

Cabinet  
4 December 2018

## WELWYN HATFIELD COUNCIL

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

PRESENT:      Councillors    T.Kingsbury (Leader of the Council) (Chairman)  
   D.Bell (Deputy Leader and Executive Member, Resources)

   S.Boulton (Executive Member, Environment and Planning)  
   T.Mitchinson (Executive Member, Leisure, Culture and  
   Communications)  
   N.Pace (Executive Member, Housing and Community)  
   B.Sarson (Executive Member, Regeneration, Economic  
   Development and Partnerships)  
   F.Thomson (Executive Member, Governance and Public Health)

OFFICIALS      Chief Executive (R.Bridge)  
PRESENT:      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)  
                                 Governance Services Manager (G.R.Seal)  
                                 Communications Officer (N.Burrows)

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### 78.      MINUTES

The Minutes of the meeting held on 6 November 2018 were approved as a correct record and signed by the Chairman.

The Chairman welcomed Councillor N.Pace to his first Cabinet meeting following his appointment as Executive Member (Housing and Community).

### 79.      ACTIONS STATUS REPORT

The status of actions agreed at the Cabinet meetings on 23 October and 6 November 2018 in the report of the Corporate Director (Public Protection, Planning and Governance) was noted.

It was also noted that arrangements had now been made for the first meeting of the new Housing Maintenance Procurement Board to be held on 7 January 2019.

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80. ITEM RELATING TO THE BUDGET AND POLICY FRAMEWORK FOR RECOMMENDATION TO THE COUNCIL

The following item was considered:-

80.1. Council Tax Empty Homes Premium

Report of the Corporate Director (Resources, Environment and Cultural Services) on new discretionary powers to increase the Council Tax on long term empty properties

Since 2013, the Council had been able to levy a Council Tax premium of 50% on homes left empty for two years or more. The number of long term empty homes in the Borough had since fallen from 72 to 52, perhaps indicating the use of the premium in incentivising landlords to bring homes back into use.

Taking advantage of this new legislation would help to bring further homes back into use at a time of housing shortages and would provide some additional Council Tax income.

RESOLVED:

That the Cabinet recommends to the Council that the current council tax 50% empty homes premium be changed as follows:

- 1 April 2019 - 100% premium for properties empty for two years or more.
- 1 April 2020 - 200% premium for properties empty for five years or more.
- 1 April 2021 - 300% premium for properties empty for ten years or more.

81. ITEM REQUIRING KEY DECISION

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

81.1. Trees and Woodlands Strategy - Policy 2 (Forward Plan Reference FP836)

Recommendation from the meeting of the Environment Overview and Scrutiny Committee on 24 September 2018 on the adoption of the amended Trees and Woodlands Strategy (Minute 25 refers) following consideration of the six principles that could be incorporated into the Tree and Woodlands Strategy, as Policy 2, to improve the balance between the preservation of trees and residents' living conditions. The draft Tree and Woodlands Strategy, less Policy 2, was adopted by the Cabinet in April 2018 (Minute 117.3 refers).

Having regard to Member involvement in the mechanism for appeal against a refusal to prune or remove a tree, the Executive Member (Environment and Planning) had consulted with Members of the Committee and it was proposed

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that this should be limited to those appeals relating to lack of light situations only.

(1) The Decision Taken

RESOLVED:

That the amended Trees and Woodlands Strategy be adopted, as recommended by the Environment Overview and Scrutiny Committee, subject to a further amendment to Principle 6 of the Policy that the mechanism for appeal against a refusal to prune or remove a tree be limited to those appeals relating to lack of light situations only.

(2) Reasons for the Decision

A draft Trees and Woodlands Strategy was considered by the Environment Overview and Scrutiny Committee and agreed for public consultation. The results were debated and alternative options for Policy 2 (which set out where works would not be carried out to trees) were considered.

The Committee proposed six principles that should be considered by Officers to ensure that as much weight was given to the living conditions of residents as to the preservation of trees and following the Officer response to these principles they had been agreed.

82. RECOMMENDATIONS FROM CABINET PANEL AND BOARD

To consider the following recommendations:-

82.1. Northaw and Cuffley Parish Council - Car Park Charges - Proposed Revision of Charges for Marynard Place Car Park

Recommendation from the meeting of Cabinet Planning and Parking Panel on 1 November 2018 on Northaw and Cuffley Parish Council – Car Park Charges (Minute 102 refers).

