

\*\*\*\*\*

**DACORUM BOROUGH COUNCIL**

**MEETING OF THE COUNCIL**

**11 JULY 2012**

\*\*\*\*\*

Present -

**MEMBERS:**

Councillor H Chapman (Mayor); Councillors, Adeleke, Adshead, Ayling, Mrs Bassadone, G Chapman, Clark, Collins, Conway, Doole, Douris, Elliot, Flint, Mrs Guest, Harden, Hearn, N Hollinghurst, R Hollinghurst, Lawson, Link, Lloyd, Mahmood, McKay, McLean, Organ, Peter, Reay, Ryan, G Sutton, R Sutton, Taylor, Tiley, Townsend, Whitman, Williams, Wixted, C Wyatt-Lowe and W Wyatt-Lowe (38).

**OFFICERS:**

The Chief Executive, The Corporate Director (Finance & Governance), The Corporate Director (Housing & Regeneration), The Corporate Director (Performance, Improvement and Transformation), The Group Manager (Legal Governance), The Group Manager (Democratic Services), K Warner, P Bowles, L Dolphin.

The meeting began at 7.30pm.

**16. MINUTES**

The minutes of the meetings held on 16 May and 22 May 2012 were agreed by the Members present and were then signed by the Mayor.

**17. DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**18. ANNOUNCEMENTS**

**1. The Mayor:**

- Congratulated and thanked all the participants and all those involved with the organisation of the Hemel Hempstead Olympic Torch Relay for making it such a successful day.
- Announced that a group of teenage business people who call themselves Element from Berkhamsted School won the East of England Young Enterprise regional final and came third nationally with an innovative money off voucher scheme.

**2. The Chief Executive announced:**

The results of the by-elections held on 21 June 2012:

- Woodhall Farm Ward of Dacorum Borough Council – Councillor Rosemary Sutton duly elected. The turnout was 27.24%

- Hemel Hempstead Town Centre Division of Hertfordshire County Council – Councillor William Wyatt-Lowe duly elected. The turnout was 23.82%

### **3. By the Group Leaders and members:**

Apologies for absence were submitted on behalf of Councillors Anderson, Bhinder, Fantham, Mrs Green, Griffiths, Harris, Laws, Macdonald, Marshall and Rance.

Councillors Bateman, White and Wood were absent.

### **4. Members of the Cabinet:**

#### **Councillor Williams, Leader of the Council and Portfolio Holder for Community Leadership**

Councillor Williams made reference to the special Council meeting on 22 May 2012 where Council agreed to proceed with the disposal of the Civic Centre site to West Herts College. He said that an agreement had now been signed off between Morrisons and the West Herts College and this will result in the scheme moving forward.

Councillor Williams also pointed out that the Electoral Register canvas has begun earlier this year because the normal timescale would affect the Police and Crime Commissioners elections in November. To date nearly 37,000 have been returned - a return rate of around 60% which is slightly higher than at the same stage last year. Over 20,000 of the 'no Changes' have been notified by telephone or internet which results in a significant reduction in admin time.

There were no questions for the Leader of the Council and Portfolio Holder for Community Leadership

#### **Councillor Griffiths, Portfolio Holder for Housing**

In the absence of the Portfolio Holder for Housing, the Leader delivered a statement on her behalf.

A significant piece of work is under way for the carrying out of a procurement options appraisal of the models of delivery available for housing repairs, maintenance new build and improvements. This will be considered at Cabinet on 24 July with a further report to Cabinet in September. Cllr Williams encouraged Members to read the Cabinet reports and to keep abreast on the progress of this project.

There were no questions for the Leader of the Council.

#### **Councillor Harden, Portfolio Holder for Residents and Regulatory Services**

"It has been 2 months since our last full council, so I have a lot to cover. I may not mention it all in the time allocated, so if any member want to ask me about any further group updates I would appreciate it.

The Borough saw a very successful Jubilee celebration in June, with events happening in Gadebridge Park and many of our towns and villages within the borough; not to mention the 2<sup>nd</sup> largest number of street parties in Hertfordshire.

