

## MINUTES

### CABINET

11 FEBRUARY 2014

**Present:**

**Members:**

**Councillors:**

Margaret Griffiths	Portfolio Holder for Housing
Neil Harden	Portfolio Holder for Residents and Regulatory Services
Julie Laws	Portfolio Holder for Environmental Services and Sustainability
Nick Tiley	Portfolio Holder for Finance and Resources
Andrew Williams (Chairman)	Leader of the Council/Portfolio Holder for Planning and Regeneration

**Officers:**

Sally Marshall	Chief Executive
Mark Gaynor	Corporate Director (Housing and Regeneration)
Martin Hone	Corporate Director (Finance and Operations)
David Austin	Assistant Director (Neighbourhood Delivery)
Steven Baker	Assistant Director (Chief Executive's Unit)
Elliott Brooks	Assistant Director (Housing)
James Deane	Assistant Director (Finance and Resources)
James Doe	Assistant Director (Planning, Development and Regeneration)
Shane Flynn	Assistant Director (Performance and Projects)
Nathalie Bateman	Team Leader (Strategic Planning and Regeneration)
Isabel Connolly	Housing Strategy and Partnership Officer
Sarah Hamilton	Team Leader (Communications and Consultation)
Ross Hill	Team Leader (Licensing)
Sarah Pickering	Housing Research Information Graduate Officer
Alan Story	Sustainable Transport Officer
Pat Duff	Member Support Officer

Councillor D Collins also attended.

The meeting began at 7.30 pm.

### **CA/014/14 MINUTES**

The minutes of the meeting held on 21 January 2014 were agreed by the members present and signed by the Chairman.

#### **CA/015/14 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

#### **CA/016/14 DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **CA/017/14 PUBLIC PARTICIPATION**

Mr D Bonnett made a statement regarding agenda item 12, Report on the Feasibility of Developing a Multi-Storey Car Park on Lower Kings Road, Berkhamsted. Minute CA/201/14.

Councillor David Collins made a statement regarding agenda item 12, Report on the Feasibility of Developing a Multi-Storey Car Park on Lower Kings Road, Berkhamsted. Minute CA/201/14.

#### **CA/018/14 REFERRALS TO CABINET**

There were no referrals to Cabinet.

#### **CA/019/14 CABINET FORWARD PLAN**

##### **Decision**

That the Cabinet Forward Plan be noted.

#### **CA/020/14 AUTHORISATION OF VIREMENTS**

##### **Decision**

That the virements from the Service Areas as listed below and detailed in the report be noted:

- Clean, Safe and Green, Environmental Services
- Tenant and Leaseholder Management

##### **Reason for Decision**

To secure the approval of virements for the purposes specified in the Forms (A), as appended to the report.

##### **Implications**

###### Financial

The Scheme of Virements is part of the Council's financial management.

##### **Risk Implications**

There are no risk implications.

## **Corporate Objectives**

To standardise documentation and authorisation requirements for all virements.

## **Advice**

The Portfolio Holder for Finance and Resources introduced the report which he said was self-explanatory.

## **Options and Why Options Rejected**

No alternative options were considered.

## **Consultation**

There was no consultation.

## **Voting**

None.

## **CA/021/14 HEMEL EVOLUTION: MARLOWES SHOPPING ZONE PEDESTRIAN AREA DESIGNS, BUS INTERCHANGE DESIGNS AND PPO/TRO PROPOSALS**

### **Decision**

#### **Marlowes Shopping Zone**

1. That the proposed designs for Marlowes Shopping Zone improvements as presented in Appendix 1 of the report are approved. These are the same designs that were presented at the Members' briefing on 27 November 2013.

#### **Bus Interchange**

2. That the proposed designs for the Bus Interchange as presented in Appendix 2 of the report are noted. These are the same designs that were presented at Members' briefing on 10<sup>th</sup> December 2013.
3. That the proposed arrangements for the relocation of the Marlowes Taxi Rank to Waterhouse Street and reallocation of road space are noted.
4. That the designs for the Bus Interchange, and associated Waterhouse Street arrangements be approved.

#### **Traffic Regulation Orders**

5. That the matters for resolution in respect of the application to Hertfordshire County Council referred to in paragraphs 28 to 47 of the report be noted, and responsibility be delegated to the Assistant Director (Planning, Development and Regeneration) to make the necessary submissions to Hertfordshire County Council and the Secretary of State in respect of the Traffic Regulation Orders applications and the Pedestrian Planning Order revocation.

## Reason for Decision

To approve for the designs for the Marlowes Shopping Zone improvements and for the proposed Hemel Hempstead Town Centre Bus Interchange; and to approve for progressing the necessary regulatory approvals for traffic management arising from these projects.

## Implications

### Financial

#### Marlowes Shopping Zone

This project has an approved budget of 2.91million.

As advised by our Consultants through an indicative Cost Plan prepared by their Quantity Surveyors, the designs outlined fit within this approved budget.

Current headline budget breakdown is:

	<b>Budget (£)</b>
<b>Fees</b>	
Design consultant	84,500
Employer's agent	23,600
Cost Manager	51,300
Design Monitor	tbc but <10K
CDM Coordinator	tbc but approx. 2,000
<b>Total fees</b>	169600(estimate)
<b>Construction (current estimates to be value engineered)</b>	
Demolition and Removals	255,300
Pavement areas	344,500
Pavement structures	576,500
Decoration/cleaning	218,100
Pavement accessories	528,500
Mechanical and Electrical	190,300
Launch events and market events	43,000
<b>Subtotal</b>	<b>2,156,200 (estimate)</b>
Allowance for Preliminaries @ 10%	216,000
Overheads and Profit @ 5%	119,000
Contingency @ 8%	199,000
<b>Total construction costs</b>	<b>2,690,200 (estimate)</b>
<b>Total costs</b>	<b>2,859,800 (estimate)</b>

All figures rounded to nearest £100

However the actual final costs would depend on the quotes provided by the Main Contractor in response to the Invitation to Tender which will be going out in February/March. This will be value engineered where necessary to fit within the existing budget.

