

MINUTES

CABINET

21 JULY 2015

Present:

Members:

Councillors:

Janice Marshall	Portfolio Holder for Environmental, Sustainability & Regulatory Services
Margaret Griffiths	Portfolio Holder for Housing
Graham Sutton	Portfolio Holder for Planning & Regeneration
Andrew Williams (Chairman)	Leader of the Council

Officers:

Sally Marshall	Chief Executive
James Deane	Corporate Director Finance and Operations
Mark Gaynor	Corporate Director Housing and Regeneration
Steve Baker	Assistant Director, Chief Executives Unit
James Doe	Assistant Director, Planning, Development & Regeneration
Nicholas Egerton	Team Leader, Environmental Protection & Planning
Chris Troy	Group Manager, Regulatory Services
Lesley Crisp	Assistant Team Leader, Economic Wellbeing
Sue Lea	Tourism Officer
Elliott Brooks	Assistant Director, Housing
Julia Hedger	Group Manager, Strategic Housing
Catriona Lawson	Team Leader Democratic Services

The meeting began at 7.37 pm.

CA/052/15 MINUTES

The minutes of the meeting held on 29 June 2015 were agreed by the members present and signed by the Chairman.

CA/053/15 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor Harden & Elliot.

CA/054/15 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA/055/15 PUBLIC PARTICIPATION

There was no public participation.

CA/056/15 REFERRALS TO CABINET

There were no referrals to Cabinet.

CA/057/15 CABINET FORWARD PLAN

James Doe requested that the Dacorum Borough Council Conservation Strategy be added to the Forward Plan for September.

The Forward Plan was then noted.

CA/058/15 AUTHORISATION OF VIREMENTS

Councillor Marshall clarified that the virement was for the current financial year and noted that it was a sizeable sum to be asking for at such an early stage of the financial year. She advised that she appreciated that it was for responsive repairs and voids, which cannot be measured, but enquired as to why so early in the financial year.

James Deane advised that the data is kept on all virements and will be factored into next years budget.

Elliot Brookes advised that it was not about volume of work but more to do with the pricing mechanism within the contract, more to do with the application of profit and overheads and running costs. In short the structure of the finances rather than the volume of work.

Councillor Marshall enquired as to whether this would be reflected in the budget for next year.

Elliot Brookes confirmed it would.

The Committee agreed the virements.

CA/059/15 CONSULTATION ON MODIFICATIONS TO THE SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT (DPD)

Councillor Guest requested to address the Committee regarding this matter.

The Chair agreed.

Councillor Guest made the following address:

Leader, Cabinet, this document raises questions.

It states on P3-4 of the report that advice from key stakeholders such as the Local Education Authority and the Highway Authority should be sought where appropriate. Feedback on the Borough Council's Infrastructure Delivery Plan has also been significant in developing a clear understanding of infrastructure needs. Will the road infrastructure in and accessing LA3 and the Site Allocations be able to cope with the traffic generated? Is there a commitment from the County Council that a new primary school at LA3 will happen?

The level and broad location of new development including the principle of releasing the six Local Allocations from the Green Belt has already been established through the Core Strategy. That is why I spoke and voted against the Core Strategy. It would mean the release of LA3, and I am opposed in principle to releasing this high quality Green Belt for building. One of the most important aspects of the Site Allocations is the inclusion of policies to deliver the six Local Allocations, including 900 homes at LA3. I have been opposed to building on this land since 1996 and couldn't support policies to deliver the development of it.

The Local Allocations will be managed as countryside until they are required for development. Can an assurance be given that they will remain countryside until all the brownfield sites have been exhausted?

The Green Belt has always been a constraint to be taken into account when deciding how far a council can go towards meeting its objectively assessed housing need. However the NPPF does allow for new Green Belt boundaries to be drawn when a council reviews its strategic plan. If the Green Belt is a constraint when meeting objectively assessed need, why propose the release of it? Could falling short of meeting housing need because of Green Belt constraints have been successfully defended to the Inspector at Examination? If it could, can the need to develop the Local Allocations be revisited in the Early Partial Review process?

Since the publication of the Pre-Submission Site Allocations Document there has been a re-run of the Hemel Hempstead Transport model. The Infrastructure Delivery Plan of June 2015 has an update to the 2014 report to ensure that infrastructure issues raised though the Pre-Submission consultation are discussed and addressed by service providers.

Updates of transport modelling and the addressing of infrastructure issues raised by consultation are welcome. However who commissioned these studies and who conducted them?

