

Cabinet  
5 June 2018

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the WELWYN HATFIELD COUNCIL CABINET held on Tuesday 5 June 2018 at 7.30pm in the Council Chamber, Campus East, Welwyn Garden City.

PRESENT: Councillors A.L.Perkins (Leader of the Council) (Chairman)  
T.Kingsbury (Deputy Leader) (Executive Member, Housing and Community)  
D.Bell (Executive Member, Resources)  
S.Boulton (Executive Member, Environment and Planning Delivery)  
T.Mitchinson (Executive Member, Leisure, Culture and Communications)  
B.Sarson (Executive Member, Regeneration, Economic Development and Partnerships)  
F.Thomson (Executive Member, Governance and Public Health)

ALSO PRESENT: B.Fitzsimon, C.Gillett, P.Mabbott, S.Markiewicz, K.Thorpe, S.Thusu, R.Trigg

OFFICIALS PRESENT: Chief Executive (R.Bridge)  
Corporate Director (Public Protection, Planning and Governance) (N.Long)  
Corporate Director (Resources, Environment and Cultural Services) (K.Ng)  
Corporate Director (Housing and Communities) (S.Russell)  
Head of Law and Administration (M.Martinus)  
Head of Property Services (P.Gray)  
Governance Services Manager (G.R.Seal)  
Senior Projects Officer (M.Pyecroft)  
Senior Communications Officer (L.Bertram)

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1. APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN

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

2. MINUTES

The Minutes of the meeting held on 3 April 2018 were approved as a correct record and signed by the Chairman.

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3. ACTIONS STATUS REPORT

The status of actions agreed at the Cabinet meetings on 6 March and 3 April 2018 in the report of the Corporate Director (Public Protection, Planning and Governance) was noted.

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

The following items were considered:-

4.1. Food Safety Service Plan 2018/19 (Forward Plan Reference FP853)

Recommendation from the meeting of the Environment Overview and Scrutiny Committee on 26 March 2018 on agreement of a Food Safety Service Plan for 2018/19 for Welwyn Hatfield which was a requirement of the Food Standards Agency.

(1) The Decision Taken

RESOLVED:

That the performance against the previous Food Safety Service Plan be noted and the draft plan for 2018/19, as set out in Appendix A to the report of the Corporate Director (Public Protection, Planning and Governance) to the meeting of the Environment Overview and Scrutiny Committee on 26 March 2018, be approved and recommended to the Council for adoption.

(2) Reasons for the Decision

The Food Standards Agency had overall responsibility for the official control of food law enforcement in England and one of their requirements was that all local authorities produced a food safety service plan which had been agreed by their Members. The latest version had been agreed by the Environment and Overview Scrutiny Committee.

4.2. Corporate Enforcement Policy (Forward Plan Reference FP855)

Recommendation from the meeting of the Environment Overview and Scrutiny Committee on 26 March 2018 on approval of a Policy covering the enforcement work of a number of Council teams.

(1) The Decision Taken

RESOLVED:

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That the draft Corporate Enforcement Policy, as set out in Appendix A of the report of the Corporate Director (Public Protection, Planning and Governance) to the meeting of the Environment Overview and Scrutiny Committee on 26 March 2018, be agreed and recommended to the Council for approval.

(2) Reasons for the Decision

The Council was responsible for regulating and enforcing a number of legal provisions and the “Regulators code” set out the requirements and expectations for good enforcement. In order to ensure the Council adhered to the principles of good enforcement, the current corporate enforcement policy had been updated to reflect current working arrangements. The new policy was agreed at the Environment and Overview Scrutiny Committee.

5. ITEMS REQUIRING KEY DECISION

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

5.1. Revenue Budget Outturn Report for the Financial Year 2017/18 (Forward Plan Reference FP864)

Report of the Corporate Director (Resources, Environment and Cultural Services) presenting the revenue outturn for the financial year 2017/18 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 2018 be noted.
- (2) That the movements on earmarked reserves be noted.
- (3) That the position on debts be noted.

(2) Reasons for the Decision

Overall, for the General Fund in quarter four, the contribution to General Fund reserves was being maintained at the current budget level of £470,000 established at quarter three. As the bulk of favourable variances in quarter four were either one-off items, or timing differences that were likely to “unwind” in 2018/19, the opportunity was being taken to use the quarter four favourable variance to build up Earmarked Reserves, particularly for Business Rates.