## Financial

### Bus Interchange

This project has an approved budget of £2.16 million.

As advised by our Consultants through an indicative Cost Plan prepared by their Quantity Surveyors, the designs outlined fit within this approved budget.

Current headline budget breakdown is:

	<b>Budget (£)</b>
<b>Fees</b>	
Design consultant	£35,500
Employer's agent	£12,700(Option1) £18,300(Option2) £23,500(Option2)
Cost Manager	£39,600(Option1) £45,900(Option2) £56,000(Option3)
Design Monitor	tbc but <10K
CDM Coordinator	tbc but approx. 2,000
<b>Total fees</b>	<b>£87,800 (Option1)</b> <b>£99,700 (Option2)</b> <b>£115,000(Option3)</b> (estimates)

All figures rounded to nearest £100

Fee costs are determinant on the timescale for delivery, in turn dependent on the application for Traffic Regulation Orders to cover the Bus Interchange. As discussed elsewhere in this report, the Traffic Regulation Orders are subject to public consultation. Dependent on the nature of objections to the Traffic Regulation Order these may result in a public enquiry. The following delivery options, based upon the TRO process presented are;

TRO Submission to HCC in February relating to the Bus Interchange

- Option 1 – No objections to TRO – Sealed June 2014, Construction completes January 2015
- Option 2 – Locally resolved objections to TRO – Sealed March 2015, Construction completes December 2015
- Option 3 – Non-resolvable objections, Public Inquiry Sealed (subject to Public Inquiry resolve) March 2016, Construction completes December 2016

<b>Construction (current estimates to be value engineered)</b>	
Public Realm Removals	£155,400
Marlowes Road Works	£483,400
Marlowes Pavement Areas	£708,100
Waterhouse Street Parking	£22,900
Roundhouse Refurbishment	£129,600
<b>Subtotal</b>	<b>£1,499,400(estimate)</b>
Allowance for Preliminaries @ 15%	£224,900
Overheads and Profit @ 5%	£86,200

Contingency @ 8%	£144,800
<b>Total Construction</b>	<b>£1,955,300</b>
Total Costs	£2,043,100(Option1) £2,055,000(Option2) £2,070,300(Option3)

All figures rounded to nearest £100

### Value for Money

The proposed designs for both the Marlowes Shopping Zone Pedestrian Area (MSZPA) and the Bus Interchange reflects significant value for money by delivering improvements to the Marlowes that will make a distinctive, creative, visual and practical improvement to the Marlowes Shopping Zone within the available budget.

The MSZPA has been designed to make maximum visual impact within the budget allocated and to enhance the natural attributes of the 1960's design. The Bus Interchange has been designed to maximise the regeneration potential of the town centre and use existing highway space. It has also been designed to accommodate future predicted growth in public transport services.

The schemes are being delivered in conjunction with wider regeneration in the town centre to maximise the scope for economic growth and increased footfall.

The schemes will be value engineered prior to construction and throughout the construction period to ensure the delivery of value for money.

Value for money will also be achieved through the procurement process for the Main Contractor.

### **Risk Implications**

Risk Assessment included as part of the PID for Marlowes Shopping Zone and Market Square and Bus Station Regeneration Project

### **Corporate Objectives**

The Hemel Hempstead Masterplan supports the Council's vision and in particular the corporate objective of Regeneration.

### **Advice**

The Portfolio Holder for Planning and Regeneration introduced the report.

The Assistant Director (Planning, Development and Regeneration) said the report was self-explanatory regarding the designs of the shopping zone improvements and bus interchange as reflected in the recommendations.

The Assistant Director raised some issues regarding changes to the Traffic Regulation Order to accommodate the new bus interchange. The Council had been liaising with Hertfordshire County Council about getting the Traffic Regulation Order in place and officers were not yet in a position to advise Cabinet to go with recommendation 5 as

detailed in the report. The Assistant Director recommended that those discussions be continued, that recommendation 5 in the report be deleted and that recommendation 6 in the report be amended to:

*That the matters for resolution in respect of the application to Hertfordshire County Council referred to in paragraphs 28 to 47 of the report be noted, and responsibility be delegated to the Assistant Director (Planning, Development and Regeneration) to make the necessary submissions to Hertfordshire County Council and the Secretary of State in respect of the Traffic Regulation Orders applications and the Pedestrian Planning Order revocation.*

This was agreed.

The Portfolio Holder for Environment and Sustainability said the Traffic Regulation Process was a very important process and had to be done correctly. It was sensible to carry on with the negotiations to ensure they were right.

### **Options and Why Options Rejected**

No alternative options were considered.

### **Consultation**

Consultation took place with:

James Stammers, Transformation Programme Manager for DBC, and Consultant at V4 Service;

Terry Curtis, Principal TRO Officer / Head of Profession, Traffic Order Services, Hertfordshire County Council; and

Martin Hone, Corporate Director (Finance and Governance, DBC).

### **Voting**

None.

## **CA/022/14    DACORUM'S LOCAL PLANNING FRAMEWORK – APPROVAL OF LOCAL DEVELOPMENT SCHEME (2014-17)**

### **Decision**

**That Council be recommended to approve:**

- 1.    The adoption of the Local Development Scheme (2014-17) as set out in Appendix 1 to the report ; and**
- 2.    The delegation of authority to the Assistant Director (Planning, Development and Regeneration) to make any necessary minor and non-consequential changes to the Local Development Scheme prior to final publication.**

### **Reason for Decision**

To recommend to Council to adopt the Local Development Scheme 2014-17.

