transformation reserve which would help to absorb the Lombardy Poplar tree work without having to draw down on the 2018/19 corporate projects budget before the 2018/19 financial year had even started.

The forecast contribution to Housing Revenue Account reserves was now £4.8M, an improvement of £393,000 from quarter 2.

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

97.2. Capital Budget Monitoring as at 31 December 2017 (Quarter 3) (Forward Plan Reference FP841)

Report of the Executive Director (Resources, Environment and Cultural Services) presenting capital expenditure and associated funding for both the General Fund and Housing Account and detailing changes for Quarter 3 of the 2017/18 financial year.

(1) The Decision Taken

RESOLVED:

That the overall position as at Quarter 3 of the 2017/18 financial year on the capital programme and the update on the capital funding and reserves position be noted.

(2) Reasons for the Decision

There were no significant changes to the capital position reported at Quarter 2.

The approved capital budget at December 31 2017 was £55.4M, including roll forwards from 2016/17 of 10.6M.

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

97.3. Local Plan - Annual Monitoring Report (Forward Plan Reference FP835)

Recommendation from the meeting of the Cabinet Planning and Parking Panel on 14 December 2017 on approval of the report for publication.

(1) The Decision Taken

RESOLVED:

That the Annual Monitoring Report (AMR) be approved for publication and that the Head of Planning be given delegated powers to agree any minor alterations to finalise the AMR following consultation with the Executive Member (Planning, Housing and Community).

(2) Reasons for the Decision

The Annual Monitoring Report (AMR) had a number of purposes - it acted as a record of how the Borough's population and places were

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performing and how much development was taking place, assessed how that met the Council's targets and set out projections and expectations for future development and changes in the Borough's population. It also set out progress against the Local Development Scheme, which set out when and how the Council would produce new planning documents and policies and reported on the Council's efforts under the 'duty to cooperate' with other public authorities.

The 2016/17 AMR reported on the period from 1 April 2016 to 31 March 2017. Whilst for completeness this AMR also often referred to further development and changes which had taken place in the seven months since March 2017, it would be for the 2017/18 AMR to report on these in detail.

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

97.4. Multi-Storey Car Park, The Common - Hatfield Parking Strategy (Forward Plan Reference FP831)

Recommendation from the meeting of the Cabinet Planning and Parking Panel on 14 December 2017 on agreement to update the Strategy and approval to include the Aldykes area in the work programme.

(1) The Decision Taken

RESOLVED:

That the inclusion of the Aldykes and surrounding roads within the scope of the project, as recommended by the Cabinet Planning and Parking Panel, be approved.

(2) Reasons for the Decision

The Council had added a project to the capital work programme to seek planning approval for the construction of a multi-storey car park (MSCP) in the Common, Hatfield. This would release other sites within the town centre which had been highlighted as development opportunities by the multi-agency Visioning Group as part of the Hatfield 2030+ project.

The sites which had been highlighted were mainly surface car parks and the creation of the MSCP would enable these to be developed. To minimise displacement during construction a temporary upper deck would be installed in Lemsford Road car park which would provide up to 100 of the 148 parking spaces that would be temporarily lost from The Common car park.

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

97.5. Safeguarding Adults at Risk and Safeguarding Children Policies (Forward Plan Reference FP834)

Recommendation from the meeting of the Social Overview and Scrutiny Committee on 17 January 2018 on endorsement of new policies.

(1) The Decision Taken

RESOLVED:

That the new safeguarding policies be approved, as recommended by the Social Overview and Scrutiny Committee.

(2) Reasons for the Decision

Two new policies had been developed to set out the Council's approach to safeguarding children and safeguarding adults at risk.

The policies were developed to reflect the recommendations of the County's safeguarding boards. Previously there was one single safeguarding policy to cover the approach to safeguarding both vulnerable adults and children, however best practice was to have two separate policies.

The policies had been developed by the Council's new safeguarding steering group, created following the re-integration of housing services with the intention to have a standardised approach across all Council teams.

The new policies reflected all the current definitions for vulnerable adults and children, including people at risk from radicalisation and modern slavery.

The policies reflected the Council's obligations under current legislation and set out the commitment to work with partners to help protect the people who lived in the Borough from abuse and exploitation.

The implementation of the policies would be the responsibility of the Council's Safeguarding Steering Group.