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The Medium Term Financial Strategy and future budget exercises would be reviewed over the coming months in the light of this outturn.

For the Housing Revenue Account, the £599,000 favourable variance on repairs and maintenance, as well as a £226,000 reduction in recharge from the General Fund was offset by a £344,000 adverse variance on insurance provision and other charges. Overall, the drawdown from reserves was £4.2M for 2017/18, £564,000 less than originally budgeted.

6. 2017/18 CAPITAL OUTTURN AND FUNDING POSITION (FORWARD PLAN REFERENCE FP864)

Report of the Corporate Director (Resources, Environment and Cultural Services) giving a summary of the capital outturn for 2017/18 including expenditure and associated funding.

(1) The Decision Taken

RESOLVED:

- (1) That the overall capital outturn position and financing for 2017/18 be noted.
- (2) That the roll forward budgets be approved.

(2) Reasons for the Decision

Total expenditure for the capital schemes in the General Fund and Housing amounted to £4M and £31M respectively.

Non-housing General Fund schemes were mostly funded by capital receipts and capital grant, whilst the Affordable Housing Programme had been funded by a mixture of Right to Buy receipts and the Housing Revenue Account contribution to capital. Right to Buy sales had dropped to 49 compared to an average of around 70 in previous years.

Investment in the existing housing stock had been funded by the Major Repairs Reserve.

7. TREASURY MANAGEMENT ANNUAL REPORT 2017/18

Report of the Corporate Director (Resources, Environment and Cultural Services) reviewing treasury management activity and prudential indicators for the 2017/18 financial year.

Under CIPFA Treasury Management guidance, the Council was required to publish a treasury management strategy and also to receive a mid and end of year report. The average interest return achieved was 0.98%, which was

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respectable given the Bank of England base rate was running at a very low level.

During the year, the Council had opted up to the professional client status in order to continue to have access to wider investment products.

RESOLVED:

That the annual report and actual treasury management prudential indicators for 2017/18 be noted.

8. RE-PROCUREMENT OF PEST CONTROL CONTRACT

Report of the Corporate Director (Public Protection, Planning and Governance) on the arrangements for the re-procurement of this contract.

The Council provided a subsidised contracted pest control service available to all householders, regardless of tenure, throughout the Borough. The current contract with SDK would expire on 31 March 2019.

The current contract was financed from an existing budget and whilst the contract sum was under the amount required by the Constitution to set up a Member Procurement Board, Members had previously asked for it to be considered by a Member Board given the nature of the topic.

RESOLVED:

That in view of the nature of this service, the proposed General Procurement Board oversee the contract re-procurement project taking into account the terms of reference set out at Appendix A of the report of the Corporate Director (Public Protection, Planning and Governance).

9. HATFIELD BIKE HIRE SCHEME

Report of the Corporate Director (Public Protection, Planning and Governance) on support for the Hatfield Renewal Partnership in the trial of a bike hire scheme for Hatfield.

The Council was part of the Hatfield 2030+ Renewal Partnership to help deliver policies in the emerging Local Plan and objectives in the Hatfield Renewal Framework both of which had been prepared in consultation with the community, businesses and other interested parties.

One of the ambitions of both of these was to improve the transport situation in Hatfield and to encourage more sustainable modes of travel as a result of which the Partnership supported the principle of a bike hire scheme for the town.

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The Chairman permitted Councillor K.Thorpe to speak on this item.

Whilst welcoming any investment in Hatfield Town Centre, Councillor Thorpe was concerned about the health and safety issue and that cycling was currently banned in Hatfield Town Centre.

The Executive Member stated that this would be a trial for one year at no cost to the Council or residents.

Councillor Thorpe responded that it could be tried in other areas, but it should not be first trialled in an area where he did not believe it would be successful.

Councillor Thomson commented that it would be nice to see it also in Welwyn Garden City.

