

Minutes of a meeting of the WELWYN HATFIELD COUNCIL CABINET held on Tuesday 7 August 2018 at 7.30pm in the Chestnut Board Room, Campus East, Welwyn Garden City, Herts, AL8 6AE.

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

The Minutes of the meeting held on 10 July 2018 were approved as a correct record and signed by the Chairman.

The status of actions agreed at the Cabinet meeting on 10 July 2018 in the report of the Corporate Director (Public Protection, Planning and Governance) was noted.

The following item for decision in the current Forward Plan was considered:-

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28.1. Local Energy East Strategy (Forward Plan Reference FP867)

Report of the Corporate Director (Public Protection, Planning and Governance) on endorsement of the Strategy to deliver benefits from the changing energy sector.

(1) The Decision Taken

RESOLVED:

That the Strategy be endorsed and Officers engage with colleagues from the Herts Local Enterprise Partnership to deliver its actions.

(2) Reasons for the Decision

A grouping of three Local Enterprise Partnerships, known as Local Energy East, had prepared a strategy to unblock current challenges, in order to capitalise on local energy generation, storage, distribution and supply opportunities.

It predicated this on major challenges anticipated within the industry – rising demand from evolving markets, improving the unit cost of renewable energy, improving battery technology and a transition from fuel to electric vehicles etc.

The strategy described the East as well positioned to reap the economic, social and environmental benefits of the energy revolution.

Its action and targets therefore included investment in energy technology, job creation, enabling housing growth, decentralisation of the energy network, fuel poverty, electric transportation and low carbon behaviours.

29. RECOMMENDATION FROM CABINET PANEL

The following recommendation from the meeting of the Cabinet Planning and Parking Panel on 12 July 2018 was considered:-

29.1. Waiting Restrictions and Introduction of Verge Protection Order in Various Roads, Handside Ward, Welwyn Garden City

The Cabinet Panel considered the creation of a Traffic Regulation Order for various waiting restrictions in the Handside Ward.

The Cabinet noted that there were a number of late representations with some of the information only being received hours before the Panel meeting, which did not allow the Panel to give due consideration to all the information received and it was therefore agreed by the Panel to defer the decision regarding the introduction of the verge protection order to a future meeting.

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Residents and businesses within the consultation area were consulted about the proposals based on the findings of a general parking survey in 2015.

A total of 258 properties and businesses were consulted and the consultation was extended to provide more time for residents to respond. The Panel had considered the objections received regarding the proposals and reached a unanimous decision to create a Traffic Regulation Order for the restriction of waiting and permit parking zones for various roads in Handside.

RESOLVED:

- (1) That the deferral of consideration of the Verge Protection Order by the Panel to a future meeting be noted.
- (2) That having considered the reasons for the proposals, the objections received and in particular the issues raised around equalities and diversity including any proposed mitigating actions, the Cabinet agrees to proceed with the creation of the Traffic Regulation Order for the restriction of waiting and permit parking zones in the Handside Ward of Welwyn Garden City.

30. REVENUE BUDGET QUARTER 1 MONITORING REPORT FOR THE FINANCIAL YEAR 2018/19

Report of the Corporate Director (Resources, Environment and Cultural Services) presenting the forecast revenue outturn position as at 30 June 2018 for the financial year 2018/19 and outlining the main variances from the original budget for the General Fund and Housing Revenue Account.

The Cabinet noted that the forecast contribution to the General Fund reserves was £63,000 compared to a drawdown of £100,000 in the original budget.

The favourable variance mainly came from the increase in rental income from Corporate Property. Approval of virements was recommended to ensure that the Council Tax Support Administration grant was treated as income within services rather than a general grant, which was shown as income below the service budget line in the original budget.

The opening Housing Revenue Account balance at the start of 2018/19 was £0.6M better than the original budget but in other respects performance for Quarter 1 was substantially in line with the budget which meant that the closing balance at the end of 2018/19 was now projected to be £3.239M.

RESOLVED:

- (1) That the revenue forecast outturn position as at Quarter 1 be noted.

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(2) That the following virements be approved:-

- £105,000 increase to grant income in Council Tax
- £105,000 decrease to the Localised Council Tax Support grant line shown outside of the net cost of services

(3) That the position on debts be noted.

31. CAPITAL BUDGET MONITORING AS AT 30 JUNE 2018 (QUARTER 1)

Report of the Corporate Director (Resources, Environment and Cultural Services) presenting the capital expenditure and associated capital funding for both the General Fund and Housing Account for Quarter 1.

The approved current budget was £64.3M and the forecast outturn as at Quarter 1 was £60.5M, with £3.9M being re-profiled into future years.

RESOLVED:

That the overall position as at Quarter 1 on the capital programme, and the update on the capital funding and reserves position be noted.

32. REPORT ON GRAVE CLEARANCE AT THE LAWN CEMETERY

Report of the Corporate Director (Resources, Environment and Cultural Services) on memorial management at the cemetery.

The rules and regulations at the Lawn Cemetery stated that no memorial could be placed on the lawn area of the grave and must be within the concrete plinth provided by the Council, except for the plots purchased prior to 2010, which were permitted to have an area 3ft by 3ft in front of the concrete plinth.