Northaw and Cuffley Parish Council had a lease for 125 years with the Council to manage both Sopers Road and Maynard Place car parks since 2000 and was responsible for the maintenance and management of these car parks.

RESOLVED:

That the Panel's recommendation to agree the changes that Northaw and Cuffley Parish Council would like to make to the fees and charges in Maynard Place car park be approved.

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82.2. The Payment of Annual Grants to Voluntary Groups in 2019/20

Recommendation from the meeting of the Grants Board on 5 November 2018 on community grant applications - annual grants (Minute 9 refers).

The budget for annual community grants for 2019/20 was £174,270 of which £95,000 was ring fenced for the Citizens Advice Bureau leaving £79,270 for discretionary awards by the Grants Board.

Applications were oversubscribed totalling £103,892.95 with one application rejected by the Board and four awarded in total. An amount of £6,918 remained unallocated which the Grants Board would consider at the next meeting.

RESOLVED:

That Annual Community Grants be paid as follows as recommended by the Grants Board:-

Organisation	Amount Sought	Amount Granted
<b>CAB</b>		<b>£95,000.00 (Note *)</b>
CVS	£9,500.00	£9,500.00
Friendship House	£15,000.00	£15,000.00
Recover	£13,892.00	£13,892.00
University of Hertfordshire	£15,000.00	£0.00
Welwyn Hatfield Women's Refuge	£33,960.00	£33,960.00
<b>Annual Grant Budget 2019/20</b>		<b>£174,270.00</b>
<b>Remaining budget</b>		<b>£6,918.00</b>

(**Note**:- \* Previously agreed per annum for three years).

83. UNIVERSAL CREDIT

Report of the Corporate Director (Resources, Environment and Cultural Services) highlighting the work being undertaken by the Council in partnership with other organisations in connection with the roll out of Universal Credit.

Universal Credit was a Department of Work and Pensions administered benefit and the Council therefore had no control over the overall administration of the scheme, the level of benefits, or the time taken to process an application.

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However, the Council's benefits and housing teams were affected by the processing and correspondence workload as claimants migrated to Universal Credit.

Tenant arrears were expected to increase for the time being during the transition of benefit claims to Universal Credit, as a result of payments no longer being made direct to landlords.

RESOLVED:

That the update on Universal Credit be noted.

84. PERFORMANCE EXCEPTION REPORT - QUARTER 2 (2018-19)

Report of the Corporate Director (Resources, Environment and Cultural Services) summarising strategic performance data following the most recent clinic meeting on 8 November 2018.

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

RESOLVED:

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

85. COUNCIL ACHIEVEMENTS LIST - QUARTER 2 (2018-19)

Report of the Corporate Director (Resources, Environment and Cultural Services) collating and summarising the Council's key achievements and service improvements for Quarter 2 of 2018/19.

RESOLVED:

That the Achievements List for Quarter 2 of 2018/19 be noted.

86. APPOINTMENTS TO CABINET PANELS, COMMITTEES, BOARDS AND OUTSIDE BODIES

Appointments of Members to Cabinet Panels, Committees, Boards and Outside Bodies as listed in Appendices A and B to the Agenda Item 13.

RESOLVED:

That the appointment of Members to Cabinet Panels, Committees, Boards and Outside Bodies, as set out in Appendices A and B to Agenda Item 13 be approved, to include the appointment of Councillor S.Wrenn as a Member of the General Procurement Board.

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87. RECOMMENDATION FROM THE COUNCIL

To consider the following recommendation:-

87.1. Lawn Cemetery in Southway, Hatfield - Petition

Recommendation from the meeting of the Council on 19 November 2018 (Minute 39 refers).

The Mayor received a petition about the Lawn Cemetery in Southway, Hatfield which was presented by Miss Jade Doherty on behalf of the family of the late Simey Doherty who was buried in Hatfield Lawn Cemetery in May 2018.

The petition sought to make two exceptions to the Council's Lawn Cemetery guidelines for the Simey Doherty burial plot:-

- to allow a variety of memorials to remain on the Simey Doherty plot prior to permanent memorials being arranged;
- to permit larger permanent memorials to fit with their cultural traditions.

As the petition contained more than 1500 signatures it was discussed by the Council in accordance with the Petition Scheme.

The report of the Corporate Director (Resources, Environment and Cultural Services) helped the Council to decide how to respond.