## **Implications**

### Financial:

The costs associated with the proposed Local Development Scheme have been incorporated within the draft 2014/15 budget.

The legal challenge lodged by GUI Ltd to the adopted Core Strategy will have cost implications. However the scale of these is not currently known and will depend upon whether the High Court finds in favour of the Council or the appellants when the case is heard (expected to be Spring 2014). At present, costs associated with defending the challenge can be met within the present budget. This situation will however need to be kept under review.

### Value for Money:

Every effort has been made to secure external funding – most recently through the New Homes Bonus, to reduce the impact on the Council's budget. Where possible, evidence base work is undertaken jointly with other authorities to ensure cost is optimised (through economies of scale). Collaborative working with landowner consultants will continue to help extend the resources available to the Council and avoid the duplication of site specific technical information.

### Legal:

No direct effects. There is a legal requirement to have a Local Development Scheme (LDS) in place. The LDS may need to be reviewed depending on the outcome of the Core Strategy legal challenge.

### Human Resources:

No direct implications. In order to ensure the Local Planning Framework continues to progress to timetable, the Strategic Planning team currently employs a CIL/Infrastructure Officer on a two year secondment, funded through the LDF reserve.

The provisional 2014/15 LDF budget includes provision for the recruitment of a further temporary Planning Officer to help ensure work continues to timetable.

### Land:

No direct implications. Land within the Council's control will however play an important role in ensuring housing and employment targets set out within the Council's planning strategy documents are met.

### Environmental:

No direct effects, but policies are monitored annually to look at the success of policies aimed at ensuring environmental protection.

## **Risk Implications**

A risk assessment has been carried out as part of the PID / CORVU monitoring process. This has been incorporated within the LDS. The key concern is that the (new) development plan must be sound, and delivers what is needed expeditiously. Risk is reduced by ensuring processes and the evidence base is robust. Sufficient financial resources are essential to achieve that. Certain elements of the process have explicit statutory requirements such as consultation, publication, examination and presentation of the adopted Development Plan Documents. The Annual Monitoring



Report reviews the risks inherent in preparing the Local Planning Framework. Monitoring of development is a source of information which, properly used, can assist risk reduction – i.e. it checks whether progress and control of development has been successful and can indicate where change (in policy or process) may be beneficial.

### **Corporate Objectives**

The Local Development Scheme sets out the programme for key planning strategy document for the Borough, together with their broad content and any transitional arrangements that apply.

Whilst the LDS itself does not impact upon the corporate objectives, the policy documents it refers to support all 5 corporate objectives:

- *Safe and clean environment:* e.g. contains policies relating to the design and layout of new development that promote security and safe access.
- *Community Capacity:* e.g. provides a framework for local communities to prepare area-specific guidance such as Neighbourhood Plans, Town / Village Plans etc.
- *Affordable housing:* e.g. sets the Borough's overall housing target and the proportion of new homes that must be affordable and the requirements for key sites
- *Dacorum delivers:* e.g. provides a clear framework upon which planning decisions can be made.
- *Regeneration:* e.g. sets the planning framework for key regeneration projects, such as Hemel Hempstead town centre and the Maylands Business Park.

### **Advice**

The Leader of the Council introduced the report.

The Assistant Director (Planning, Development and Regeneration) said the report was about the approval of the Local Development Scheme, this being the project plan for the remainder of Dacorum's Local Planning Framework. The Local Development Scheme document was appended to the report and the key part was page 14 of the appendix. The Core Strategy had been approved by Council last year.

There were five components:

1. The site allocations document set out plans and policies for the key development sites which included major housing allocations. There would be a pre submission consultation in September this year, followed by formal examination in October, with the final document being adopted in 2016.
2. Development Management Policies would be brought up to date with aim of them being adopted by December 2016.
3. Single Local Plan – a review of the plan was being undertaken, looking particularly at housing needs, with a target adoption date of September 2017.
4. East Hemel Hempstead Action Plan – this was an on-going issue regarding Maylands and any development of land at the east of Hemel Hempstead. The

Council was dependent on St Albans developing their plans for that area before any dates could be programmed in.

5. Proposals Map – this would be updated following changes to the plan.

The Portfolio Holder for Planning and Regeneration asked how car parking requirements for new developments could be factored into the policies. The Council was increasingly conscious that current car parking needs were not being met. The Portfolio Holder asked that minimum car parking standards be investigated and incorporated into the plan.

The Assistant Director (Planning, Development and Regeneration) agreed to address this as part of the work agreed within the Local Development Scheme and programme it in. Other District Councils would be consulted and the results would be brought back to Cabinet. This could be done within the current recommendations.

### **Options and Why Options Rejected**

No alternative options were considered.

### **Consultation**

Consultation took place with:

Assistant Director (Planning, Development and Regeneration);  
Group Manager (Strategic Planning and Regeneration).

Consultation on the policy document referred to in the LDS itself will be carried out in accordance with the Statement of Community Involvement (SCI), adopted by the Council in June 2006, following independent examination by a Planning Inspector.

### **Voting**

None.

## **CA/023/14 OLDER PERSONS' HOUSING STRATEGY 2014-2020**

### **Decision**

That the new Older Persons' Housing Strategy 2014 – 2020 be approved.

### **Reason for Decision**

To enable the Older Persons' Housing Strategy 2014 - 2020 to be implemented.

### **Implications**

#### Financial

A number of the strategy's objectives are subject to the Housing Revenue Account (HRA) business plan which will be reviewed in January 2014.

The strategy sets out the needs and benefits of new homes to be built for older people, with excellent design and space standards. There are financial and business plan decisions to be made on a site-by-site basis to consider the value of good quality, popular properties that should have short void periods and remain suitable for older residents for the foreseeable future.