A process of clearing graves was initiated following comments received from cemetery users regarding the lack of enforcement. However complaints had been received from both sides and in order to protect the safety of Council Officers, a number of additional security measures were being put in place and the enforcement had now been postponed until a way forward was agreed. It was proposed that engagement take place with other Members to discuss this important matter and the remit of the Crematorium Procurement Board be expanded to allow the issues to be discussed at length before recommendations were made back to the Cabinet.

RESOLVED:

That the Cabinet agrees to expand the remit of the Crematorium Procurement Group to consider and make recommendations back on the way forward for grave clearance at the Lawn Cemetery.

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(**Note:** Further information of an exempt nature on guidance for memorial management and detailed legal implications was contained in the report in the Part II Private and Confidential section of the meeting at Agenda Item 16 (Minute 35 refers)).

33. 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 14, 15 and 16, (Minutes 33 to 35 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.

34. ITEMS OF AN EXEMPT NATURE REQUIRING KEY DECISION

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

34.1. Disposal of Freehold Interest in General Fund Properties (Forward Plan Reference FP873)

Exempt report of the Corporate Director (Resources, Environment and Cultural Services) on the proposed sale of blocks of flats.

(1) The Decision Taken

RESOLVED:

- (1) That the disposal of the site detailed in the exempt report be approved.
- (2) That the following approach to the disposal be approved:-
  - Residents to be approached to offer them the opportunity to purchase for the price detailed in the exempt report
  - Should residents not wish to purchase, the property be placed into auction
- (3) That delegated authority be given to the Corporate Director (Resources, Environment and Cultural Services), in consultation

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with the Executive Member (Resources), to set the reserve price based on updated valuations if the property proceeded to auction.

(2) Reasons for the Decision

The Council owned three blocks of flats let on long leases. It was proposed that the Council sell the freehold interest of these properties and an offer be made to the current tenants first before putting them in an auction.

34.2. Award of Contract - Reroofing of Culpitt House, Hatfield (Forward Plan Reference FP872)

Exempt report of the Corporate Director (Resources, Environment and Cultural Services) on the award of contract for this reroofing scheme.

(1) The Decision Taken

RESOLVED:

That the contract for the reroofing of Culpitt House in Hatfield be awarded to H.J. Haywood and Sons Limited.

(2) Reasons for the Decision

When the Council completed the purchase of Culpitt House in March 2017, the building survey had identified that the roof had reached its useful life and the purchase price was adjusted accordingly with a capital budget being set aside for the replacement of the roof during 2018/19.

A procurement exercise had taken place and the bids received evaluated.

34.3. Property Investment (Forward Plan Reference FP863)

Exempt report of the Corporate Director (Resources, Environment and Cultural Services) on a property investment opportunity.

(1) The Decision Taken

RESOLVED:

(1) That the Cabinet agrees in principle to purchase the property as outlined in the exempt report.

(2) That delegated authority be given to the Corporate Director (Resources, Environment and Cultural Services), in consultation

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with the Executive Member (Resources), to agree the final offer for the purchase once the building survey and due diligence process were completed.

(2) Reasons for the Decision

A budget of £10M had been set aside for direct property investment in the Borough for regeneration purposes as well as providing an ongoing revenue income and an investment opportunity had been identified.

35. ITEM OF AN EXEMPT NATURE REQUIRING KEY DECISION NOT IN THE FORWARD PLAN

The Cabinet considered the following item of an exempt nature for decision not in the current Forward Plan:-

35.1. Proposals to Support a Night Shelter in Queensway House, Hatfield

Exempt joint report of the Corporate Director (Housing and Communities) and Corporate Director (Resources, Environment and Cultural Services) on proposed support for a night shelter in Hatfield.

(1) The Decision Taken

RESOLVED:

- (1) That the Cabinet approves, in principle, the proposed use of Queensway House as a Night Shelter.
- (2) That the Cabinet confirms it would be prepared to accept the proposed change of use under the lease for this accommodation.
- (3) That the Cabinet approves funding of 30% of the costs of conversion, from retained Right to Buy receipts, subject to an absolute cap of £200,000.

(2) Reasons for the Decision

Resolve, a local charity had taken the lease of the ground floor unit at Queensway House, Hatfield and had obtained private funding to help convert the premises into a night shelter.

**(Note:** The Chairman of the Social 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 and agreed to the Cabinet considering 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

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Information) (England) Regulations 2012 because it was urgent and could not reasonably be deferred for the reason specified).

The reason for this item is to be able to proceed with the proposals for a night shelter in Hatfield without delay.

36. REPORT ON GRAVE CLEARANCE AT THE LAWN CEMETERY

Exempt report of the Corporate Director (Resources, Environment and Cultural Services) on guidance for memorial management at the cemetery further to the report in Part I of the Agenda at item 11 (Minute 31 refers).

The report summarised the two Counsel's opinions obtained on grave clearance and the detailed legal implications of these.

RESOLVED:

That further to the report in the part 1 public section of the meeting (Agenda item 11 and Minute 32 refer), the Cabinet agrees to expand the remit of the Crematorium Procurement Group to consider and make recommendations back on the way forward for grave clearance at the Lawn Cemetery.

**(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 consider the item in the private section of the meeting in accordance with Regulation 5 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) and agreed to the Cabinet considering the item.

The reason for this item is to be able to proceed with consideration of the way forward for grave clearance at the cemetery without delay.

Meeting ended 8.15pm  
GS