It is welcome that liaison with infrastructure providers has continued through the preparation of an update to the Council's Infrastructure Delivery Plan, including meetings with the old PCT, West Herts. Hospitals Trust, Highways England, Thames Water and Children, Schools and Families at Herts. County Council. Now that PCTs have gone, are the meetings continuing but with Herts. Valleys CCG and NHS England?

Infrastructure providers have confirmed that there are no infrastructure "showstoppers" that would prevent the delivery of development subject to the timely delivery of infrastructure. Does the Infrastructure Delivery Plan detail when infrastructure will be delivered to show that it is timely for the new development?

The only outstanding infrastructure issue is with the Environment Agency regarding waste water and sewerage capacity. The comments from the Environment Agency may be late, they may refer to the overall quantum of development rather than specific sites, Thames Water may support the Council's approach as set out in the Site Allocations Document, the Environment Agency and Thames Water may be involved in work on a County-wide basis and it may be available to inform the early partial review of the Core Strategy. However can it be guaranteed that waste water and sewerage capacity will be adequate for each of the Local Allocations like LA3 when it is developed. If it isn't you don't need me to tell you what we'll all be in!

For the submission, Habitat Regulations Assessments can be included at the Council's discretion. Will they be for LA3, currently home to butterflies, bats and badgers? Will evidence of impact of development at this site on the river Bulbourne be submitted?

In the Core Strategy it is envisaged that the Local Allocations will be developed from 2021 onwards. However planning applications will be received and determined before then, and construction and works may take place before the release date to enable occupation of the new homes by 2021. What would be the status of the land at this point? Would it be Green Belt or not?

The Core Strategy, Site Allocations DPD, Infrastructure Delivery Plan and CIL all ensure that appropriate health infrastructure is provided. That includes improved GP cover as a result of LA3. However the Parkwood Drive surgery at Warners End doesn't want to set up a branch surgery at LA3 and room for expansion on the current site is very limited. How is the NHS planning to provide GP cover?

In the light of recent ministerial announcements is there still the same need for the level of Gypsy and Traveller provision across the Borough as originally envisaged?

Answers to these questions will help to clarify what is needed now and whether there will be the infrastructure to support it.

James Doe responded to the questions raised sequentially.

With regards to a review of the local allocations and whether it is appropriate to release this site before every greenfield site has been exhausted, the simple answer is no, however the gradual exhaustion of brownfield resource within Dacorum has led to a need for us to identify some sites that are in the green belt for development. Dacorum's record on brownfield sites is exemplary as we have been delivering over 95% of our new housing on brownfield sites for many years, but that is a finite resource and has to end. He further added that they have to show through the local planning process show a steady and adequate supply of land to be built on and some of that resource will be brownfield but inevitably we will need to bring in some greenfield and green belt sites into that equation to make sure we have a robust housing land supply. He went on to add that the risk to the Council if we don't make that supply available that we as a Council could be prone to speculative applications elsewhere in the green belt, where a developer might argue that we don't have a sufficient supply. So we are trying to take a balanced approach with brownfield sites and some greenfield sites as well.

In terms of whether the release of LA3 for development can be revisited in the early partial review, the advice would have to be no, the reason being that when the local plan examination was held in October 2013, the inspector made it very clear in his

report that he was concerned at the amount of housing that Dacorum actually allocated within its plan and gave us the option of doing an early partial review with a view to re-examining the housing numbers. All the evidence so far points to more land being needed for development, so on the current housing land supply information we have, I would advise against revisiting any of the six local allocations, through the early partial review. Work is being done on housing market intelligence and a meeting is to be held with Portfolio Holders next Monday to discuss the preliminary findings and we will be in a position to advise Cabinet what the new position will be for the early partial review in due course.

With regards to transport modelling work has been carried out for the Core Strategy as a whole and the Borough Council has commissioned that from Hertfordshire County Council through its traffic management and forecasting models and that has shown that the network with some selected improvements, does have capacity to accommodate the additional development that we are proposing for developers to undertake through the local allocations. There will be some further transport modelling undertaken at the time of the planning application, as a planning application of this nature will require a transport assessment and the details of these improvement will be arranged through that transport assessment process.