#### Value for Money

In considering the recent stock appraisal of the Council's sheltered stock, this strategy has identified the need to be innovative by exploring options for refurbishing, remodelling, and redeveloping schemes.

#### **Risk Implications**

If the Council does not respond to the increasing demand for suitable, attractive housing options for older residents then evidence suggests that this will contribute to:

- Health deterioration
- Social isolation
- Disengagement from the community
- Dissatisfaction with the Council
- Residents choosing to move out of the borough

The existing sheltered housing schemes are unlikely to meet the changing social care, health needs and aspirations of older residents in the future. If this issue is not addressed there is the risk of increasing voids and rental loss in sheltered housing stock.

All decisions about future use of sheltered schemes will consider the impact on the current residents.

#### **Corporate Objectives**

Affordable housing and regeneration.

#### **Advice**

The Portfolio Holder for Housing introduced the report and said the Census 2011 data identified Dacorum as having a high proportion of residents in age bands from 50 and over. This trend was expected to increase, with greater proportions of residents in the oldest age bands living in the borough than ever before. This change in the local demographic will have a direct impact on housing provision.

The sheltered housing asset review in 2012 indicated a number of sheltered schemes fell below current expectations for older persons' housing.

This strategy used the results of an over-50s housing needs study and focus groups with sheltered scheme residents to set out a long term plan for meeting the housing needs of older people in Dacorum. This included priorities to be considered when developing older persons' housing, and had made use of the stock appraisal information to identify where improvements can be made to existing sheltered housing stock.

Consultation had taken place and had provided a full picture of residents' current housing situations and future housing intentions. The four key objectives were shown in the strategy document and it had been through Overview and Scrutiny and to the Tenants and Leaseholders Committee. They had added no further comments.

The Leader of the Council asked what difference would be seen.

The Portfolio Holder for Housing said this would be fed into the Housing business plan budgets for remodelling.

The Corporate Director (Housing and Regeneration) said a big element was the way the Council treated its sheltered stock for future needs. It also picked up other issues. Car parking standards would be looked at as well as the attraction of leasehold for the elderly in order to provide old people with choices which are currently limited in the borough. It was currently difficult for older people to downsize to something attractive to them.

The Strategic Housing Team Leader said there was a commitment to review the Allocations Policy regarding older persons' housing to give people the ability to downsize and use that to influence suitable future development that could be used for older people, as well as for younger families. The Council needed to plan so that over all there were more options available for people to choose and make positive choices for themselves.

A key finding was that lots of people who were living in sheltered accommodation had not heard of it until a life event forced them to move and this could be very stressful. It was recognised that the population was getting older and the Council needed to be proactive in meeting those needs.

### **Options and Why Options Rejected**

No alternative options were considered.

### **Consultation**

Consultation took place with:

Sheltered Housing Tenant Forum;  
Corporate Management Team;  
Tenants and Leaseholder Committee;  
Housing and Communities Overview and Scrutiny Committee.

The results of a housing needs study informed this strategy. This survey was completed by 1,063 residents aged 50 and over.

The Council also held focus groups at a number of sheltered housing schemes:

- Betty Patterson House
- Douglas Gardens Lagley House
- Dudley House
- Florence Longman House
- Rice Close

## **Voting**

None.

## **CA/024/14 REVIEW OF TABLE OF TAXI FARES**

### **Decision**

1. That the fares and charges payable in connection with the hire of licensed hackney carriages in Dacorum be fixed commensurate with the draft table of fares at Annex B of the report as recommended by the Licensing, Health and Safety and Enforcement Committee on the 4 February 2014, pursuant to section 65(1) of the Local Government (Miscellaneous Provisions) Act 1976.
2. That authority to consider any objections received in the statutory objection period following the giving of public notice, and modify or not modify the table of fares accordingly, be delegated to the Portfolio Holder for Residents and Regulatory Services.
3. That, in the absence of exceptional circumstances, the next review of taxi fares shall take place not less than 18 months after the revised fares and charges take effect.

### **Reason for Decision**

To amend the table of maximum fares chargeable by taxis for journeys in Dacorum; as initially suggested by the Dacorum taxi drivers association, and recommended (with amendments) by the Council's Licensing, Health and Safety and Enforcement Committee.

### **Implications**

#### Financial

If the table of fares is changed, there will be a cost to the Council in terms of giving statutory public notice and printing new tariff tables (<£1k), which would be met from existing Licensing budget. Vehicle proprietors would also need to have their taximeters re-tariffed, which would carry a cost payable directly by them to a calibration company.

#### Value for Money

None identified.

### **Risk Implications**

Taxi fares should be set at a level which balances the needs of those providing the services against those of the service users. Setting the fares at an excessively high level would deter the use of taxis, making them less affordable to the most vulnerable or deprived service users, who are often those most dependent upon the service offered; it may also lead to Dacorum taxis being undercut by pre-booked competitors licensed elsewhere. Setting the fares at too low a level will reduce the economic viability of taxi services, the proprietors of which incur significant costs in delivering their service, forcing proprietors out of the taxi trade and potentially leading to an under-provision of taxis within the borough.

## **Corporate Objectives**

### Dacorum Delivers

Setting of fares is a statutory power available to the Council under the Local Government (Miscellaneous Provisions) Act 1976

### **Advice**

The Portfolio Holder for Residents and Regulatory Services introduced the report and advised that the last review had been carried out in August 2011.

The Portfolio Holder drew attention to the consultation and the 86 responses. Following the amendment proposed by the Licensing Committee, a further consultation was carried out which resulted in a lot more responses.

The Licensing Team Leader said the Licensing Committee held on 4 February made the following resolution:

*The Licensing, Health & Safety and Enforcement Committee recommend that Cabinet fix the fares and charges for the hire of hackney carriages in Dacorum at the levels set out in the recommendation of 29 October 2013, with the following additional amendments:*

- *tariff 2 to apply between the hours of 11pm and 7am on any day*
- *tariff 2 to apply between the hours of 7am and 11pm on Sundays.*

### **Options and Why Options Rejected**

No alternative options were considered.