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

98. RECOMMENDATION FROM CABINET PANEL



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98.1. Resident Parking Scheme and Double Yellow Lines in Various Roads, Welham Green

Recommendation from the meeting of the Cabinet Planning and Parking Panel on 11 January 2018 on approval to make a Traffic Regulation Order.

Residents and businesses of Welham Green were consulted about proposals to prevent drivers from parking too close to junctions.

The Panel considered the results of the informal consultation, the formal consultation and the recommended course of action now that the residents and businesses at 272 addresses had been consulted and three formal objections had been received.

Following the review of the existing parking restrictions in Holloways Lane and the adjoining roads, a number of new parking restrictions were implemented in January 2017 and these included two small permit schemes in Bulls Lane and Somers Road and double yellow lines at a number of other junctions.

During the six month monitoring period following the introduction of the new parking restrictions, a number of residents reported that the incidence of cars parked on the junctions of Station Road and Dellsome Lane had increased. Residents in Nash Close also requested double yellow lines opposite number 62 to prevent obstruction of the junction in front of numbers 51 to 52 Nash Close. This request had been made on the grounds of road safety and the Council's Corporate Property service had requested parking restrictions to prevent obstruction of the garage forecourt in Parsonage Lane.

The Panel considered the two formal objections from the residents living on the junction of Nash Close and one objection from residents living in Welham Close, together with the responses to these.

Following discussion, the Panel agreed that yellow lines would be the best option for the junctions in question.

RESOLVED:

That having considered the reasons for the proposals and the objections received, in particular 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 the Traffic Regulation Order, as recommended by the Cabinet Planning and Parking Panel.

99. ITEM REQUIRING KEY DECISION NOT IN THE FORWARD PLAN

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

99.1. Mature Lombardy Poplars

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Report of the Executive Director (Resources, Environment and Cultural Services) on a programme of felling and replanting of these trees in the Borough.

(1) The Decision Taken

RESOLVED:

- (1) That the Cabinet agrees to fell and grind out the stumps of all mature Lombardy Poplars in the Borough over the course of the 2018/19 financial year.
- (2) That the Cabinet commits to replant appropriate new species of trees in place of the felled mature Lombardy Poplars over the coming years, as part of the Welwyn Garden City 2020 Centenary and Hatfield 2030+ Renewal projects.
- (3) That a full communications plan be prepared and a frequently asked questions section be added to the website to explain the decision and the felling process to the public and other interested parties.
- (4) That a detailed risk-based felling schedule be prepared by the Landscape and Ecology Manager, Risk and Resilience Officer and appointed tree contractors.

(2) Reasons for the Decision

Tree Officers had recorded a spate of incidents concerning mature Lombardy Poplars and no longer had confidence that visual or internal testing was capable of identifying decay and likelihood of risk. As a consequence it was recommended that all mature Lombardy Poplars should be felled and a replanting programme take place. This would affect 251 trees owned/managed by the Council, 105 trees owned by Herts Highways, but managed under agency agreement by the Council and others on parks and open spaces owned by the Council.

**(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 accordance with Regulation 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 enable the programme of felling and grinding out of stumps of Mature Lombardy Poplars to be implemented without delay.

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

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

Report of the Executive Director (Resources, Environment and Cultural Services) providing a quarterly update on the operation of the scheme following the on-going welfare reform changes for Quarter 3 of 2017/18.

Council Tax support hardship relief totalling £17,927 had been awarded to 160 tax payers for the period to 31 December 2017. On an annualised basis, this remained within the £25,000 budget for the year.

Discretionary Housing Payments totalling £206,276 had been awarded to 326 claimants for the same period. On an annualised basis, this remained within the £306,531 Government funding available for 2017/18.

RESOLVED:

That the quarterly update on the operation of the scheme for Quarter 3 of 2017/18 be noted.

101. 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 item 14 (Minute 102 refers) on the grounds that it 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.

102. EXEMPT RECOMMENDATION FROM CABINET PANEL

102.1. Campus West Cabinet Panel - 16 January 2018

Exempt Minutes of the meeting setting out information on the overall performance of Campus West Entertainment for Quarter 3 of the 2017/18 financial year and a review of the 2017 Pantomime together with a proposal to stage the Pantomime production in 2018.

The Cabinet was pleased to note the success of the 2017 Pantomime.

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RESOLVED:

That the exempt Minutes of the meeting of the Campus West Cabinet Panel on 16 January 2018 be noted and the proposed 2018 pantomime production, together with the performance schedule and ticket pricing plan as recommended by the Panel, be approved.

Meeting ended at 8.15pm  
GS