With regards to health improvement, meetings are continuing with the Herts Valley Clinical Commissioning Group. In terms of provision for GP cover, that is still under discussion with the CCG. The main thing we are doing as a Council for this at present is to make the land available, through the development, for a facility. The current view of Parkwood Drive Surgery is that they wouldn't be prepared to set up a satellite surgery in that location, but talks are still underway with them and the CCG regarding that provision. As a Local Planning Authority the Council's role is to allocate the land and the NHS has the responsibility of providing GP services to residents..

In terms of the Infrastructure Delivery Plan, this has been ongoing for some years now and the first purpose of it is to simply assess the amount of infrastructure that we need across the Borough. With regards to when this is phased in, this document is to make sure we are getting the right delivery of infrastructure through the successive developments of the various sites. So the Infrastructure Development Plan works hand in hand with the Core Strategy and the Site Allocations document to make sure we have a clear provision at the appropriate time. With regards to Highways and Educational provision, for site LA3, those are to be secured through a Section 106 agreement and not through CIL. As to the County Council's commitment, they are engaged within this process and the primary pull on the development resources will be to deliver the two form entry primary school on this site.

The report does state that the Environment Agency's reports were late, but had earlier indicated that there was capacity within the system. He went on to assure the committee that at planning application stage, the correct provision of drainage will be addressed, as has been done at Spencer's Park.

In terms of the Habitat Regulations and the River Bulbourne, all sites have been subject to continual environmental appraisal, and more detailed investigations will be carried out at the planning application stage.

With regards to the questions around timing, delivery of new homes from the Local Allocation sites will be from 2021 onwards, however the implication of that is that developers will need to organise planning applications earlier, to ensure that the actual

supply of new housing takes place from 2021. That is critical for the Borough's supply of housing, to make sure those properties are ready by 2021.

In response to the question as to when the site comes out of the green belt, that is essentially when this Site Allocations document is adopted, which we expect to be at some point next year, once it has been through examination and assuming that that is a successful process, that will remove the site from the green belt and pave the way for the planning application to be submitted.

James Doe finished by advising that the report builds on the site allocation document which went through public consultation last year, which resulted in a number of changes. However they had also sought legal advice and advised Cabinet that they will need to re-consult on the significant changes to the plan, a lot revolve around the position at Tring, where we have had to seek further advice following the legal position regarding the position of cemeteries and traveller sites within the green belt, so the biggest change to report is a slight re-drawing of the green belt boundary, to take both the cemetery and the traveller site out of the LA5 designation within the urban area. This is a fairly minor change on the map but might raise some significant issues. Our legal advisor has suggested we go to consultation with that to keep the process robust.

Councillor Sutton added that there would be a six week further consultation, which would mean that the final report would be submitted in early 2016.

Councillor Williams commented that he had thought this report was due to go to Council in September and enquired as to whether this was now not the case.

Steve Baker advised there would be the consultation period, it would then go to Council and then to the Inspector.

The committee agreed the recommendations of the report.

CA/060/15 MOBILE HOMES POLICY

Councillor Marshall introduced the report advising that the Mobile Homes Act requires that before you can charge fees, you must have a published fees policy. The policy is specifically for mobile homes and puts the fee charging on a firmer footing. She went on to advise that the Housing & Community OSC had considered the report on the 8th July, where it was thoroughly debated, resulting in some minor amendments. There was a recommendation that in Paragraph 3.2.1 of the actual policy it should be made clear that the list is not exhaustive and that at Appendix A of the policy, where there are points identifying risks, the last few lines need adjustments as the word 'other' that is in bold is actually a heading. The penalties are there to identify the risk rating system, which informs the level of charge.

Councillor Mrs Griffiths enquired as to whether the policy covered single mobile homes, where perhaps people may be staying whilst refurbishing or building their home or if it was just for sites.

Nicholas Egerton advised that where planning permission has been granted and it is intended to be there for more than 28 days.

The committee agreed the recommendation.

CA/061/15 MEDIUM TERM FINANCIAL STRATEGY

James Deane introduced the report advising it was for the period 2015/16 – 2019/20. He advised that it had been updated to reflect the summer budget of 2015, and that it had also been updated to include the audited out-turn position for 2014/15. Once those figures had been factored in to the model there is a savings target emerging for the next four year of £3 million. He advised that it is substantially front loaded, with £1.4million next year and £1.2million in 2017/18 and that these are driven by continued reductions in government grants. He advised that at this stage they were forecast figures and in terms of the government grants, there were two big risks coming up; one of which was the spending review which is currently underway and that government departments are being asked to model two different scenarios, looking at reductions of one at 25% and one at 40% and that this is in line with the assumptions that we have within the model, however we will not know for sure what the reductions will be until November and that in turn we will not find out the actual impact this will have on Dacorum until the Local Government Finance Settlement in December.