The event in Gadebridge Park culminated in the lighting of a Jubilee beacon and firework display with the whole event achieving over 10,000 visitors.

Then last Sunday as already mentioned by the Mayor we had the Olympic Torch relay travelling through Hemel Hempstead. We were certainly entertained by everyone involved in the Relay, including our local MP Mike Penning.

I want to say how proud I was of our Olympic Torchbearers, meeting some of them and hearing their stories really touched me and the way the community cheered every one of them on, showed how much they inspired everyone.

I would also like to pass my thanks on to Julie Still and her team and a number of officers from various departments who were involved in the preparation and on the day itself. A great success with an estimated crowd of 100,000. It truly was Dacorum's moment to shine.

There is still one further event:

DBC is working in partnership with Across Hemel - a town wide event organized by the local churches with most of the activity centred in Gadebridge Park from the 21<sup>st</sup> - 29<sup>th</sup> of July. There will be various events catering for young and old alike and everyone in between culminating in the Opening Ceremony being viewed on a giant screen provided by DBC in the park on Friday 27<sup>th</sup> July. For more information please go the Across Hemel website.

### **Energy Conservation**

I would like to highlight the achievements of the Herts Essex Energy Partnership (HEEP) scheme. The project came about following the successful bid by Local Authorities in the London Commuter Belt sub region to the East of England Development Agency for the Regional Housing Pot for the East of England 2008 -11 Private Sector renewal, regeneration and mixed communities programme.

£6.6m of government funding was awarded to be spent on the private sector housing project across 15 Local Authorities. £440,000 was allocated to Dacorum. Dacorum Borough Council worked with other Local Authorities in Herts and Essex to develop the bid and deliver the project for residents in Dacorum. The project ceased at the end of June. To date we contributed the following:

### **Priority Group Grants (in receipt of income based benefits)**

<b>Measure</b>	<b>Number installed</b>
Loft insulation	169
Cavity Wall insulation	73
Heating	69
Warm Front top up grant (heating)	19
Solar Water Heating	2
External Wall Insulation	1

### **Able To Pay (part subsidised)**

<b>Measure</b>	<b>Number installed</b>
Loft insulation	378
Cavity Wall insulation	343
Solar PV (Low carbon loan)	8
Solar Water Heating (Low carbon loan)	1
External Wall Insulation (Low carbon loan)	1

## **Legal & Environmental Health**

Dacorum Borough Council successfully prosecuted Robert Skerry, the owner of Game Farm, Maple Hill, Bovingdon, Herts for two hygiene offences committed between 4 April 2008 and 26 May 2010. At the hearing on 18 July 2011, Mr Skerry pleaded guilty to the offences of operating a slaughterhouse of non-compliant layout, design and construction and failing to implement a food safety management system.

Conditions in the slaughterhouse, where chickens were selected by the customers and slaughtered for personal consumption, were described as 'appalling' and unhygienic. It was estimated that the slaughterhouse was processing around 130,000 chickens per year which the sentencing judge, HHJ Warner, described as "a commercial operation of significant scale". The Judge also expressed his relief that fortunately there was no known outbreak, risking harm to human health.

Mr Skerry was sentenced on 28 June 2012 to a fine of £25k for each offence (£50k in total) and the Council was awarded its costs of £12k. This is Mr Skerry's second conviction for these types of offences, which was reflected in the significant fine he received.

This successful prosecution was achieved through the great effort and collaboration between the Council's Legal Governance Team and Environmental Health Department. We stopped the operation of this food business (the only type of its kind in the country), which could have posed a risk to the health of its customers.

## **Animal welfare**

Animal Action Week, held last week went very well. DBC is working in partnership with the RSPCA, Cats Protection, Herts Constabulary, PDSA and Appledown, as well as Housing colleagues, offering free micro-chipping to Council tenants and low cost micro-chipping for others, free cat neutering vouchers, free PDSA dog health checks and general pet welfare/responsible ownership advice.