### **Consultation**

Consultation was carried out between August and October 2013, attracting 86 responses from residents, businesses, and from members of the taxi trade. Following an amendment made by the Licensing Committee, a further limited consultation was carried out between November 2013 and January 2014, resulting in a petition with 263 signatures (some duplicated) and 41 additional responses.

### **Voting**

None.

### **CA/025/14 REPORT ON THE FEASIBILITY OF DEVELOPING A MULTI-STOREY CAR PARK ON LOWER KINGS ROAD, BERKHAMSTED**

### **Decision**

1. That the key findings of the consultant's report on the development of a multi-storey car park in Berkhamsted be noted.
2. That work on the design and due diligence be continued ahead of a further, more detailed report to Cabinet.

## **Reason for Decision**

To enable proposals for the development of a multi-storey car park in Berkhamsted to be explored further.

## **Implications**

The development of the MSCP will be in the centre of Berkhamsted, so traffic impact will be a major consideration. The analysis of the traffic impact will be undertaken as part of the next, more detailed design stage and considered as part of the planning application.

The proposed site is located within a Conservation Area; as such the design and consultation process will need to be handled carefully with proper consideration to the form and scale of development.

This is a major investment of capital which should provide a secure annual revenue stream and provide a reasonable return on capital employed.

## **Risk Implications**

The keys risks are:

1. Planning – even though the site is suitable for such a development, the scale and traffic impact will need to be considered carefully, both of which will have an effect on the viability of the venture.
2. Financial – these risks are detailed in the Part 2, Appendix 2 to this paper.

## Value for Money:

Further due diligence work will be undertaken before a decision is finalised to proceed with the project, and a contract let that is compliant with the Council's procurement regulations.

## **Corporate Objectives**

Regeneration:

- Drive value from Council-owned assets

Safe and Clean Environment:

- Maintain a clean and safe environment

Dacorum Delivers:

- Efficiencies

## **Advice**

The Leader of the Council invited Mr D Bonnett to make his statement.

Mr Bonnett made the following statement:

#### Pollution

Mr Bonnett presented a graph of the monthly measurements of NO<sub>2</sub> for Berkhamsted's Lower Kings Road. The EU limit for NO<sub>2</sub> is 40 microgrammes per metre cubed. The measurements for Lower Kings Road are all over this limit, and this is where the multi-storey car park is planned to go. Berkhamsted is likely to become an air quality management area.

The Highways Agency have recently shelved several major projects because they are in areas where NO<sub>2</sub> limits are already over the EU limit.

Air quality is a critical issue for the people of Berkhamsted, and air quality represents a major project risk for Dacorum Borough Council for this project.

#### Vested Interests

If Dacorum Borough Council fund a car park in Berkhamsted, they will be incentivised to promote the use of the private car. There will be no incentive to promote the use of public transport, or to promote walking. This is against the policy for public health.

#### Opportunity Cost

This site has multiple possible development uses. A broad consideration of all the options should be carried out in order to determine the best civic use.

A survey carried out of 279 town residents showed overwhelming support for a consultation, along the lines of a Town Plan for the central area of town.

The Leader of the Council invited Councillor David Collins to make his statement.

Councillor Collins made the following statement:

I am speaking as a Borough Ward Councillor and for Berkhamsted Town Council.

The policy was clear and we fully support the recommendations in the report to Cabinet. We would like to go ahead at full speed to find a solution to the problem of parking. We have been trying to solve the problem for 12 years and there is a lack of capacity. The proposals would help sort out some of the capacity.

There are some other measures that could be taken to alleviate the problem. Regarding air quality, much of the delay IN Lower Kings Road is to do with people trying to find places to park. This would help to solve some of the pollution mentioned.

The Portfolio Holder for Finance and Resources said he respected the points of view made and they would be an important part of the consultation that the Council now needed to move forward with.

The Portfolio Holder supported the recommendation in the report to proceed to the next stage of the investigation of this car park. Berkhamsted was a successful town with a mix of residents, business and commuter parking around the town that had been a problem for a long time.



A multi-storey car park would help alleviate the problem. The Council's car park in Lower Kings Road had been identified as a suitable site and the Council had to go ahead to get more detailed proposals for the town.

There would need to be a lot of local consultation. The financial return from this project was not such that, if it was not responding to a social need, it would not be recommended to Cabinet. The project did not meet the Council's investment criteria but it was dealing with a social issue. The Council had to involve a lot of people in the discussions. In light of the comments made and the chart circulated, the Portfolio Holder hoped Cabinet would support going to the next stage.

The Part 2 appendix would need to be considered but the Portfolio Holder hoped the recommendation would be agreed, subject to the financial discussions to be held in private.

The Portfolio Holder for Environment and Sustainability supported the recommendation, subject to the Part 2 discussion. The Portfolio Holder said she had read the report from Transition Town Berkhamsted and was aware of the needs of Berkhamsted and felt these could be addressed as part of the next process, which included air quality assessments. This bar chart had been presented on 10 February by an officer from the Council and this was in its early stage.

Car parking provision was supported by the Town Council and was welcomed by businesses and residents. The extra parking was required and, with careful design, would be an asset to the town. The Portfolio Holder for Environment and Sustainability welcomed the proposal to go to Phase 2.

The Corporate Director (Finance and Operations) Phase 2 would give a more detailed design and there would be more consultation. The indications were for a pay back period of 20 years but it was of great social value. The scheme would provide up to 375 spaces, depending on the design.

