

Cabinet
4 September 2018

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the WELWYN HATFIELD COUNCIL CABINET held on Tuesday 4 September 2018 at 7.30 pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors M.Perkins (Leader of the Council) (Chairman)
T.Kingsbury (Deputy Leader and Executive Member,
Housing and Community)

D.Bell (Executive Member, Resources)
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: S.Roberts

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)
Legal Services Manager (F.Hussain)
Governance Services Manager (G.R.Seal)
Senior Communications Officer (L.Bertram)

37. APOLOGY

An apology for absence was received from Councillor S.Boulton (Executive Member, Environment and Planning Delivery).

38. MINUTES

The Minutes of the meeting held on 7 August 2018 were approved as a correct record and signed by the Chairman.

39. ACTIONS STATUS REPORT

The status of actions agreed at the Cabinet meeting on 7 August 2018 in the report of the Corporate Director (Public Protection, Planning and Governance) was noted.

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

The following items were considered:-

40.1. Equality Scheme 2018-21 (Forward Plan Reference FP856)

Report of the Corporate Director (Housing and Communities) proposing a revised Equality Scheme for Welwyn Hatfield Borough Council.

(1) The Decision Taken

RESOLVED:

That the new Equality Scheme be endorsed and recommended to the Council for approval.

(2) Reasons for the Decision

The equality scheme was a statutory requirement under the Equalities Act 2010 which placed a duty on local authorities to publish information on how services impacted on users, how policies and procedures were assessed to make sure they were non-discriminatory, how equality objectives were being met and how stakeholders were consulted in developing the approach to equality and diversity.

The proposed scheme met these requirements and importantly it included an action plan on how the Council would deliver on its five equality objectives as introduced in the Equality Policy approved by the Cabinet in January 2018.

The action plan would be reviewed at each Equality Steering Group meeting with annual updates being provided to the Social Overview and Scrutiny Committee.

40.2. Self-Build and Custom Housebuilding Eligibility Criteria Consultation

Recommendations from the meeting of the Cabinet Planning and Parking Panel on 9 August 2018 on the proposed introduction of a local eligibility criteria and fees for registration on the Register for self-build and custom housebuilding.

(1) The Decision Taken

RESOLVED:

(1) That the results of the public consultation on the proposed introduction of a local eligibility test be noted.

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- (2) That local eligibility criteria for entry on to the Self-Build and Custom Housebuilding Register be introduced to take effect from 31 October 2018.
- (3) That the Cabinet agrees to recommend to the Council for approval the introduction of a fee of £25 for new applicants to enter onto the register to take effect from 31 October 2018.
- (4) That the Cabinet agrees to recommend to the Council for approval the introduction of a fee of £25 for a new association to enter onto the register plus £10 for each individual within the association excluding the lead individual to take effect from 31 October 2018.
- (5) That the Cabinet agrees to recommend to the Council for approval the introduction of an annual fee of £15 for individuals to remain on Part 1 of the register to take effect from 31 October 2018.
- (6) That the Cabinet agrees to recommend to the Council for approval the introduction of an annual fee of £15 for each association plus £10 for each individual within that association to remain on Part 1 of the register to take effect from 31 October 2018.
- (7) That the fees be subject to review twelve months after their introduction.

(2) Reasons for the Decision

The Council had a duty to maintain a self-build register for people/associations who wanted a serviced plot of land in the Borough to build their own home and to grant permission for sufficient land suitable to meet demand on the self-build register with performance over a rolling three-year period to be reported to the Government.

The Council was allowed to introduce a local eligibility test which looked at residents' local connections and financial solvency and a fee to enter/remain on the register.

The criteria for the local connection test were the residency in the Borough for five plus years, close family living in Borough for ten plus years, employed in the Borough for twelve plus continuous months with a permanent sixteen hour plus contract or former member of the armed forces and the financial test was sufficient resources to purchase a plot of land in the Borough.

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41. ITEMS REQUIRING KEY DECISION

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

41.1. Review of the Medium Term Financial Strategy (Forward Plan Reference FP874)

Report of the Corporate Director (Resources, Environment and Cultural Services) on a review of the Medium Term Financial Strategy (MTFS).

(1) The Decision Taken

RESOLVED:

That the review be noted and the principles to be adopted for the 2019/20 budget setting process in particular that it should focus on balancing the indicative budget gap up to 2020/21 be approved.

(2) Reasons for the Decision

When the MTFS was approved by the Council in February 2018 a need to identify £700,000 of savings to close the budget gap in 2019/20 and a further £1.3M for 2020/21 was agreed.

The Council had a proven track record of delivering savings with over £12M achieved since 2010 and work was currently underway to find further savings as part of the budget setting process. Whilst the Council's reserves were in a healthy position, the financial sustainability of local authorities would be under greater scrutiny in light of the financial problems at Northamptonshire County Council and the Council would therefore put robust plans in place to close the budget gap.

