

MINUTES

CABINET

25 JUNE 2013

Present:

Members:

Councillors:

Margaret Griffiths	Portfolio Holder for Housing
Nick Tiley	Portfolio Holder for Finance and Resources
Andrew Williams (Chairman)	Leader of the Council/Portfolio Holder for Planning and Regeneration
Brian Ayling	Cabinet Support Member

Officers:

Daniel Zammit	Chief Executive
Sally Marshall	Corporate Director (Finance and Governance)
James Deane	Assistant Director (Finance and Resources)
James Doe	Assistant Director (Planning, Development and Regeneration)
Shane Flynn	Assistant Director (Project Governance)
Mark Brookes	Group Manager (Legal Governance)
Jim Doyle	Group Manager (Democratic Services)
Linda Dargue	Insurance and Risk Manager
Kevin Langley	Assistant Team Leader (Planning and Regeneration)
Sarah Hamilton	Team Leader (Communications and Consultation)
Pauline Bowles	Member Support Officer

The meeting began at 7.30 pm.

CA/076/13 MINUTES

The minutes of the meeting held on 28 May 2013 were agreed by the members present and signed by the Chairman.

CA/077/13 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors N Harden and J Laws.

CA/078/13 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA/079/13 PUBLIC PARTICIPATION

There was no public participation.

CA/080/13 REFERRALS TO CABINET

There were no referrals to Cabinet.

CA/081/13 CABINET FORWARD PLAN

Decision

That the Cabinet Forward Plan be noted, subject to the following amendment:

23 July 2013 - Maylands Gateway – Arrangements for disposal and development Part 2 Item

CA/082/13 AUTHORISATION OF VIREMENTS

Decision

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

Housing Revenue Account - To move 2 budget lines from Major Repair Reserve to Planned Fixed Expenditure

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/083/13 RISK MANAGEMENT REPORT – QUARTER 4 2012/2013

Decision

1. That the progress to date be noted.
2. **That Council be recommended to adopt the Revised Risk Management Strategy**
3. **That Council be recommended to adopt the revised Dacorum Guide to Managing Risk**

Reason for Decision

To recommend Council to adopt the revised Risk Management Strategy and the revised Dacorum Guide to Managing Risk.

Implications

Financial

None identified.

Value for Money

Risk management is closely linked to the Council's commitment to ensure that all resources are used efficiently and forms part of effective financial planning. The Council also needs to ensure that adequate provisions are in place to address anticipated risks but that these are no greater than necessary so that maximum resources are applied to services as required. To this end the Council sets minimum target working balances for both the general fund and HRA and at the date of this report this minimum balances are secured. Budget exercises for 2012/13 have ensured that the minimum balance requirements will also be met for the next financial year.

Risk Implications

Effective risk management is an important factor in all policymaking, planning and decision making.

Failure to manage risk effectively could have serious consequences for the Council leading to increased costs, wasted resources, prosecution and criticism under external assessments

Corporate Objectives

Dacorum Delivers – Risk management is an essential part of ensuring that the Council meets all of its objectives

Advice

The Portfolio Holder for Finance & Resources said that the Internal Auditors had been asked to look at Risk Management within the Council because the reports were becoming repetitive and it would be helpful to get some fresh viewpoints. The new Internal Auditors could share ideas from other councils.

The Insurance & Risk Manager added that she and the Assistant Director (Finance and Resources) would undertake a review of the Risk Register with a view to refreshing the list. The review would be reported as part of the Quarter 1 Risk Management Report.

The Assistant Director (Finance & Resources) said that he had spoken to the internal auditors and they will be producing the Terms of Reference so that the review of Risk Management can start soon and with a focus on project risks and how to get proper review processes in place.

Options and Why Options Rejected

No alternative options were considered.

Consultation

Consultation took place with the Corporate Management Team and the Finance and Resources Overview and Scrutiny Committee.

Voting

None.

CA/084/13 MAYLANDS GATEWAY DEVELOPMENT BRIEF

Decision

That Council be recommended to approve the adoption of the Maylands Gateway Development Brief – revised May 2013, as attached at Appendix 1 to the report, to be used as a material planning consideration in the determination of planning applications

Reason for Decision

To recommend Council to adopt the Maylands Gateway Development Brief.

Implications

Financial

The adoption of the updated Gateway Development Brief has no direct impact on the General Fund. It has been produced using established budgets.

