

## Notes of Key Decisions/ Action Points

**Meeting:** Council

**Date:** 29 February 2012

<u>Agenda Item</u>	<u>Decision</u>
<b>Item 1</b> Minutes	The minutes of the meeting held on 11 January 2012 were agreed by the Members present and were then signed by the Mayor subject to the following amendment: Minute 44: Statement by Councillor Holmes as Portfolio Holder for Planning and Regeneration: Britvic's move from Essex to Maylands will involve the employment of 250 not 2500 as reported in the local press.
<b>Item 2</b> Declarations of Interest	Various declarations of Interest were declared relating to Item 7.6 (Budget 2012/13). Details in full minutes .
<b>Item 3</b> Public Participation	None.
<b>Item 4</b> Announcements	1. By the Mayor:  The Mayor announced: <ol style="list-style-type: none"><li>1. The death of Lord Robin Corbett, former MP for Hemel Hempstead. The funeral will take place on 2 March 2012 at 10am at St Mary's Church, Hemel Hempstead.</li><li>2. The funeral of Leading Aircraftsman Ryan Tomlin will take place on 5 March 2012 at St Mary's Church, Hemel Hempstead.</li></ol> A minutes silence was held in memory of Lord Robin Corbett and Leading Aircraftsman Ryan Tomlin  2. By the Chief Executive:  None  3. By the Group Leaders:  Apologies for absence were submitted on behalf of Councillors Bateman, Bhinder, Elliot, Flint, Macdonald, McLean Townsend and Wood.  4. By the Leader and Members of the Cabinet:  (Full details are in the minutes under Announcements of the Leader and Cabinet).
<b>Item 5</b> Questions	None.
<b>Item 6</b> Business from last Council	None.

**Item 7**

Referrals from  
Cabinet 7  
February 2012

Resolved

That the following be approved:

**7 February 2012**

**7.1 MAYLANDS AREA TRAVEL PLAN (CA/008/12)**

The adoption of the Maylands Area Travel Plan (MATP) as a material planning consideration with new planning applications.

**7.2 ICT RESERVES MONEY (CA/010/12)**

The release of £55,000 from the technology reserve to support the two projects in the report, when approving the budget report.

**7.3 SENIOR OFFICER PAY POLICY STATEMENT (CA/011/12)**

The statement of Pay Policy.

**7.4 THE LOCALISM ACT 2011– CHANGES TO THE STANDARDS REGIME CA/012/12)**

The Changes to the Code of Conduct for Dealing with Misconduct Complaints

Approval of the following arrangements for dealing with standards complaints:-

- a. That the Monitoring Officer be appointed as the Proper Officer to receive complaints of failure to comply with the Code of Conduct;
- b. That the Monitoring Officer be given delegated power, after consultation with the Independent Person, to determine whether a complaint merits formal investigation and to arrange such investigation. He/she be instructed to seek resolution of complaints without formal investigation wherever practicable, and that he/she be given discretion to refer decisions on investigation to the Standards Committee where he/she feels that it would not be appropriate for him/her to take the decision, and to report to Standards Committee on the discharge of this function;
- c. Where the investigation finds no evidence of failure to comply with the Code of Conduct, the Monitoring Officer be instructed to close the matter, providing a copy of the report and findings of the investigation to the complainant and to the member concerned, and to the Independent Person, and reporting the findings to the Standards Committee for information;
- d. Where the investigation finds evidence of a failure to comply with the Code of Conduct, the Monitoring Officer in consultation with the Independent Person be authorised to seek local resolution to the satisfaction of the complainant in appropriate cases, with a summary report for information to the Standards Committee. Where such local resolution is not appropriate or not possible, he/she is to

report the investigation findings to the Standards Committee (or a Hearings Sub-Committee) for local hearing;

e. That Council delegate to the Standards Committee (or a Hearings Sub-Committee) such of its powers as can be delegated to take action in respect of a member who is found following a hearing to have failed to comply with the Code of Conduct, such actions to include –

- Issuing a reprimand;
- Reporting its findings to Council [*or to the Parish/Town Council*] for information;
- Recommending to the member's Group Leader (or in the case of un-grouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
- Recommending to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
- Instructing the Monitoring Officer to [*or recommend that the Parish/Town Council*] arrange training for the member;
- Removing [*or recommend to the Parish/Town Council that the member be removed*] from all outside appointments to which he/she has been appointed or nominated by the authority [*or by the Parish/Town Council*];
  - Withdrawing [*or recommend to the Parish/Town Council that it withdraws*] facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or
  - Excluding [*or recommend that the Parish/Town Council exclude*] the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.