The Portfolio Holder for Residents and Regulatory Services said he supported the recommendation. The Council needed to take on board Mr Bonnett's concerns regarding air quality and ensure that was a factor in any feasibility study. The Council had to take on board all concerns,

The Portfolio Holder for Housing supported the scheme in principle. It was important to note the Council was committed to finding alternative means of transport for people. There were programmes in place and this did not negate that. This was part of a strategic plan.

The Leader of the Council said he supported the recommendation. Transport was an issue in Berkhamsted and there was a lot of driving around the town looking for car parking spaces. There was a lot of pollution in that area that was being caused by the current system. The Council wanted to deal with some of those things that were happening now. Demand for car use continued to increase and use of the car was the main way people came into the town to support the economy. In the future it was possible that technology would change and may reduce pollution. People would not generally leave their cars at home. The Authority was interested in the economic survival of our town centres.

## **Options and Why Options Rejected**

No alternative options were considered.

## **Consultation**

Consultation took place with:

Councillor Nicholas Tiley, Portfolio Holder for Finance and Governance;  
Councillor Julie Laws, Portfolio Holder for Environmental Services and Sustainability;  
James Deane, Assistant Director (Finance and Resources);  
James Doe, Assistant Director (Planning, Development and Regeneration).

## **Voting**

None.

## **CA/026/14 GROVEHILL FUTURE – DESIGNATION OF THE GROVEHILL NEIGHBOURHOOD FORUM**

## **Decision**

That Grovehill Future be designated as the Neighbourhood Forum for the Grovehill Neighbourhood Area.

## **Reason for Decision**

To enable Grovehill Future to be the Neighbourhood Forum for the Grovehill Neighbourhood Area.

## **Implications**

### Financial

In May 2011 Dacorum Borough Council was awarded a £20,000 grant from the Neighbourhood Planning Front Runners Scheme to support a neighbourhood planning project. Following the successful Neighbourhood Plan Area designation in December 2012, £5000 was allocated to DBC to help progress the Neighbourhood Plan. During 2013, DBC successfully assisted the group to secure £4,540 of grant funding to help them progress their plan, DBC is currently administering these monies on behalf of the group. DCLG has announced that successful Forum applications would also attract £5,000 and a further £25,000 on successful completion of the neighbourhood planning examination. The costs of preparing a neighbourhood plan are currently estimated at between £42,000 - £70,000

## **Risk Implications**

Risk Assessment included within the PID for this area of work.

## **Corporate Objectives**

The Grovehill Neighbourhood Plan supports the Council's vision and in particular the corporate objectives of Building Community Capacity, regeneration and affordable housing.

## **Advice**

The Assistant Director (Planning, Development and Regeneration) introduced the report and said this was a necessary step under the Localism Act 2011 to confirm the status of the body promoting the Neighbourhood Plan for Grovehill. The application for designation of the Neighbourhood Plan area had been received in September 2012 and in 2013 the formal application came in for the Neighbourhood Forum to be designated. The group was developing concepts for the Neighbourhood Plan.

The Portfolio Holder for Residents and Regulatory Services asked if any consultation had taken place on this.

The Assistant Director (Planning, Development and Regeneration) said this was a procedural report and the Monitoring Officer's comments were important.

The Leader of the Council said the Grovehill Neighbourhood Forum was leading this rather than the Council.

## **Options and Why Options Rejected**

No alternative options were considered.

## **Consultation**

There was no consultation.

## **Voting**

None.

## **CA/027/14 WASTE STRATEGY**

### **Decision**

1. That the Implementation Plan for the new waste service as outlined in the report be approved.
2. That authority be delegated to the Assistant Director (Neighbourhood Delivery) to negotiate an agreement for the sale of comingled recyclables on behalf of Dacorum Borough Council, subject to the contracted cost not exceeding the current approved budget.

### **Reason for Decision**

To enable changes to the waste collection service in the Borough of Dacorum to be implemented.

### **Implications**

#### Financial

As detailed in section 4 of this report.

### Value for Money

As approved at Cabinet on 23 July 2013, the new waste service configuration is the most cost effective option to remove cardboard from the organic waste stream.

### **Risk Implications**

The risk implications relate to the lack of clarity around the acceptability of co-mingled recycling collections as outlined in section 3 of the report.

### **Corporate Objectives**

- Safe and Clean Environment
- Dacorum Delivers

### **Advice**

The Portfolio Holder for Environment and Sustainability introduced the report and said a letter had been received from UKRecyclate who sought to defer/reconsider the decision to move to comingled collections due to the confusion over TEEP guidance.

Officers had sought guidance from the Hertfordshire Waste Partnership Manager and from the Lead Specialist at WYG. The Portfolio Holder asked that the process should not be delayed and that the recommendations in the report be considered.

There was a good evidence base from the Task and Finish Group and from the report by WYG to demonstrate why the Council was moving to a comingled collection service and in the UK there was a trend towards comingling, not away from it.

The report contained details of some very positive improvements to the service to residents which would make recycling easier and reduce landfill.

The Assistant Director (Neighbourhood Delivery) said he had received the letter from UKRecyclate the day before the meeting and had not been expecting such an overt challenge at such short notice.

There was a lack of clarity around the TEEP guidance. The Council had done a lot of work, there had been 6 Task and Finish meetings considering different options. This move was predicated around the need to remove cardboard from the organic waste stream. The report had been presented to the Overview and Scrutiny Committee and then had an external validation by WYG. The Assistant Director stressed that a range of options had been looked at and this was considered to be the best one and was lower in cost than the separating approach.

The new system would be more convenient to residents, the Council would collect a wider range of recyclables and it would increase the Council's recycling figures.

The Assistant Director (Neighbourhood Delivery) said he would be responding to UKRecyclate on behalf the Portfolio Holder for Environment and Sustainability.