## **Residents Services**

Old Town Hall - Harry Hill tickets for 2 nights sold out in 25 minutes

Adventure Playground - Numbers attending increased at playgrounds and youth clubs.

Partnership with Sports Space secured Sportivate funding to deliver Basketball coaching at the Youth Clubs 8 sessions at each of the 4 evening clubs.

CCTV - Following the tragic murder of Billy Dove in November, the perpetrator was sentenced and pleaded guilty and received a minimum of 14 years as a sentence. Significant evidence of a high quality was provided by Dacorum's CCTV unit in this case which contributed to the outcome of the case and the apprehension of the individuals concerned.

Community Safety and ASB - Held three disabilities hate crime awareness sessions in Tring, Berkhamsted and Hemel Hempstead. Dacorum Borough Council teamed up with the Police and local disability charities to raise awareness of disability hate crime and how to report it.

The sessions were attended by representatives from the Council, Police and disability charities, MIND and Accessible Dacorum.

People were drawn to the UK's only fully adapted race car that was on display. The teams talked to over 200 people attended for all three days and support has been identified for individuals.

## **Member Development**

I am pleased to announce that following our Elected Member Charter mid-point assessment on 9 July, DBC retained the accreditation for Member Charter. We were first awarded this status in December 2010. The assessors were very pleased with the Council's progress and continuing improvement and noted that we excel in many areas.

With regards to this year's PDP process (Personal Development Plan), I'd like to thank all those members who took part as we achieved a 92% completion rate. The assessors said this was excellent and was the highest they had ever seen.

Member Development is, as ever, an important part of a councillor's role and I encourage everyone to play an active part in it. Should you have any requests for training, please contact Member Support".

There were no questions for the Portfolio Holder.

## **Councillor Mrs Laws, Portfolio Holder for Environmental Services and Sustainability**

In the absence of the Portfolio Holder for Environmental Services and Sustainability, the Leader delivered a statement on her behalf.

### **May**

- The Council held a Compost Giveaway event at Cupid Green Depot and in just five hours a staggering total of 650 bags of compost were filled and handed to residents. The compost had derived from resident's green waste. In total we gave away 10 tonnes of compost.
- The Council formed a 'Friends of Tring Memorial Garden' Group to help keep the gardens looking at their best and suggest improvements. There are currently seven 'friends' joined so far. The Garden has been awarded a Green Flag.
- We applied for funding from the Department of Communities and Local Government to introduce weekly food waste collection. The results will be announced in October.

### **June**

- For the Diamond Jubilee celebrations in Gadebridge Park, we had a customised truck made into a cinema where residents could watch an entertaining short film on green waste recycling and the dangers of putting the wrong things in the green wheeled bin. Between 150 – 200 viewed the film on that day.
- The Council created an awareness event in the Town Centre and Water Gardens to highlight the issues of feeding the ducks and geese bread and the subsequent impact on their health and the surrounding environment
- Community, Faith groups and schools have signed up to the Keep Britain Tidy 'Love Where You Live' Campaign and they are carrying out litter picks in their area.

### **July**

- Hertfordshire WasteAware Partnership, which Dacorum Borough Council is a part of, ran a competition for primary school students to design a bench with a recycling theme for their school grounds to have as their own Olympic legacy. A year-eight pupil from Brockwood Primary School (Woodhall Farm), beat over a thousand entries from across Hertfordshire to take the runner up silver plaque.

- Clean Safe and Green contributed in helping Kings Langley to win the Village of the Year West by the Campaign to Protect Rural England Herts.

There were no questions for the Leader of the Council.

### **Councillor Tiley, Portfolio Holder for Finance and Resources**

The Portfolio Holder reported that at its meeting just before the end of June, the Audit Committee received our draft accounts for 2011/12, as it is delegated to do. The accounts are now with the Audit Commission for external auditing.

There were no questions for the Portfolio Holder.

### **Councillor Douris, Portfolio Holder for Planning and Regeneration**

#### **“Hemel Hempstead Town Centre Masterplan**

Plans for the ongoing regeneration of Hemel Hempstead Town Centre continue to move forward, through our Hemel Evolution project. Members will no doubt be aware that the Masterplan considers the town centre in seven character areas, each with their own proposals.

