

Cabinet
17 September 2019

WELWYN HATFIELD COUNCIL

Minutes of a meeting of the WELWYN HATFIELD COUNCIL CABINET held on Tuesday 17 September 2019 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)
N.Pace (Executive Member, Housing and Community)
B.Sarson (Executive Member, Regeneration, Economic
Development and Partnerships)
F.Thomson (Executive Member, Governance, Public Health
and Climate Change)

OFFICIALS Chief Executive (R.Bridge)
PRESENT: Corporate Director (Public Protection, Planning and Governance) (N.Long)
Corporate Director (Resources, Environment and Cultural Services) (K.Ng)
Head of Law and Administration (M.Martinus)
Head of Community and Housing (S.Chambers)
Governance Services Manager (G.R.Seal)
Principal Governance Officer (A.Marston)
Communications Officer (N.Burrows)

37. MINUTES

The Minutes of the meeting held on 6 August 2019 were approved as a correct record and signed by the Chairman.

38. APOLOGY

An apology for absence was received from Councillor T.Mitchinson (Executive Member, Leisure, Culture and Communications).

39. ACTIONS STATUS REPORT

The status of actions agreed at the Cabinet meeting on 6 August 2019 in the report of the Corporate Director (Public Protection, Planning and Governance) was noted.

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

The following item was considered:-

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40.1. Housing, Homelessness and Rough Sleeping Strategy 2019-2024

Recommendation from the meeting of the Cabinet Housing Panel on 13 August 2019 on the adoption of the Strategy after further consideration by the Panel, following the Cabinet's recommendation from its meeting on 9 July (Minute 20.2 refers) being withdrawn from the Agenda for the Council meeting on 22 July 2019 for report back (Minute 19.4 refers).

(1) The Decision Taken

RESOLVED:

That the final draft of the Housing, Homelessness and Rough Sleeper Strategy for 2019-2024 be approved and recommended to the Council for adoption.

(2) Reasons for the Decision

At its meeting on 12 June 2019, the Social Overview and Scrutiny Committee considered the draft Housing, Homelessness and Rough Sleeping Strategy.

The Homelessness Act 2002 required all housing authorities to carry out a 'Review of Homelessness' in their area and formulate a strategy based on the results of the review. A public consultation on the Strategy document had taken place during December 2018 and January 2019. Overall the feedback was very positive, with 83% of respondents saying the Council had got it right.

The Social Overview and Scrutiny Committee agreed to recommend the final draft to the Cabinet and then on to the Council for adoption. At the Council meeting on 22 July 2019, the Strategy was referred back to the Cabinet Housing Panel for further consideration.

The Cabinet Housing Panel considered the Strategy on 13 August 2019. The Panel noted that the Homelessness Reduction Act 2017, implemented in April 2018, significantly reformed England's homelessness legislation by placing duties on local authorities to intervene at earlier stages to prevent homelessness in their areas. It also required housing authorities to provide a homelessness service to all those affected, not just those who had 'priority need'.

The strategy must set out the authority's plans for the prevention of homelessness, ensuring that sufficient accommodation and support was or would be available for people who became homeless or who were at risk of becoming homeless. Members of the Panel also noted that the Strategy and associated documents referred to legally defined terminology and as such, these were not open to review.

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The Cabinet Housing Panel unanimously agreed to recommend the final draft to the Cabinet and then on to the Council for adoption.

41. ITEMS REQUIRING KEY DECISION

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

41.1. Review of Medium Term Financial Strategy (Forward Plan Reference FP935)

Report of the Corporate Director (Resources, Environment and Cultural Services) summarising the review of the Strategy as the opening stage of the 2020/21 budget setting process. The report also set out the broad principles and objectives for setting the next budget and examined the key issues facing the Council in the medium term.

(1) The Decision Taken

RESOLVED:

That the report be noted and the principles to be adopted for the 2020/21 budget setting process, as highlighted in section 3.3.8 be approved and in particular that the 2020/21 budget setting process should focus on closing the indicative budget gap beyond next year.

(2) Reasons for the Decision

The Council was starting the 2020/21 budget process in a strong position, as commented on in the recent Peer Review.

Nonetheless, the Strategy adopted in February 2019 indicated that, at that time the Council faced the prospect of a budget gap of £1.5M in 2020/21 rising to £1.8M in 2021/22.

Options had since been identified to address this budget gap highlighting the potential for £700,000 of savings from resetting the baseline position, as recommended by the Peer Review. Against this, further re-phasing of the crematorium project would create an offsetting pressure of £400,000 in both years under review.

The Government announced a one year Spending Review on 4 September 2019. Two key positive points arising from this were the removal of the negative Revenue Support Grant for 2020/21 and the announcement of additional funding for homelessness. However, the Fair Funding Review had been deferred until 2021/22 and there remained a number of uncertainties within the Spending Review announcement for 2020/21.

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A 1.5% increase in Council Tax for each of 2020/21 and 2021/22 was currently assumed.

Within the Housing Revenue Account (HRA) for 2020/21 onwards, the Government imposed rent reductions had ended and rents would now rise at Consumer Price Index plus 1% per annum. The HRA and associated borrowing would be managed to support the Council's Affordable Housing Programme whilst maintaining working balances of approximately 5.4% of turnover.

The capital programme had been structured to enable delivery of the business plans for the Council and the HRA over the medium to long term. No amendment to the capital programme had been factored in at this stage for any development options that might be considered following the outcome of the Queensway House, Hatfield review.