#### **7.5 STRUCTURING THE SELF FINANCING DEBT (CA/014/12)**

That, subject to further updates, authority be delegated to the Corporate Director (Finance and Governance), in consultation with the Leader of the Council, to structure a loan portfolio for the purpose of Self Financing based on the following principles:

1. To use the Public Works Loan Board (PWLB) as the principle source of financing;
2. To use internal borrowing where appropriate;
3. To develop a portfolio of fixed, mixed maturity loans;
4. To fund on the Capital Financing Requirement (CFR) curve;
5. Retention of the negative Housing Revenue Account CFR for future purchase or appropriation of land or other issues.

## **7.6 BUDGET 2012/13 (CA/013/12)**

That Council:

### **General Fund Revenue Estimate**

- a) set a Dacorum Borough Council General Fund council tax requirement of £9.995m which equates to £10.613m for the combined Borough Council and Parish Councils' requirement for 2011/12 (inclusive of parish precepts of £618k);
- b) set a Dacorum Borough Council, nil Council Tax increase for 2012/13;
- c) set a garage rent increase of £0.10 per week based on a chargeable 48 week year;
- d) approve the revised revenue estimate for 2011/12; original base estimate for 2012/13; and indicative budget forecasts for 2013/14 to 2015/16 as shown in Appendix A of the report, as amended;
- e) approve and adopt the Treasury Management Strategy and Annual Investment Strategy for 2012/13 provided at Appendix D of the report, including the approval of the:
  - Prudential Indicators in section 2
  - Authorised Limits for external debt in section 3.2
  - The borrowing strategy, indicators and limits contained in section 3.4
  - The annual investment strategy, indicators and limits set out in section 3.7
  - The use of the Investment Instruments listed in Appendix 4 of Appendix D of the report.
- f) approve increases in Fees and Charges for 2012/13 (in accordance with the Council's Fees and Charges Strategy) and as set out in Appendix E of the report;
- g) approve the forecast balances of Revenue Reserves as shown in Appendix Aiii of the report;
- h) approve the use of the "Wellbeing powers" to provide transitional Taxi Voucher arrangements for a second year for existing scheme recipients, to continue to mitigate the impact of the withdrawal of the Council's existing discretionary scheme, upon the transfer of the administration of Concessionary Travel to Hertfordshire County Council;
- i) note that this budget paper, when approved by Council, will form part of the Medium Term Financial Strategy.

### **Capital Programme**

- j) approve the revised Capital Programme for 2011/12 and Programme for 2012/13 to 2016/17 detailed in Appendix B of the report;
- k) authorise the funding proposals subject to an annual review of the financing options by the Corporate Director of Finance and Governance, in consultation with the Portfolio Holder for Finance and Resources, during the preparation of the Statement of Accounts to optimise the use of Council resources.

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

- l) set dwelling rent increases in accordance with Government guideline rent increase and rent convergence principles, resulting in an average increase of 7.92% (a maximum increase of 9.27%), providing an average rent of £91.77 per week (based on 52 weeks);
- m) approve the HRA revised estimate for 2011/12 and base estimate for 2012/13 as shown in Appendix C of the report.
- n) approve the HRA investment proposals set out in this report together with the financial assumptions incorporated into the HRA 30 year Business Plan, to enable these to be utilised by the Corporate Director (Finance and Governance) to determine the borrowing portfolio to finance the HRA Self Financing settlement.

### **Council Tax Declaration 2012/13**

- 1) It was noted that the Cabinet at its meeting on 13 December 2011, as amended at the meeting of 7 February 2012, calculated the following amounts for the year 2012/13 in accordance with regulations made under Section 31B (3) of the Local Government Finance Act 1992, as inserted by Section 74 of the Localism Act 2011:-
  - (a) 58,664.3 being the figure calculated by the Council in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 as its Council Tax base for the year;
  - (b) the amounts in Table 1 of this report (Tax Base for each part of the Council's area to which one or more special items relate) being the amounts calculated by the Cabinet in accordance with regulation 6 of the Regulations as the amounts of its Council Tax base for the year for dwellings in such parts.
- 2) the following amounts be now calculated by the Council for the year 2012/13 in accordance with Sections 31A and 31B and Sections 34 and 36 of the Local Government Finance Act 1992 (as amended) (referred to as "the Act"):-
  - (a) £148,189,103.86 being the aggregate of the amounts which