Value for Money

The Brief has been configured to enable a market-led solution to come forward, to minimise the need to use public resources. The Gateway contains a sizeable amount of publicly owned land (DBC and Homes and Communities Agency) which can be deployed to help capture investment and development to the benefit of the local economy. The use of these and other public resources will have to be considered on a business case basis as and when development proposals come forward.

Risk Implications

Adoption of the Brief as a robust and up to date policy statement will help to bring forward and steer the content of new development, which in turn will help to reduce strategic risk M1 - *Failure to deliver required regeneration and economic growth*.

Corporate Objectives

The regeneration of Maylands forms a key part of the “Regeneration” & “Dacorum Delivers” corporate objectives.

The updated Maylands Gateway Development Brief will help guide future development in a prime regeneration location within Maylands, this will help increase both job and housing levels in the Borough.

The Maylands Gateway also represents a significant area of Council owned land which can be used to ensure that the maximum value is delivered from Council assets.

Advice

The Assistant Director (Planning, Development and Regeneration) explained that the report was coming back to Cabinet for final approval after consultation on the Development Brief. He said that the purpose of the Brief was to provide a more flexible framework to the landscaping and to capture investment interest. He highlighted the need for high quality development along Brakespear Way, being the entrance to the town. It is now proposed to have large commercial buildings rather than the office pavilions that the Master Plan originally envisaged, with the emphasis on design and appearance.

The Assistant Team Leader (Planning and Regeneration) drew attention to paragraph 3.2.7 of the Development Brief relating to the bus routes that serve Maylands. He said there had been some issues raised about the bus numbering and some amendments needed to be made to the Brief to reflect the changes to the bus numbers and routes.

The Leader of the Council said that the brief would be in place for a number of years. There would inevitably be a degree of change within public transport and some changes were already expected in July.

The Assistant Director (Planning, Development and Regeneration) added that public transport was not particularly adequate at the moment and one of the reasons for introducing the main Maylands Link Service. There are plans to secure further funding for the future, after the two years trial period.

The Portfolio Holder for Finance and Resources commented that he hoped this document would give us a wider brief and scope to look for other partners.

Options and Why Options Rejected

No alternative options were considered.

Consultation

Consultation took place with:

Maylands Partnership;
Hertfordshire County Council;
Hertfordshire Local Enterprise Partnership;
St Albans City and District Council;
Homes and Communities Agency;
Aviva Investors; and
Dacorum Borough Council – (Development Management, Strategic Planning and Estates).

Voting

None.

CA/085/13 TOP TIER UPDATE

Decision

1. That the Council's Appointments Committee be convened for the appointment of the Corporate Director (Finance & Operations).

2. **That Council be recommended, in accordance with the Council's Senior Pay Policy, to appoint the Corporate Director (Finance & Operations) on the following terms as regards remuneration:-**

- **annual Salary range £91,661 - £96,336 (inclusive of London Weighting) spinal points 84 to 87 (Band CO4-7)**
- **lease car allowance £4,600 (Band 4)**

3. That the Assistant Director (Legal, Democratic & Regulatory) be requested to update the Scheme of Delegation within the Constitution to take account of the review of the senior management structure

Reason for Decision

To set out the actions required to complete the top tier review, following the appointment of the Corporate Director (Finance & Governance) as Chief Executive

with effect from the 1st of November 2013.

Implications

Financial

The General Fund budget for 2013/14 incorporated savings of £100,000 from the top tier review. The report to Cabinet on the 26th of March 2013 identified estimated savings based on a full year equivalent of around £130,000 and part year savings of around £55,000. It is now estimated that the Top Tier Review and associated secretarial and administrative structure will provide savings of £120,000 based on a part year and £175,000 based on a full year equivalent within the current year.

Value for Money

These are included within S151 Officer comments.

Risk Implications

There are no risk implications arising out of this report.

Corporate Objectives

This report supports all the Council's corporate objectives

Advice

The Leader of the Council said that the report follows on from the approved appointment of the Corporate Director (Finance and Governance) as Chief Executive. The appointments committee meet on 18 July.

The Corporate Director drew attention to paragraph 9 of the report notifying a two phased implementation of the Top Tier Structure following the resignation of the Corporate Director (Performance Implementation and Transformation) and the Assistant Director (Strategy & Transformation, Community & Organisation). This will ensure cover by rearranging line management responsibilities. The first phase would take effect from July and the second phase from 1 November when it is hoped to fully implement the new Senior Management Structure.

Options and Why Options Rejected

No alternative options were considered.

Consultation

No consultation was reported within the report.

Voting

None

CA/086/13 CAPITAL STRATEGY STEERING GROUP REQUEST FOR CAPITAL APPROVAL

Decision

1. That Council be recommended to approve that the Capital programme is updated to include the following schemes detailed within the report.