Following the installation of the Food Court – now largely complete – we will be rolling out the next stages of improvements and enhancements to the Marlowes Shopping Zone, which will include new paving, lighting, redesigned planters and seating and a new children’s play area. It is a pity that projects like this cannot be kept under wraps until they are fully completed as not unnaturally people will comment on the current position without waiting for the full effect of the completed project to be seen. This also relates to the Market Square. I am aware that the spacing for the trees and seating planters is being reviewed in conjunction with the rest of the works and design. They do say that patience is a virtue and I would rather we take a little longer to achieve the desired outcome.

The area of the Gade Zone is one of the most exciting developments that Hemel Hempstead has seen for a long time and positive progress is taking place to re-vitalise the whole of the northern end on the Marlowes. The initial concept has been well documented and publicised including the Gazette and when completed it will boast a broader shopping offer with a major Morrisons store, new college (and for those of you who may have seen some of the other new colleges in the county you will know what exciting places they are both visually and in terms of the learning experience) plus new purpose built council offices, fit for the 21<sup>st</sup> century and a range of other outlets and facilities.

Turning now to the Maylands Business Centre, small, fledgling and entrepreneurial enterprises have taken space at the Centre both in the incubator units and in the larger industrial units. I am pleased to report that some of our tenants have moved within the centre to larger premises. The centre is on track to move into profit by the third month of Year 3, ahead of original plans which anticipated break-even at the end of that year. As a result, the centre now has employed a caretaker two mornings a week to maintain the site and act as a keyholder and a part time receptionist for 20 hours per week starting at the end of July. Both the posts are covered by the business plan and have been able to be funded due to the high level of demand for the units.

The receptionist post will enable the centre manager to nurture new businesses by spending time offering business advice and working with tenants to encourage growth

(as she is a qualified business adviser) and the caretaker will make sure the site looks its best and help with small odd jobs of maintenance as they arise. Currently 12 out of the 13 offices are occupied and 15 out of 18 industrial units are occupied. Our support for these and other businesses is demonstrated by the launch of our very own Dacorum's Den when small businesses can bid for a cash injection of £1,000 to kick start a venture or idea. They will need to make their case in front of 4 tough judges or dragons the only difference being that money will come from the council and not the dragons.

### **London Luton Airport**

After initially pursuing separate expansion plans, the airport owners and its operators have decided to come together to progress a joint expansion proposal. Both parties are clear that this 'hybrid' proposal will not involve the need for a new runway nor a new terminal building. It will also not generate the need to review current flightpaths. It will however increase the capacity of the airport considerably, allowing it to cope with 18 million passengers per year. Whilst not yet formally published, the proposals are expected to include a terminal extension, new taxi-way, additional aircraft stands and new (multi-storey) car parks. In terms of timing, there will be a 6-week consultation period running from the beginning of September. This will be followed by a formal planning application to Luton Borough Council (on which there will be further consultation) later in the year (probably early November).

I am pleased to report that following our successful bid for the Growing Places Fund, we have secured £1.5m for Spencers Park with a request that we re-submit bid for a further £2m which if successful will facilitate construction of 200 homes on HCA land in the Maylands Gateway area. The £1.5m already secured will enable the initial development phase at Spencers Park providing 350 new homes and working with the Homes and Communities Agency, this will roll out to a further 600 new homes in that area with the appropriate social provisions”.

The Portfolio Holder offered to take questions from Councillors.

Councillor N Hollinghurst expressed his concern on the expansion plans for London Luton Airport. He said that on the western edge of the Borough residents would be affected by the increased number (almost doubling) of flights. The lack of restrictions on night flights is a particular concern for residents in Markyate, Northchurch, Wigginton, Aldbury and Tring. He asked the Portfolio Holder how he would defend the interests of the residents affected by the increased flights.

