

Cabinet
7 March 2023

WELWYN HATFIELD BOROUGH COUNCIL

Minutes of a meeting of the WELWYN HATFIELD COUNCIL CABINET held on Tuesday 7 March 2023 at 5.00pm in the Council Chamber, Council Offices, The Campus, Welwyn Garden City, Herts, AL8 6AE.

PRESENT: Councillors T. Kingsbury (Leader of the Council) (Chair)
S. Boulton (Deputy Leader and Executive Member, Resources and Planning)
S. Kasumu (Executive Member, Environment and Climate Change)
T. Mitchinson (Executive Member, Leisure and Community)
N. Pace (Executive Member, Governance, Public Health & IT)
B. Sarson (Executive Member, Community Safety and Parking)
F. Thomson (Executive Member, Housing)

OFFICIALS PRESENT: Executive Director - Finance and Transformation (R. Baker)
Executive Director - Place (C. Barnes)
Service Director - Resident & Neighbourhood (S. McDaid)
Acting Assistant Director - Legal and Governance (S. Saunders)
Communications Officer – Simone Davids-Lyle
Senior Democratic Services Officer (C. Francis)

90. MINUTES

The minutes of the meeting held on 6 February 2023 were approved as a correct record and noted by the Chair.

91. ACTIONS STATUS REPORT

The status of actions agreed at the Special Cabinet meeting on 24 January 2023 and the Cabinet meeting on 6 February 2023, and decisions taken by Cabinet Members exercising their individual delegated powers between 27 January 2023 to 27 February 2023 in the report of the Executive Director (Finance and Transformation) were noted.

92. DECLARATIONS OF INTERESTS BY MEMBERS

Councillors T. Kingsbury, S. Boulton and F. Thomson each declared a non-pecuniary interest in items on the Agenda as Members of Hertfordshire County Council.

93. ITEMS REQUIRING KEY DECISION

To consider the following items for decision in the current Forward Plan:

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93.1. Leaseholder Insurance Contract (Forward Plan Reference FP1169)

The report requests delegated authority to award the contract for the provision of leasehold buildings insurance.

(1) The Decision Taken

RESOLVED:

(unanimous)

Cabinet agreed to delegate the decision to award the contract for the provision of leasehold properties' buildings insurance to Executive Member (Planning and Resources) in consultation with the Executive Director (Finance and Transformation).

(2) Reasons for the Decision

The council was notified that the current provider will be withdrawing from the leasehold property insurance market and therefore our policy cannot be renewed when it expires in June. An alternative provider is being sought by the managing general agent. As another long-term agreement will be sought, the value of the contract is likely to exceed £1m. A Cabinet decision would be required for the award of a contract of this value, but the timescales involved in the process will not allow for the matter to be brought to a scheduled meeting in time for a new long-term agreement to be put into place when the current arrangement expires.

93.2. Award of Contract for Utilities Management (Forward Plan Reference FP1168)

The report recommends to Cabinet that the council enter into a Customer Access Agreement with Crown Commercial Services for the provision of utilities.

The Crown Commercial Services agreement is mandated to central government bodies and is open to local government authorities.

A comparison between the two purchasing organisations has taken place and the benchmark pricing can be found in Part 2 of report. It should be noted the pricing set out in part 2 is at a point in time, and that prices are subject to market conditions, so at this stage it is not possible to know what the council will be paying under the new contract.

(1) The Decision Taken

RESOLVED:

(unanimous)

Cabinet agreed to enter into a Customer Access Agreement with Crown Commercial Services for a period of 4 years, with the supply commencing on 1st October 2024 and to sign supply contracts with EDF Energy Limited (EDF) and Total Energies Gas and Power Limited (Total).

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(2) Reasons for the Decision

The current arrangement with Laser ends in September 2024. A decision is required well in advance of the supply period so that the purchasing organisation can start purchasing in advance.

93.3. Corporate Business Plan 2023/24 (Forward Plan Reference FP1170)

Report of the Executive Director (Finance and Transformation) summarising the Council's Corporate Business Plan for 2023/24.

Each year the council publish a Corporate Business Plan to support each of its priorities, which includes Major Projects and Key Performance Indicators (KPIs) that measure the performance of the range of services throughout the year.

The report sets out the projects and KPIs for the next financial year and highlights the lead officer or member for each one and each of our key priorities which are listed below:

Attractive and accessible green spaces;
Evolving vibrant town centres and a growing economy;
Quality homes through managed growth;
A sense of community where people feel safe; and
A well-run council which puts its customers first.

Members said it was good that the Major Projects and the KPIs are linked to the council's corporate priorities, and this is a good document to have in terms of being an open and transparent council.

(1) The Decision Taken

RESOLVED:

(unanimous)

Cabinet noted the content of the report and approved the Council's Corporate Business Plan for 2023/24.

(2) Reasons for the Decision

Each year, the Council publishes a Corporate Business Plan to support each of the key priorities, which includes major projects and Key Performance Indicators (KPIs) that measure the performance of a range of services throughout the year.

93.4. Award of Contract for Building Surveyor - Planned Maintenance (Forward Plan Reference FP1159)

The report sets out a recommendation to appoint Keegan's Limited to deliver Building Surveying services for the council. The council is undertaking a major investment programme in its housing stock and will be delivering a large capital works programme. The scoring is set out in the Part 2 report.

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(1) The Decision Taken

RESOLVED:

(unanimous)

Cabinet agreed to award the contract for Building Surveying services (Planned Maintenance) to Keegans Limited (Company number 04547050) for a period of up to five years.