The Assistant Director (Chief Executive's Unit) said he had had an opportunity to review the letter from UKRecyclate in conjunction with the decision of the High Court referred to in the letter. He said that he could not see anything in the letter or in the

court's decision which would lead him to advise Cabinet to defer this decision. He believed that the risk of a successful challenge was very low. The High Court decision last year had not been appealed and therefore still stood. The court had made it quite clear in its decision that, although the Regulations encouraged councils to operate a separated waste collection, it was up to each local authority to decide for itself which system best suited their area. Provided a council could demonstrate that a comingled collection still achieved the purpose of the Regulations and the Directive (which was to improve the quality of the recyclable materials) the council were not in breach of the Regulations.

The Portfolio Holder for Finance and Resources said he was happy to take officers' advice to proceed after hearing the views of the Assistant Director (Chief Executive's Unit) and the Assistant Director (Neighbourhood Delivery). It was important to have evidence that this strategy had been well thought through. This had been talked about by members at length.

The Leader of the Council said he did not know how many councils had moved to comingling collections but there were quite a few. The Leader of the Council said he was happy to proceed.

The Council had looked at every permutation of the potential collection options and modelled them against the costings and the potential revenue generation. The Council now had the option of putting the material all in one bin and there would be no gate fee. The Leader of the Council asked if there would be an advantage if there was no glass in it. The Leader of the Council said he was satisfied that putting glass back in offset the potential income of not putting glass in.

The Assistant Director (Neighbourhood Delivery) said one of the options modelled was keeping glass separate. The Council would receive a nominal income rather than be charged a gate fee. There was then the revenue implication to collect glass. If glass was collected on a monthly basis the revenue would be slightly larger than any income. It would be easier for residents to put all dry recyclables in the same bin. The Assistant Director said he would circulate some workings that had been done on this.

The Portfolio Holder for Housing asked if the Council had considered the possibility of residents taking their glass to the local recycling centre.

The Assistant Director (Neighbourhood Delivery) said this had been looked at but the Council wanted to improve its recycling performance. Prior to kerbside collections 2,000 tons of glass was recycled, since kerbside collections 4,000 tons of glass was recycled. The strategy was about making it as convenient to the householder as possible and the convenience of the kerbside collection was needed to give better figures.

The Portfolio Holder for Residents and Regulatory Services made the following points:

1. The publicity needed to be good to ensure residents were clear about what they put into each bin.
2. Was there a health and safety implication about broken glass and the impact on the staff from that?
3. What was the policy on the removal of recycling boxes?

The Assistant Director (Neighbourhood Delivery) said publicity would cost £2.50 per household and it was important to get that right from the word go. The Council won national awards 10 years ago on the roll out of the wheeled bins and the Assistant Director was confident the publicity given would be sufficient.

Regarding the health and safety issues around glass, it was more of an issue collecting glass in the baskets rather than in a wheeled bin system. It was also much better to collect newspaper and cardboard in bins.

Regarding the redundant boxes, they could be recycled but it would be given more thought. Residents would be given the opportunity to have the boxes collected and they may be given the option to keep them.

The Leader of the Council said 10 years ago the Council was changing the system completely. This time it was a simpler change.

The Portfolio Holder for Environment and Sustainability said the implementation plan stated flyers and leaflets would be distributed and she had great faith in the team that these would be delivered by July 2014.

### **Options and Why Options Rejected**

No alternative options were considered.

### **Consultation**

Consultation took place with:

Councillor Julie Laws, Craig Thorpe, Sheila Chauhan and Caroline Souto.

### **Voting**

None.

## **CA/028/14 PERFORMANCE AND BUDGET MONITORING REPORT – QUARTER 3**

### **Decision**

1. That the Quarter 3 report on targets and performance and progress towards the achievement of the Council's Priorities and Vision be noted.
2. That the Forecast outturn position be noted.

### **Reason for Decision**

To provide Members with an update on the various types of performance and details of the forecast outturn position as at the end of Quarter 3 2013/14.

## **Implications**

### Financial

A summary of the Council's financial position for quarter 3 2013/14 is included at Part B of the report.

### **Risk Implications**

Failure to meet corporate objectives and performance targets would have an adverse effect on the Council's performance management objectives and the Council's reputation.

### **Corporate Objectives**

Effective service and financial performance supports all five of the Council's strategic objectives.

### **Advice**

The Portfolio Holder for Finance and Resources introduced the report that had been to the Overview and Scrutiny Committees.

The Portfolio Holder for Residents and Regulatory Services asked if, under the Quarterly Performance Report, the number of indicators under the Portfolio Holder summary should add up to the the same as those under the Director, Assistant Director and Group Manager summaries.

The Assistant Director (Performance and Projects) said he would look at that and give an explanation.

### **Options and Why Options Rejected**

No alternative options were considered.

### **Consultation**

Consulation took place with:

The Portfolio Holder for Residents and Regulatory Services;  
The Portfolio Holder for Finance and Resources;  
Chief Executive, Directors, Assistant Directors, Group Managers and Budget Holders.

### **Voting**

None.

## **CA/029/14 BUDGET VARIATION FOR DECANT COSTS**

### **Decision**

**That Council be recommended to agree the proposed outline timetable and costs for the decant project as set out in the report as part of the budget report 2014/15.**

### **Reason for Decision**

To approve the proposed approach to the decant of staff and facilities from Hemel Hempstead Civic Centre during the development of the Public Service Quarter.

### **Implications**

#### Financial

The financial implications are set out in the body of the report. The total refit costs of the buildings available for the decant are estimated to be £1.5m.

#### Value for Money

A detailed assessment of the continued costs of maintaining Hemel Hempstead Civic Centre was undertaken as part of the PSQ development. The costs of decant were taken into account during that assessment.

### **Risk Implications**

Risk Assessment completed in April 2013. The risk register for the project is reviewed each month. A more detailed risk register relating to the refurbishment element of the programme will be developed during the due diligence phase identified in the report.