RESOLVED:

- (1) That the Council support the efforts of the Hatfield Renewal Partnership in the trial of a bike hire scheme for the town, with a desired start date of September 2018 to match the academic term.
- (2) That the Council accept that some issues were likely to arise as the scheme was implemented and that Members, Officers and other partners might have to work with the operating company to resolve these issues.
- (3) That the Council communicate the scheme to interested parties and landowners and publicise it to the wider community making clear that the scheme was for all of the town's residents, workers, students and visitors, as a cheap and easy alternative to driving.

10. COUNCIL'S ACHIEVEMENT LIST - JANUARY TO MARCH 2018

Report of the Corporate Director (Resources, Environment and Cultural Services) summarising key achievements and service improvements for the last quarter of 2017/18.

RESOLVED:

That the Achievements List be noted.

11. APPOINTMENT OF CABINET PANELS, COMMITTEES AND BOARDS 2018/19

Appointment of Cabinet Panels, Committees and Boards for 2018/19.

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The Leader nominated Councillor P.Hebden as a Member of the Town Centre, Hatfield Procurement Board.

RESOLVED:

That the appointment of Cabinet Panels, Committees and Boards for 2018/19, as set out in Appendix A to Agenda Item 14 be approved, with the appointment of Councillor P.Hebden as a Member of the Town Centre, Hatfield Procurement Board.

12. APPOINTMENT OF REPRESENTATIVES ON EXECUTIVE OUTSIDE BODIES 2018/19

Appointment of representatives to executive outside bodies for 2018/19.

There were more nominations than places for representatives on the Hertfordshire Arts Partnership, Hertfordshire Police and Crime Panel and the Hertfordshire Armed Forces Community Covenant Board and it was for the Cabinet to decide on these appointments.

RESOLVED:

That the appointment of Members to serve as representatives on outside bodies for 2018/19, as listed in Appendix B to Agenda Item 15, be approved to include the following appointments:-

Hertfordshire Arts Partnership	1 Member	1 Year	K.Holman
Hertfordshire Police and Crime Panel	1 Member and a Reserve	4 Years	B.Sarson R.Trigg (Reserve)
Hertfordshire Armed Forces Community Covenant Board	1 Member	1 Year	R.Trigg

13. RAIL TIMETABLE CHANGES

The Leader reported that the Cabinet was aware that a new rail timetable was introduced on 20 May 2018 which was supposed to improve the service. However, nationally and locally over the last couple of weeks there had been regular delays and cancellations which had stopped residents commuting or travelling and many businesses not having staff arrive for work as expected. The Council was deeply concerned at the impact this was having on local residents, their families and businesses and although the Transport Secretary had just announced an independent enquiry it was proposed to write to the Rail Minister and Transport Secretary expressing the Council's concerns and asking that services be returned to acceptable levels as soon as possible and information on how claims for compensation could be made.

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RESOLVED:

That the Cabinet authorises the Chief Executive, in consultation with the Leader of the Council, to write a letter to the Rail Minister and Transport Secretary expressing the Council's concerns at the impact on the Borough's residents and businesses of the new rail timetable and asking for action to be taken immediately to return services to acceptable levels and information on how claims for compensation could be made.

**(Note:** This item was accepted by the Chairman as urgent due to the impact on residents and businesses in the Borough the recent rail timetable changes were currently having).

14. 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 18, (Minute 14 refers) on the grounds that if 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.

15. ITEMS OF AN EXEMPT NATURE REQUIRING KEY DECISION

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

15.1. Award of Agency Staff Contracts (Forward Plan Reference FP851)

Exempt report of the Corporate Director (Public Protection, Planning and Governance) on the admission of companies to the framework for the award of these contracts.

(1) The Decision Taken

RESOLVED:

That companies be admitted to the framework for the award of agency staff contracts as listed in the exempt report.



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(2) Reasons for the Decision

The Council had traditionally used one agency to supply its temporary staff needs. Whilst this produced one point of contact for managers, it was often difficult for this agency to provide hard to source staff such as planners.

This procurement involved a different model - a number of Lots being set up with specialist suppliers to help managers quickly recruit hard to source staff.

The tenders were evaluated 50% on price and 50% on quality.

15.2. Award of Contract for External Redecorations and Repairs to Hazel Grove House, Hatfield (Forward Plan Reference FP858)

Exempt report of the Corporate Director (Housing and Communities) on the procurement process and award of contract for external redecorations and repairs to Hazel Grove House, Hatfield.