The Portfolio Holder replied that he was aware of the impact the expansion would have on the residents in the area and would be making appropriate responses to the consultation documents as they come forward both at the early stage and to the Planning Application to Luton Borough Council.

### **19. CABINET REFERRALS**

The referrals from Cabinet on 24 April, 29 May and 26 June 2012 were submitted. It was moved by Councillor Williams, duly seconded and

Resolved:

That the following be approved:

## 24 APRIL 2012

### **7.1 ASSET MANAGEMENT PLAN – ASSET RATIONALISATION (CA/042/12)**

1. The Strategic Asset Management Plan.
2. The proposed work programme as set out in the report.

### **7.2 TREASURY MANAGEMENT (CA/043/12)**

1. Approval of the following amendments to the Council's Treasury Management Strategy (in the case of point 2, subject to approval of participation in the Local Authority Mortgage Scheme):
  - i. that the maximum investment limit for each institution rated 'blue' under the Sector creditworthiness scheme be raised from £10m to £12.5m;
  - ii. that a cash-backed guarantee in support of the Local Authority Mortgage Scheme is permitted to be invested in a participating institution for a maximum period of 7 years.
2. Approval of 'cash-backed' participation in the Local Authority Mortgage Scheme, in tandem with Hertfordshire County Council.

## 29 MAY 2012

### **7.3 APPRENTICESHIPS SCHEME FRAMEWORK(CA/053/12)**

A supplementary estimate of a maximum of £331,140 to fund the apprenticeships scheme, to be drawn from the Management of Change Reserve.

### **7.4 CAPITAL STRATEGY STEERING GROUP REPORT - REQUEST FOR CAPITAL APPROVAL (CA/060/12)**

The amendment of the Capital Programme to include the following scheme:

Vehicle Exhaust Extractor Equipment for vehicle hanger at Cupid Green Depot (from capital receipts)	£15,000
--	---------

## 26 JUNE 2012

### **7.5 ANNUAL RISK MANAGEMENT REPORT 2011/2012 (CA/067/12)**

Noted the year-end report for 2011/12.

### **7.6 LOCAL AUTHORITY MORTGAGE SCHEME (CA/070/12)**

Relating to the implementation of the Local Authority Mortgage Scheme, Council:

1. Delegate authority to the Corporate Director (Finance and Governance) to determine the allocation of the £1m Council scheme funding to a specific mortgage lender.
2. A maximum loan size of £190k per property be implemented.

3. That qualifying post codes to be limited to those contained within Dacorum.
4. Delegate authority to the Monitoring Officer to give opinion letter(s) as required to any Local Authority Mortgage Scheme lender.
5. That the Council enter into a deed of indemnity with the Monitoring Officer in respect of each opinion letter he gives, the form of such deed to be approved by the Corporate Director (Finance and Governance).

**7.7 REVISED CAPITAL PROGRAMME (CA/072/12)**

The revised capital programme, as amended, for the five year period 2012/13 to 2016/17.

**7.8 MANAGING CHANGE IN REVENUES AND BENEFITS (CA/073/12)**

1. A supplementary estimate of £100,000 to be financed from the DCLG funding for Localisation of Council Tax Support and the Management of Change reserve, of which:
  - £50,000 is to be added to the Benefit Administration budget to fund continued use of extra resources in the form of ongoing resilience contract and staff extra hours and overtime; and
  - Authority is delegated to the Corporate Director (Finance & Governance) and the Portfolio Holder for Finance & Resources to authorise the release of a further £50,000 in the event that there is a need to increase capacity to maintain service levels throughout the transition period.
2. A supplementary income estimate of £84,000 for Localisation of Council Tax Support.

**7.9 CAPITAL STRATEGY STEERING GROUP REPORT ON REQUEST FOR CAPITAL APPROVAL (CA/074/12)**

The amendment of the Capital Programme to include the following schemes:

Co-location of the Council's Data Centre	£194,000
External Electrical Supply to Town Centre	£45,000

**20. CHANGES IN MEMBERSHIP**

It was moved by Councillor Williams, duly seconded and

Resolved:

That the following changes to Committee Membership be made:

**Health in Dacorum**

Councillor Whitman to replace Councillor Macdonald.