Work was now starting on the 2019/20 budget and it was clear that the 2020/21 budgeting challenge was likely to be greater than that for 2019/20.

41.2. Homelessness Reduction Act and Temporary Accommodation Update (Forward Plan Reference FP879)

Report of the Corporate Director (Housing and Communities) on the impact of the Act and use of Government support grant.

(1) The Decision Taken

RESOLVED:

(1) That the increased demands placed on the housing needs team and the actions that were being undertaken to seek to

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reduce the reliance on bed and breakfast accommodation be noted.

- (2) That the potential budget pressure which would continue to be assessed as part of the budget monitoring process be noted.
- (3) That the recommendation to direct £120,000 of the flexible homeless support grant funding to Resolve over a maximum of a three year period, subject to the successful implementation of the Night Shelter project, be approved.

(2) Reasons for the Decision

The Act which became law on 3 April 2018 introduced extended duties to homeless people and had led to a significant increase in workload for the housing options team.

The report set out the position in relation to the number of families in temporary accommodation and the current reliance on bed and breakfast accommodation and associated costs, plus the measures being taken to reduce the use of bed and breakfast, including the use of the Government ring fenced flexible homeless support grant.

41.3. Business Rates Retention Pilot (Forward Plan Reference FP878)

Report of the Corporate Director (Resources, Environment and Cultural Services) on a pilot scheme for business rates retention.

(1) The Decision Taken

RESOLVED:

That delegated authority be given to the Corporate Director (Resources, Environment and Cultural Services), in consultation with the Executive Member (Resources), to submit an application for the 2019/20 Business Rates Pilot/Pooling arrangement for Hertfordshire, if after full consideration there was a financial case for doing so.

(2) Reasons for the Decision

The Government had invited local authorities to submit applications to join a 75% business rates scheme in their area for 2019/20.

Hertfordshire had submitted a business rates pilot application last year, but was not successful.

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There were a number of advantages in signing up to the pilot, in particular, the Council would be able to retain 75% of the business rates growth within the pilot area which was much higher than the 20% the Council was allowed to retain under the current system and the levy paid to central Government on business rates growth no longer applied under a 75% pilot.

All the eleven local authorities in Hertfordshire would need to agree in order for Hertfordshire to be accepted as a business rates pilot.

Applications for a business rates pilot and a pooling scheme must be made to the Government by 25 September 2018.

42. RECOMMENDATION FROM CABINET PANEL

The following recommendation from the meeting of the Cabinet Planning and Parking Panel on 9 August 2018 was considered:-

42.1. Resident Parking Schemes and Verge Protection Orders in the Lemsford Road, French Horn Lane and Aldykes areas of Hatfield

The Cabinet Panel had considered the proposed resident parking schemes and verge protection orders in Hatfield.

It was clarified and confirmed that the overall response rates for the three areas were 25%, 26% and 30% respectively and not 20% as stated in the Officer report to the Panel.

It was noted that in normal circumstances, the Council would not progress a scheme for such a large area but look at the individual roads in which the majority of residents had responded in favour of the scheme. However due to the significant changes planned for Hatfield Town Centre it would be remiss not to include them at this stage and see what happened during the formal consultation noting the risk of parking displacement which would be monitored in the first six months of operation and reviewed.

More importantly, if a number of roads only were selected to progress to the formal stage there was a danger that the consultation would have to start all over again during the construction of the multi-storey car park and it was therefore recommended that all three areas be progressed to the formal stage.

RESOLVED:

- (1) That the Cabinet agrees to proceed with progressing resident parking schemes and verge protection orders to the formal stage in the Lemsford Road area of Hatfield.

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- (2) That the Cabinet agrees to proceed with progressing resident parking schemes and verge protection orders to the formal stage in the French Horn Lane area of Hatfield.
- (3) That the Cabinet agrees to proceed with progressing resident parking schemes and verge protection orders to the formal stage in the Aldykes area of Hatfield.

43. ITEM REQUIRING KEY DECISION NOT IN THE FORWARD PLAN

The following item for decision not in the current Forward Plan was considered:-

43.1. Accelerated Construction Programme

Report of the Corporate Director (Resources, Environment and Cultural Services) on Government support to local authorities to develop land for housing.

The accelerated construction programme was first launched by the Government in January 2017.

Following discussion with Homes England a number of sites were put forward for an expression of interest in the programme. These included 1 and 3-9 Hatfield Town Centre, Link Drive, Hatfield, and Welwyn Garden City town Centre. Homes England had subsequently indicated that at least two of these sites would be included with a funding offer of at least £4M.