The Cabinet had agreed in August 2018 to expand the remit of the Cross Party Crematorium Procurement Group to consider and make recommendations to it on the way forward for grave clearance at the Lawn Cemetery. Given that the recommendation of the Cross Party group would be considered by the Cabinet at a future meeting, it was suggested that the Council refer this to the Cabinet to then ask the Cross Party Crematorium Procurement Group to discuss the issues raised in the petition and recommend the way forward back to the Cabinet.

RESOLVED:

That the recommendation of the Council to consult the views of the Cross Party Crematorium Procurement Group on the issues raised in the petition before making a decision on the way forward for grave clearance at the Lawn Cemetery be approved.

88. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

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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 17 and 18 (Minutes 89 and 90 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.

89. ITEMS OF AN EXEMPT NATURE REQUIRING KEY DECISION

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

89.1. Public Realm Improvements at White Lion Square, Hatfield Town Centre (Forward Plan Reference FP891)

Exempt report of the Corporate Director (Resources, Environment and Cultural Services) on the procurement process to establish a suitable contractor for this project.

(1) The Decision Taken

RESOLVED:

That the Cabinet agrees with the recommendation of the Member Procurement Board to award the contract for Public Realm Improvements to Borrás Construction Ltd (Borrás).

(2) Reasons for the Decision

Improvements to White Lion Square were one of the Hatfield Town Centre regeneration projects and the design of the square had been reviewed to increase accessibility and footfall to extend dwell time in the town centre. The final design followed consultation with the public and key stakeholders, workshops and input from a professional design team.

89.2. Multi-Storey Car Park, The Common and Temporary Deck Car Park, Lemsford Road, Hatfield Town Centre (Forward Plan Reference FP892)

Exempt report of the Corporate Director (Resources, Environment and Cultural Services) providing details of the procurement process for this project.

(1) The Decision Taken

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RESOLVED:

That the Cabinet agrees with the recommendation of the Member Procurement Board to award the contract for the Multi Storey Car Park to Bourne Parking Ltd (part of Bourne Construction Engineering Ltd) (Bourne).

(2) Reasons for the Decision

The Hatfield Renewal Partnership identified a need to construct a 600 space car park, unlocking other existing surface car parking spaces for development. A £6M capital budget existed for the project with the Hertfordshire Local Enterprise Partnership to fund £4.8M and the remaining £1.2M to come from the Council's own capital resources.

A two stage procurement route was being followed which meant that pricing was in terms of an overheads and profits percentage, rather than an absolute amount and this allowed careful attention to be paid to design that would be much more difficult under a fixed price bid.

90. ITEMS OF AN EXEMPT NATURE REQUIRING KEY DECISION NOT IN THE FORWARD PLAN

To consider the following items of an exempt nature for decision not in the current Forward Plan:-

90.1. Purchase of Property for Temporary Accommodation

Exempt report of the Corporate Director (Housing and Communities) on the proposed purchase of a property as part of the Council's Affordable Housing Programme.

An opportunity had arisen to purchase a multi-unit property which could provide 54 units suitable for temporary accommodation.

The purchase had required an addition to the Council's 2018/19 Affordable Housing Programme capital budget and an increase in the operational debt boundary which were both approved at the Council meeting on 19 November, 2018 (Minute 47.1 refers).

This purchase would help the Council address the Borough's homelessness issues and provide a return for the Housing Revenue Account.

RESOLVED:

That the Cabinet agrees the purchase of the property for temporary accommodation for the agreed price as identified and set out in the exempt report subject to appropriate legal conveyance.



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90.2. Stanborough Park North Development

Exempt report of the Corporate Director (Resources, Environment and Cultural Services) seeking agreement in principle to a development proposal subject to planning approval following consideration by the Member Project Board.

RESOLVED:

That subject to planning application determination, the Cabinet agrees in principle with the Stanborough Park North development as outlined in section 3 of the exempt report.

**(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 to consider items 18 (a) and (b) (Minutes 90.1 and 90.2 refers) in the private section of the meeting in accordance with Regulations 5 and 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 because they were urgent and could not reasonably be deferred for the reason specified).

The reason for item 90.1 was to be able to proceed with the proposed property purchase in order to provide temporary housing accommodation without delay.

The reason for item 90.2 was to be able to progress with the proposed development without delay.

Meeting ended 8.25pm  
GS