(1) The Decision Taken

RESOLVED:

That the contract for external redecorations and repairs to Hazel Grove House be awarded to Axis Europe PLC.

(2) Reasons for the Decision

An open tender process was instigated to ensure that the Council received value for money and compliance with internal and external rules. This meant that any company that met the minimum criteria could submit a bid.

A total of 21 compliant bids were received and these were evaluated against the criteria of 65% Price and 35% Quality. The evaluation was undertaken by Council Officers as well as the external consultants – Pellings LLP.

15.3. Private Sector Adaptations Contract - Agreement of Procurement Arrangements (Forward Plan Reference FP846)

Exempt recommendation from the meeting of the Cabinet Housing Panel on 16 April 2018 on procurement options for the future delivery of Disabled Facilities Grants.

(1) The Decision Taken

RESOLVED:

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That Option 3 in the exempt report of the Corporate Director (Housing and Communities) to the meeting of the Cabinet Housing Panel on 16 April 2018 to become part of the current contract for the Council's own stock provided by Gracelands initially for a one year period be agreed to allow for this and the County project to be evaluated and a report bought back to Members.

(2) Reasons for the Decision

The Council had a statutory obligation to provide disabled adaptations to occupiers of private sector housing, subject to a financial means test and following an assessment by an Occupational Therapist. The grants could fund adaptations such as level access showers, external access ramps and stairlifts. The provider would need to undertake the eligibility assessments and assist in making the application to the Council as well as the construction work.

The service was currently being undertaken by Mears Limited, against a contract which expired in September 2018, with no further extensions to the contract available.

The following different options for delivering the service had been considered:

- (1) Bring the service in house
- (2) Retender the service as currently delivered
- (3) Include the service in the current Gracelands Contract (for Council stock adaptations)
- (4) Join the Hertfordshire County Council consortium which was launched in October 2016.

15.4. Stanborough Park North Development (Forward Plan Reference FP862)

Exempt report of the Corporate Director (Resources, Environment and Cultural Services) on proposals for the re-development of the site.

(1) The Decision Taken

RESOLVED:

- (1) That subject to planning application determination and the feedback following the publication of the open space notice, the Cabinet agree in principle with the Stanborough Park North development as outlined in the exempt report.

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- (2) That the Cabinet agree the high level commercial terms as outlined in the exempt report and accept the risk that the Council might not receive much income above the fixed sum amount as highlighted in the exempt report.
  - (3) That given these commercial terms would form the Heads of Terms for the lease, the Cabinet agree that delegated authority be given to the Corporate Director (Resources, Environment and Cultural Services), in consultation with the Executive Member (Leisure, Culture and Communications) and the Executive Member (Resources), to agree the in principle terms of the lease.
  - (4) That on agreement of the Heads of Terms in principle, the Cabinet agree to enter into the consultation as required under the statutory procedure for disposal of a public open space as outlined in the exempt report and a report be brought back to a future Cabinet meeting to consider any objections.
  - (5) That the Cabinet agree to expand the terms of reference of the Splashlands Procurement Board to enable the group to monitor the progress of the project.
  - (6) That the Cabinet agree to relocate the facility outlined in the exempt report as recommended by the Procurement Board.
  - (7) That the Cabinet agree to give delegated authority to the Corporate Director (Resources, Environment and Cultural Services), in consultation with the Chief Executive, Leader of the Council, Executive Member (Leisure, Culture and Communications) and Executive Member (Resources), to carry out the task as highlighted in the exempt report.
- (2) Reasons for the Decision

The Council used to operate an outdoor pool and lido complex known locally as "Splashlands" within the north side of Stanborough Park in Welwyn Garden City. The site was formally closed in 1999 due to geological problems with the site and the costs to remedy these was considered to be too high at that time.

Since the closure of Splashlands, the Council had been looking at the redevelopment opportunities at the Stanborough Park North site. Subsequently, the high and low ropes adventure course was completed in 2013 managed commercially by a third party operator, Vertigo Adventures Ltd under a 10 year lease which commenced in June 2016. The remaining part of the site was used as a public open space.

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A soft market engagement event had been held in June 2017 to gain views from the market on how the former Splashlands site might be redeveloped to host a sustainable mix of new wet and dry leisure activities.

Meeting ended 8.25pm  
GS