### **Corporate Objectives**

The decant proposals support all five of the Council's objectives, particularly Dacorum delivers, by ensuring that suitable premises are available for the continued delivery of administrative and service function.

### **Advice**

The Assistant Director (Performance and Projects) introduced the report and said the expense was a capital item in the budget report. The was subject to the wider public service quarter debate.

### **Options and Why Options Rejected**

No alternative options were considered.

### **Consultation**

Consultation took place with the Decant Project Board.

### **Voting**

None.



## CA/030/14 BUDGET

### Decision

That Council be recommended to:

#### General Fund Revenue Estimate

- a) set a Dacorum Borough Council General Fund Council Tax requirement of £9.506m and of £10.099m for the combined Borough Council and Parish Councils' requirement for 2014/15 (inclusive of parish precepts of £593k);
- b) agree an increase of 1.75% in Council Tax for Dacorum Borough Council;
- c) set a garage rent increase of £0.45 per week based on a chargeable 48 week year;
- d) approve the revised revenue estimates for 2013/14 and original base estimates for 2014/15, as shown in Appendix A of the report;
- e) approve and adopt the Treasury Management Strategy and Annual Investment Strategy for 2014/15 provided at Appendix N of the report;
- f) approve increases in Fees and Charges for 2014/15 (in accordance with the Council's Fees and Charges Strategy) and as set out in Appendix L of the report;
- g) approve the forecast balances of Revenue Reserves as shown in Appendix G of the report, subject to the following amendments from Cabinet: the reserve for Rent Aid to be maintained at £15k; the reserve for Rent Guarantee to be maintained at £15k; the reserve for PSQ to be reduced by £30k.
- h) note that this budget paper, when approved by Council, will form part of the Medium Term Financial Strategy as set out in Appendix M of the report.

#### Capital Programme

- i) approve the revised Capital Programme for 2013/14 and Programme for 2014/15 to 2018/19 detailed in Appendix J of the report, subject to the following amendment from Cabinet: that a contingency fund of £1.2 million be included in the estimated General Fund Programme for 2016/17 and the estimate for borrowing for 2016/17 be increased by £1.2 million.
- j) authorise the funding proposals subject to an annual review of the financing options by the Corporate Director (Finance & Operations), in consultation with the Portfolio Holder for Finance & Resources, during the preparation of the Statement of Accounts to optimise the use of Council resources.

### **Housing Revenue Account (HRA)**

- k) set dwelling rent increases in accordance with Government guideline rent increase and rent convergence principles, resulting in an average increase of 5.23% which makes the average rent £101.83 per week (based on 52 weeks);
- l) approve the HRA revised estimate for 2013/14 and base estimate for 2014/15 as shown in Appendix H of the report.

### **Terms & Conditions**

- m) approve the introduction of a living wage supplement for all affected employees, in accordance with the Living Wage, for 2014/15; to be reviewed annually thereafter.

### **Statement by Chief Finance Officer**

- n) approve the statement by the Chief Finance Officer regarding the robustness of the budget estimates and level of reserves as set out in Appendix O of the report.

### **Reason for Decision**

To recommend Council to approve:

- Revenue and Capital Expenditure together with the potential use of reserves
- The Treasury Management Strategy 2014/15
- The level of fees and charges for 2014/15
- Advice to Councillors on the robustness of the Budget proposals and adequacy of balances and reserves as required by the Local Government Act 2003
- The setting of the Council Tax for 2014/15.

### **Implications**

#### Financial & Value for Money

Contained within the body of the report.

### **Risk Implications**

Budget Risk Assessment completed within the report (Appendix O of the report).

### **Corporate Objectives**

Balancing the books.

### **Advice**

The Portfolio Holder for Finance and Resources introduced the report which had been considered by the Overview and Scrutiny Committees.

The Portfolio Holder drew attention to two items:

1. Appendix G of the report shows a contribution to General Fund reserves of £1.88m in 2014/15. This contribution is funded by the New Homes Bonus and is to be used for one-off items of expenditure in future years. This is consistent with the Council's approach in previous years in which only the first year's worth of New Homes Bonus is used to support ongoing revenue expenditure.
2. The Chairman of the Housing Overview and Scrutiny Committee had asked for an amendment to the proposed budget. To make it clear that the Council is not withdrawing any support for the homeless it was requested that the proposed budget be amended and that the Dacorum Rent Aid and Dacorum Rent Guarantee reserves (of £15k each) not be deleted. Cabinet were content to support the proposal of the Scrutiny Committee and amendments will be made to the recommendations prior to the budget coming forward to Council for approval.

These changes were agreed.

The Portfolio Holder for Housing supported the recommendations, particularly regarding housing and reserves and advised she was commissioning a group to look at Dacorum Rent Aid and the Rent Guarantee Scheme.

The Portfolio Holder for

### **Options and Why Options Rejected**

No alternative options were considered.

### **Consultation**

Consultation took place with:

Corporate Management Team;  
Group Managers;  
Community and Public; and  
Staff.

### **Voting**

None.

### **CA/031/14 EXCLUSION OF THE PUBLIC**

### **Decision**

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the item in Part 2 of the Agenda for this meeting, because it was likely, in view of the nature of the business to be transacted, that, if members of the public were present during that item, there would be disclosure to them of exempt information relating to the financial and business affairs of the Council.

Local Government Act 1975, Part V, Schedule 12A, Paragraph 3.

**CA/032/14 REPORT ON THE FEASIBILITY OF DEVELOPING A MULTI-  
STOREY CAR PARK ON LOWER KINGS ROAD, BERKHAMSTED –  
APPENDIX A**

**Decision**

See CA/025/14.

This appendix was noted. Full details are in the Part 2 minute.

The meeting ended at 8.40 pm.