A revised starting point on the budget gap would be drawn up once Officers had studied savings and growth options in more detail and further clarity was obtained on certain items within the spending review.

41.2. Extension of Door Entry Contract (Forward Plan Reference FP937)

Report of the Corporate Director (Housing and Communities) on a short term extension of the current contract for door entry pending consideration of a new procurement strategy for mechanical and electrical contracts.

(1) The Decision Taken

RESOLVED:

That the contract with AJS Ltd be extended by a period of seven and a half months to expire on 31 March 2021.

(2) Reasons for the Decision

The Council had a number of housing mechanical and electrical related contracts which expired at slightly different times and the General Procurement Board had considered various options for continual service delivery.

42. GOVERNMENT CONSULTATION ON THE MANDATORY FORTIFICATION OF FLOUR WITH FOLIC ACID

Report of the Corporate Director (Resources, Environment and Cultural Services) seeking views on a proposal to introduce mandatory fortification of flour with folic acid. Working with the Traditional Corn Miller's Guild this report set out the implications of adding folic acid to the production of flour at Mill Green which was used to make and sell a range of bread products both on site and through a local bakery.

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The UK government had been seeking views on a proposal to introduce a mandatory fortification of flour with folic acid to help reduce neural tube defects in fetuses by raising the folate levels of women who could become pregnant.

The consultation period closed on 9 September 2019 and the Cabinet was asked to note the response which had been submitted.

It believed mandatory fortification of flour with folic acid had successfully reduced the rates of neural tube defects in other countries and had been adopted in more than 60 countries world-wide, but currently no EU Country had a policy of mandatory fortification.

As a small scale producer of flour from the Council's working water mill at Mill Green this had implications for the Museum Service.

RESOLVED:

That the Cabinet notes the action taken through the Executive Member (Leisure, Culture and Communications) to:

- (i) Formally request to the Government that traditional mills be exempt from the requirement to fortify flour with folic acid on the grounds of cost and impracticality and the threat to the integrity, historic character and sustainability of local heritage buildings of importance;
- (ii) Clarify to the Government that if flour was the preferred vehicle for fortification, whether white flour or all flours, traditional mills producing less than 1,000 tonnes of flour per annum be exempt from the requirement to fortify and that any flours exempted from adding folic acid be clearly labelled; and
- (iii) Formally write to the Borough's Member of Parliament asking for his support in seeking an exemption for small traditional mills should this proposal become law in the future as in the letter to the MP appended to the report.

43. PERFORMANCE EXCEPTION REPORT - QUARTER 1 (2019/20)

Report of the Corporate Director (Resources, Environment and Cultural Services) summarising strategic performance data from the last performance clinic for quarter 1 (2019/20).

RESOLVED:

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

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44. RISK MANAGEMENT

Report of the Corporate Director (Public Protection, Planning and Governance) on the current strategic and top operational risks facing the Council as determined by the Corporate Management Team and Heads of Service and reviewed at the performance clinic in August 2019 reflecting the assessments in place for the quarter July 2019 to September 2019.

RESOLVED:

That the current Strategic Risk Register and top operational risks and in particular comments in respect of each risk where shown be noted.

45. MEMBER APPOINTMENT TO PROCUREMENT BOARD

The Labour Group had requested that a change be made to the membership of the Hatfield Town Centre Procurement Board nominating Councillor L.Brandon in place of Councillor M.Cook as one of their two representatives on the Board.

RESOLVED:

That Councillor L.Brandon be appointed to the Hatfield Town Centre Procurement Board in place of Councillor M.Cook.

46. 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 and 15 (Minutes 47 and 48 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.

47. ITEM OF AN EXEMPT NATURE REQUIRING KEY DECISION

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

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47.1. Award of Contract for the Refurbishment of Beaconsfield Court, Hatfield (Forward Plan Reference FP936)

Exempt report of the Corporate Director (Resources, Environment and Cultural Services) on the award of contract for the refurbishment of Beaconsfield Court, Hatfield incorporating an internal fit out to create the Council's second business centre, HatTech.

(1) The Decision Taken

RESOLVED:

That, in accordance with the unanimous recommendation of the General Procurement Board, the award of contract for the refurbishment of Beaconsfield Court to Ark Build PLC at a cost of £1,347,314.49 be approved.

(2) Reasons for the Decision

Building on the success of Weltech, the Council agreed to create a second business centre to accommodate new business spaces in Hatfield. The procurement to find a contractor to carry out the refurbishment work was overseen by the General Procurement Board.

The Hertfordshire Local Enterprise Partnership had agreed to fund half of the cost of the project.

48. EXPANSION OF BROSTE RIVERS LTD JOINT BUILDING CONTROL COMPANY

Exempt report of the Corporate Director (Public Protection, Planning and Governance) on the merits and practicalities of the possible expansion of the company by the incorporation of Dacorum Borough Council.

RESOLVED:

- (1) That the Cabinet agrees that Dacorum Borough Council should be issued a £1 share and incorporated into Broste Rivers Ltd joint building control company, on the basis of the terms and payments set out in the exempt report and appendix.
- (2) That the Services Agreement, Shareholder Agreement and Loan Agreement be updated and signed by the Council's Head of Law and Administration to enable Dacorum to join the company.

(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 item 15 (Minute 48) in the private section of the meeting in accordance with

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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).

- (1) The reason for item was to enable the possible expansion of the company to be considered without delay.

Meeting ended 7.55pm
GS