	<p>the Council estimates for the items set out in Section 31A (2) of the Act, taking account of all precepts, and including the amount which the Council estimates as Council Tax deficit which will be transferred in the year from its General Fund to its Collection Fund;</p>
(b) £137,576,110.00	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act, including the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed Non-Domestic Rates and Revenue Support Grant ;
(c) £ 10,612,993.86	being the amount by which the aggregate at 2)(a) above exceeds the aggregate at 2)(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its <b>Council Tax requirement</b> for the year;
(d) £180.91	being the amount at 2)(c) above, divided by 1)(a) above, calculated by the Council in accordance with Section 31B (1) of the Act as the basic amount of its Council Tax for the year;
(e) £618,465.00	being the aggregate amount of all special items referred to in Section 34(1) of the Act;
(f) £170.37	being the amount at 2)(d) above, less the result given by dividing the amount at 2)(e) above by the amount at 1)(a) above, calculated by the Council, in accordance with Section 34(2) of the Act as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates;
(g) <b>Part of the Council's Area</b>	<b>Band D Equivalent Combined</b>
	<b>£</b>
Aldbury	181.06
Berkhamsted	189.55
Bovingdon	195.28
Chipperfield	199.61
Flamstead	212.52
Flaunden	197.70
Great Gaddesden	188.21
Hemel Hempstead	170.37
Kings Langley	208.29
Little Gaddesden	195.12
Markyate	201.62
Nash Mills	194.17

Nettleden	192.38
Northchurch	181.16
Tring Rural	188.48
Tring Town	193.56
Wigginton	183.30

(Band D charge for Parish and District combined), being the amounts given by adding to the amount at 2)(f) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1)(b) above, calculated by the Council in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in parts of its area to which special items relate;

- 3) it be noted that for the year 2012/13 Hertfordshire County Council have stated the amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings as set out below

Valuation Band

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
745.89	870.20	994.52	1,118.83	1,367.46	1,616.09	1,864.72	2,237.66

- 4) That it be noted that for the year 2012/13 Hertfordshire Police Authority have stated the amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings as set out below

Valuation Band

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
98.55	114.97	131.40	147.82	180.67	213.52	246.37	295.64

- 5) That having calculated the aggregate in each case of the amounts at 2)(g), 3) and 4) above the Council in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby set the amounts set out in Table 3 of the report as the amounts of Council Tax for the year 2012/13 for each part of the area and for each of the categories of dwellings shown;

- 6) It be noted that in setting the Council Tax for 2012/13 the Council is required to have taken account of the report of the Chief Financial Officer on the robustness of the budget.

**An amendment was moved by Cllr Harris and seconded by Cllr Hollinghurst but this was defeated. Full details of the amendment and key points of the discussion and voting will be included in the full minutes.**

<p><b>Item 8</b> Overview &amp; Scrutiny Committee Referrals</p>	<p>None</p>
<p><b>Item 9</b> Changes To Committee Dates 2012/13</p>	<p><u>Resolved:</u></p> <p>That the following changes to the 2012/13 Committee timetable be made:</p> <ol style="list-style-type: none"> <li>1. Finance &amp; Resources OSC meeting rescheduled for 23 February 2012 is now cancelled. <b>The original meeting date of 20 March 2012 will now take place.</b> The reason for this change is that the Equalities Consultation report will not be ready until March and this will be in line with all the other OSC meetings.</li> <li>2. A number of scheduled Audit Committee meeting dates are not required and the Audit Committee agreed at its meeting on 8 February that the following three meetings <b>will not</b> be required: <ul style="list-style-type: none"> <li>• 18 June 2012</li> <li>• 16 July 2012</li> <li>• 28 November 2012</li> </ul> <p>The amended list for Audit Committee meetings are as follows:</p> <ul style="list-style-type: none"> <li>• <b>30 May 2012</b></li> <li>• <b>28 June 2012</b></li> <li>• <b>*27 September 2012</b></li> <li>• <b>12 December 2012</b></li> <li>• <b>6 February 2013</b></li> <li>• <b>24 April 2013</b></li> </ul> <p>*The meeting on 27 September 2012 was originally scheduled for 17 September</p> </li> <li>3. Additional Housing &amp; Community OSC meeting on Wednesday 9 May 2012</li> </ol>
<p><b>Item 10</b> Changes in Committee Membership</p>	<p><u>Resolved:</u></p> <p>That Councillor Whitman be appointed to the Health in Dacorum Committee in place of Councillor Macdonald.</p>

The meeting ended at 9.30 pm