With regards to the HRA an updated business plan will be presented to Cabinet in October. There are likely to be some significant changes as a result of the summer budget, in particular the 1% reduction year on year for the next four years, however that is being modelled through at present. He further added that they are working with the Chartered Institute of Housing to look at Local Government responses and once that is in place it will be brought to Cabinet in October.

Councillor Mrs Griffiths enquired that other than tenants on Housing Benefit, how do we know what the income is from our tenants, and how can you work out if it is 1% across the board or if it is just 1% to a certain level.

James Deane advised that at the present time we do not currently know our tenants income, however there has been some mention of legislation being passed to enable us to get that information. In terms of the effect it will have on the Dacorum business plan, he suspects that those tenants with an income in excess of £30,000 will get the increase but the amount that Dacorum will get will be reduced by 1% on what we are currently getting this year.

Councillor Marshall noted that the report indicates that we have to look for economies and enquired as to what the position was regarding income maximisation, where we are able to increase our income or explore areas where the Council is able to provide services.

James Deane advised that to deal with the funding deficit, either reduce spending or increase your income, but that a blend of both would be so much the better. He went on to advise that the next steps are that the budget review group meetings have now been scheduled and begin in August, and that they will meet monthly throughout the budget setting process, within that forum options will be looked at to potentially generate more income and then with advise from members we can start working on some of those proposals.

Councillor Williams commented that one of the most significant changes is the reduction in the Revenue Support Grant where it has gone from £2.07million to £1.4million and enquired as to whether this was a known fact or an assumption.

James Deane advised it was an assumption based on work carried out by Local Government Futures who do a large proportion of the sectors logging, so it is based on a large number of previous government statements, the direction in which it is going and they have been fairly accurate, in terms of their predictions in the past. In terms of potential optimism, this was modelled after the original budget, where the government were implying that there would be £42million worth of cuts next year, however in reality that has been reduced to less than half of that and it may be evened out more over the next three years or so.

Councillor Williams clarified that that figure will not be firmed up until the December announcement.

James Deane confirmed this was the case but that we would get an indication when the spending review figures are released as that will set what the Department for Communities and Local Government have got to spend over the next few years, so you will be able to extrapolate more effectively from that.

Councillor Mrs Griffiths suggested that by doing the national living wage we have put ourselves ahead of the game as it is already in the core budget.

James Deane confirmed that was correct.

The committee agreed to recommend the report to Council.

CA/062/15 TWO WATERS REGENERATION

Councillor Sutton advised that he had attended the 2nd of the Two Waters Planning Framework workshops and had been extremely impressed by the process that is going on. He advised that the area was open to regeneration and from the meetings he has attended is confident that any regeneration works would be done sympathetically and would go hand in glove with the open spaces that exist within Boxmoor and the Two Waters area. He went on to advise that the report covers a fairly large area but that it is worth looking at that as a whole. He advised that the purpose of the report was to agree the planning framework.

James Doe added that Two Waters is an up and coming area for regeneration and that it was important to have a planning policy document fit for purpose to deal with those proposals and suggested that the framework now be sent out for consultation and to then report back once the views of the public have been secured.

Councillor Williams referred to Recommendation 2 and the final framework being brought back to Cabinet and Council and enquired as to whether there was a timescale for that.

James Doe advised that he anticipates it would come back to Cabinet in the autumn.

The committee agreed the recommendations.

CA/063/15 DACORUM TOURISM STRATEGY

Councillor Sutton congratulated Sue Lea on the Tourism Strategy launch event stating that it was a well put together and well received event. He advised it is about taking on board partners who want to be a part of the Tourism Strategy. He went on to advise that this is an important strategy as the way that the town will generate in the coming years there will be a need for more hotels and restaurants and that Sue Lea had laid the foundation for that.

Councillor Williams stated that he had been at the launch and was pleasantly surprised by the number of people who had attended but enquired as to how successful sign up had been.

Sue Lea advised that 19 companies had signed up so far with more coming in.

The committee agreed to recommend the report to Council.

CA/064/15 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 items in Part 2 of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that, if members of the public were present during those items, there would be disclosure to them of exempt information relating to the financial and business affairs of the Council and third party companies/organisations.

The meeting ended at 8.22PM