**Housing and Communities Overview and Scrutiny Committee**

Councillor Rosie Sutton to replace Councillor G Chapman.

Councillor G Chapman to be a substitute.

**Hertfordshire Joint Health Scrutiny Committee**

Councillor Guest to replace Councillor W Wyatt-Lowe.

**20. THE LOCALISM ACT 2011 – UPDATE ON THE CHANGES TO THE STANDARDS REGIME**

The report was moved by Councillor Williams, duly seconded and

Resolved:

That Council-

1. Notes the amendments to the Code of Conduct for Members which are required as a result of the publication of the definition of Disclosable Pecuniary Interests; and re-adopts the amended Code appended to the agenda.
2. Notes the requirement for Members to register their disclosable pecuniary interests, and those of their partners, by notifying the Monitoring Officer by 28<sup>th</sup> July 2012.
3. Appoints Councillor John Allan and Councillor Julie Steer as co-opted members of the Standards Committee to serve as the two representatives of the Parish and Town Councils for a term of one year; and appoints Councillor Robin McCarthy as a substitute Parish and Town Council co-opted member for one year.

The recruitment of the Independent Person was reported under agenda item 11.

Councillor Williams reminded Members that they are required to re-register their interests because under the new Standards regime non declaration of Disclosable Pecuniary Interests becomes a criminal offence. Forms to register Members Interests can be obtained from Members Support and should be returned to the Monitoring Officer as soon as possible.

**21. THE LOCALISM ACT 2011 – APPOINTMENT OF INDEPENDENT PERSON**

Following a late submission from Councillor R Hollinghurst relating to this item, the Leader requested a short adjournment of the meeting. The request for an adjournment was agreed.

The meeting adjourned at 8.00pm and reconvened at 8.03pm.

Councillor Williams said that in light of the concerns that were tabled at the meeting and to give an opportunity for Group Leaders to consider the issues raised, Councillor Williams moved that Council defers making a decision on the appointment of an Independent Person. He did however recommend Council to agree recommendation

2 of the report – to appoint Amy Willcox as an independent member of the Standards Committee for a term of two years.

Councillor N Hollinghurst expressed his gratitude to the Leader for taking this approach which he said was in everybody's interest.

Councillor Lloyd agreed that this was a good way forward but it leaves the Council in the invidious situation of not having an Independent Person and it was his understanding that the Council needed by law to have an Independent Person from 1 July. He asked for clarity from the Group Manager for Legal Governance if it was possible to allow the incumbent to sit in for a further 3 months.

Mark Brookes confirmed that we are required to have an Independent Person by law. That person has to be consulted on any standards investigations and this does cause us an issue in the intervening period until an Independent Person is appointed.

Councillor Flint said that she had been on the interview panel for the Independent Person and the Monitoring Officer had asked Shelley Savage (the present Independent Member) if she would be willing to temporarily stand in if an appointment was not made. This would indicate that the incumbent could be used to fill in the gap providing she was agreeable.

Councillor Williams said that this should not be a contentious appointment and Standards should be an all party agreed process and nobody should have any concerns about the appropriateness of the appointment. We are, thankfully a Council that does not have many complaints against its members.

Councillor N Hollinghurst said he was happy to proceed with the suggestion that the situation be reviewed at the Full Council meeting in September following discussions between the 3 Group Leaders and that in the meantime the position be offered to the existing Independent Member.

It was moved by Councillor Williams, duly seconded and

Resolved:

1. That the decision on the appointment of the Independent Person be deferred until the Full Council meeting on 26 September.
2. That consideration of the appointment of the Independent Person be delegated to the Group leaders in consultation with the Chief Executive and the Monitoring Officer.
3. That until an appointment is agreed by Full Council, the position of Independent Person be offered to the incumbent Independent Member of the Standards Committee.
4. Appoints Amy Willcox as an independent member of the Standards Committee for a term of two years.

The meeting ended at 8.15pm.