**Structural Works at Bennetts End House
(St Nicholas Children's Nursery) £60,000**

Entropy Management System Software £38,242

2. That the increase in budget for the following schemes be authorised, already within the approved Capital Programme:

Hot Water/Heating Plant replacements
to Commercial Properties £56,718

Queens Square Shopping Centre £72,926

Legal Case Management System £27,210

3. That the allocation of the following S106 monies be approved:

Play Areas £100,521
(details of S106 schemes in body of report)

Reason for Decision

To approve capital provisions within the Capital Programme 2012/13 – 2016/17 and amend the capital programme approved by Council on 29 February 2012.

Implications

All recommendations within this report are consistent with the principles stated within the Council's Capital Strategy for approval in-year.

Risk Implications

None.

Corporate Objectives

Capital investment is important to the achievement of the Council's objectives.

Advice

The Portfolio Holder for Finance and Resources introduced the report seeking approval on capital provision within the Capital Program. He explained that the requests derived from Risk Management Health and Safety issues. An upgrade of maintenance was required for defective buildings at Queens Square. The CSSG did

look at other options but were satisfied that this was an effective response to the problem.

The Legal Case Management Scheme was substantiated by The Group Manager (Legal Governance) and his team and has proved a very well worth investment to improve the control and management of that area.

Options and Why Options Rejected

No alternative options were considered.

Consultation

Consultation took place with the Capital Strategy Steering Group.

Voting

None.

CA/087/13 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 or business affairs of any particular person (including the authority holding that information (Minutes CA/088/13 and CA/089/13)).

Local Government Act 1972 – Schedule 12A, Paragraph 3.

CA/088/13 CUSTOMER SERVICE CENTRE AND GATEWAY CONTRACT

Decision

That the decision as detailed in the report be agreed

Full details are in the Part II Minute.

Reason for Decision

To change the date of the commencement of the contract and to change decisions 2, 3 and 4 of minute CA/050/13 of the Cabinet meeting held on 26 March because of the impending restructure of the Corporate Management Team.

Implications

Full details are in the part II minute.

Risk Implications

The Risk Assessment has been regularly reviewed by the Council's Finance and Resources Overview and Scrutiny Committee and was last presented on 4 June 2013.

Full details are in the part II minute.

Corporate Objectives

Dacorum Delivers:

- Efficiencies in service delivery
- Value for Money (VFM) in deployment of resources across customer channels
- Performance excellence
- Reputation and profile delivery

Building Community Capacity:

Empower local community action and delivery through the introduction of self-serve locations and development of support from the voluntary and third sector.

Advice

The Cabinet Support Member introduced the report.

Full details are in the part II minute.

Options and Why Options Rejected

No alternative options were considered.

Consultation

Consultation took place with:

The Portfolio Holder for Residents and Regulatory Services – Cllr Neil Harden;
The Finance and Resources Overview and Scrutiny Committee;
The Performance Board;
The Corporate Management Team and Group Managers;
The Group Manager (Commissioning, Procurement and Compliance);
The Group Manager (Partnerships and Citizen Insight);
The Customer Service Unit management and staff; and
The Trade unions representatives.

Voting

None.

CA/089/13 Highbarns Update

Decision

That the recommendations as detailed in the report be noted

Full details are in the Part II Minute.

Reason for Decision

1. To inform Cabinet of progress on the Highbarns Chalk Mine Stabilisation Project and the application to the HCA for a cost variation to the Funding Agreement.
2. To outline the options available to the Council if the application for a cost variation is refused

Implications

Financial

Previous reports have made it clear that the Council accepts no legal responsibility for the chalk mine and has no obligation to fund the treatment works itself. The Cabinet report of 13 September 2011 stated that undertaking the works was contingent on the funding application being successful.

Value for Money

The proposed award of the contract to BAM Ritchies was the subject of a thorough and complete procurement process and represented the best value option on offer both in terms of cost and quality.

Risk Implications

Health and Safety implications

The Council continues to discharge its duties under the Civil Contingencies Act 2004. This involves regular site inspections and liaison with relevant agencies and keeping the risk register under review.

Corporate Objectives

Building Community Capacity – the works will restore a community that is subject to planning blight and is at risk from further collapse of abandoned mine works

Advice

Full details are in the Part II Minute

Options and Why Options Rejected

No alternative options were considered.

Consultation

Highbarns Steering Group
Highbarns Residents Group

Voting

None

The meeting ended at 8.05 pm.