The Cabinet recorded its thanks to the Corporate Director (Resources, Environment and Cultural Services) and her team for all their work with Homes England on this programme.

RESOLVED:

- (1) That the Cabinet agrees in principle to accept the Accelerated Construction funding offer by Homes England.
- (2) That delegated authority be given to the Corporate Director (Resources, Environment and Cultural Services), in consultation with the Monitoring Officer and Executive Member (Resources), to agree the funding agreement/contract with Homes England.
- (3) That the Cabinet agrees to make a direct award via the Eastern Shires Purchasing Organisation Framework to appoint Inner Circle Consulting Limited for the provision of consultancy support to the Council's regeneration programme in particular to support projects that had received time limited external funding from organisations such as Homes England and the Local Enterprise Partnership.

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(Note: The Chairman of the Resources 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 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 Council to accept the funding offer from Homes England.

44. INTRODUCTION OF GENERAL PROCUREMENT BOARD

Report of the Corporate Director (Public Protection, Planning and Governance) on the terms of reference of the new General Procurement Board appointed by the Cabinet.

The terms of reference of this new Standing Board would be listed in the section on Responsibility for Executive Functions in Part 3 of the Constitution.

RESOLVED:

- (1) That the Cabinet agrees to the draft Terms of Reference for the General Procurement Board.
- (2) That the Cabinet recommends to the Council that the Constitution be accordingly amended where necessary.

45. PERFORMANCE EXCEPTION REPORT - QUARTER 1 (2018/19)

Report of the Corporate Director (Resources, Environment and Cultural Services) summarising strategic performance data from the last performance clinic for quarter 1 (2018/19) on 9 August 2018.

Performance clinics were held quarterly to review progress towards business plan targets, performance indicator targets, financial performance, service complaints and reports on current strategic and operational risks.

RESOLVED:

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

46. COUNCIL'S ACHIEVEMENT LIST - QUARTER 1 (2018/19)

Report of the Corporate Director (Resources, Environment and Cultural Services) summarising key achievements and service improvements for Quarter 1 (2018/19).

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RESOLVED:

That the Achievements List for quarter 1 2018/19 be noted.

47. 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 16 (Minute 48 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.

48. ITEMS OF AN EXEMPT NATURE REQUIRING KEY DECISION

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

48.1. Parking Enforcement and Management Contract (Forward Plan Reference FP875)

Exempt report of the Corporate Director (Resources, Environment and Cultural Services) on the arrangements for the car park enforcement and management contract.

(1) The Decision Taken

RESOLVED:

- (1) That it be noted that East Hertfordshire District Council had appointed as from 17 January 2019 a new third party contractor for the issuing of parking enforcement notices covered by the On Street Parking Enforcement Contract.
- (2) That the Cabinet agrees that the Council would underwrite the pension liability for CP Plus Ltd up to the value of £188,000 on receipt of a returnable deposit of £188,000 from CP Plus Ltd to be returned after the end of their contract term, subject to no call being placed on this from the Pension Fund.
- (3) That the Cabinet delegates to the Corporate Director (Resources, Environment and Cultural Services), in consultation with the Executive Member (Resources), the authority to agree

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the heads of terms for the placing of the deposit by CP Plus Ltd with the Council and authorise the agreement.

(2) Reasons for the Decision

In October 2017 the Cabinet agreed to enter into a new service level agreement with East Hertfordshire District Council for the on-street parking enforcement activities from January 2019 until January 2024.

Officers were currently exploring the possibilities of extending the East Hertfordshire enforcement arrangement to cover the car parks when the contract with CP Plus expired in September 2019 and a report would be brought to a future Cabinet meeting once the options had been examined.

48.2. Award of Contract for Rural and Amenity Landscape Maintenance (Forward Plan Reference FP876)

Exempt report of the Corporate Director (Public Protection, Planning and Governance) on the procurement process and award of contract for these works.

(1) The Decision Taken

RESOLVED:

That a three year contract (with an optional one year extension) for Rural and Amenity Landscape Maintenance be awarded to Maydencroft Ltd, commencing on 1 October 2018.

(2) Reasons for the Decision

The Council had a requirement to undertake rural and amenity landscape maintenance to open spaces across the Borough. The current contract expired at the end of September 2018 and a procurement process had been undertaken to provide continuity of service.

48.3. Award of Footway Repair Contract (Forward Plan Reference FP871)

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

(1) The Decision Taken

RESOLVED:

That a three year contract with an optional one year extension be awarded to Henderson and Taylor (Public Works) Ltd commencing on 1 October 2018.

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(2) Reasons for the Decision

The Council had a duty to maintain the footways and hard surfaces that it owned and required a contractor to undertake planned and reactive repairs.

A tendering exercise had been undertaken and the results evaluated.

Meeting ended at 8.20 pm
GS