(2) Reasons for the Decision

Building Surveying Consultants are required to complement the in-house team to deliver the programme of works. The project has been procured in accordance with the council's Contract Procedure Rules and Public Contracts Regulations 2015. Eight bids were received and Keegan's Limited are the highest scoring bidder.

93.5. Risk Management Policy, Strategy and Framework (Forward Plan Reference FP1171)

The report presents a new policy, strategy and framework for the council's approach to risk management.

Key changes include:

- A clearer risk distinction between policy and procedure;
- More regular management reporting to enable swifter response to changes in risks;
- Improved risk scoring methodology; and,
- A change of back-office systems for capturing and reporting on risk;

The documents were unanimously agreed by Audit Committee and officers will arrange member training in the new municipal year.

(1) The Decision Taken

RESOLVED:

(unanimous)

Cabinet agreed to approve the Council's Risk Management Policy, Strategy and Framework.

(2) Reasons for the Decision

In order to ensure that the new risk registers can be set up, that staff training can be provided, and that the new reporting can be set up in advance of the new municipal year when the changes will take effect from.

The council's current Risk Management Strategy and Framework is a single document, which does not clearly distinguish between the

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Council's Policy, Strategy and the framework for delivery of risk management activities.

93.6. Mixed Recycling Contract (Forward Plan Reference FP1162)

Report of the Service Director (Resident and Neighbourhood) to extend the Mixed Recycling Contract by a further three years.

(1) The Decision Taken

RESOLVED:

(unanimous)

Cabinet agreed to extend the contract for Mixed Recycling with Pearce Recycling Limited by a further three years to expire on 31 January 2027.

(2) Reasons for the Decision

The council is the lead authority for a consortium of Hertfordshire Councils for the processing and sale of mixed recyclables. Other councils in the Consortium include Dacorum, Three Rivers and Watford.

In 2017, Cabinet agreed to enter into a 7-year contract (to January 2024) with an option to extend by a further 3 years with Pearce Recycling for these services.

The consortium members have undertaken market research and jointly concluded that:

- There is currently not sufficient capacity at re-processors.
- Insufficient clarity at this stage regarding the Government approach towards implementation of forthcoming changes such as Consistency, Deposit Return Schemes and Extended Producer Responsibility.
- More time was needed for the wider partnership to look at the issue strategically

The recommendation is that the contract should be extended by a further 3 years until 31 January 2027.

94. RECOMMENDATION FROM CABINET PANEL

Recommendations from the meeting of the Cabinet Planning and Parking Panel on 16 February 2023:

94.1. Northaw and Cuffley Neighbourhood Plan

The report sets out the recommendations of the Cabinet Planning and Parking Panel on 16 February to proceed with a referendum on the adoption of the Northaw and Cuffley Neighbourhood Plan.

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Following the conclusion of the consultation on the submitted Northaw and Cuffley Neighbourhood Plan in September 2022, an Independent Examiner was appointed by Welwyn Hatfield Borough Council with the consent of Northaw and Cuffley Parish Council to conduct an examination of the plan.

The Examiner submitted his report to Welwyn Hatfield Borough Council on the 27 January 2023. The Examiner has recommended modifications and, subject to these modifications, recommends the plan to proceed to referendum.

The plan will require a majority vote, so at least 50% in favour of the plan to be able to move forward to be made by Welwyn Hatfield Borough Council. There is no minimum or maximum turnout required and if the plan is made it will form part of the statutory development plan for the borough and will be used in the determination of planning applications.

Should Cabinet be minded to agree the recommendations, the item will go forward to full Council for a final decision.

**RESOLVED:
(unanimous)**

- (1) That subject to the modifications recommended in the examiner's report being agreed, the Northaw and Cuffley Neighbourhood Plan should proceed to referendum; and,
- (2) Should the Northaw and Cuffley Neighbourhood Plan receive a majority vote in favour at referendum, Welwyn Hatfield Borough Council formally 'makes' the Northaw and Cuffley Plan, to enable it to form part of the Development Plan for the borough.

95. 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 10 (Minute 96 refers) on the grounds that they 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.

96. ITEMS OF AN EXEMPT NATURE REQUIRING KEY DECISION

The following items of an exempt nature were considered:

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96.1. Award of Utilities Contract (Forward Plan Reference FP1168)

Exempt report of the Executive Director (Finance and Transformation) on the award of contract for Utilities Management.

(1) The Decision Taken

RESOLVED:

(unanimous)

Cabinet noted the details set out in the exempt report and confirmed its decision, taken in Part I of the meeting, to enter into a Customer Access Agreement with Crown Commercial Services for a period of 4 years, with the supply commencing on 1 October 2024 and to sign supply contracts with EDF Energy Limited (EDF) and Total Energies Gas and Power Limited (Total).

(2) Reasons for the Decision

The current arrangement with Laser ends in September 2024. A decision is required well in advance of the supply period so that the purchasing organisation can start purchasing in advance.

96.2. Award of Contract for Building Surveyor - Planned Maintenance (Forward Plan Reference FP1159)

Exempt report of the Service Director (Property Maintenance and Climate Change) on the award of contract for a Building Surveyor for the Planned Maintenance Programme.

(1) The Decision Taken

RESOLVED:

(unanimous)

Cabinet noted the details set out in the exempt report and confirmed its decision, taken in Part I of the meeting, to award the contract for Building Surveying Services (Planned Maintenance) to Keegans Limited (Company number 04547050) for a five-year period.

(2) Reasons for the Decision

Building Surveying Consultants are required to complement the in-house team to deliver the programme of works. The project has been procured in accordance with the council's Contract Procedure Rules and Public Contracts Regulations 2015. Eight bids were received and Keegan's Limited are the highest scoring bidder.

Meeting ended at 5.17 pm
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