

SUMMONS

MEETING OF THE COUNCIL

WEDNESDAY 11 JULY 2012

COUNCIL CHAMBER, DACORUM CIVIC CENTRE, HEMEL HEMPSTEAD

You are hereby summoned to a meeting of the Dacorum Borough Council in the County of Hertfordshire to be held in the Council Chamber, Dacorum Civic Centre, Hemel Hempstead on Wednesday, 11 July 2012 at 7.30 pm to transact the business set out below.

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DANIEL ZAMMIT
CHIEF EXECUTIVE

TO ALL MEMBERS OF THE COUNCIL

Contact: Jim Doyle ext 2222
Pauline Bowles ext 2221

AGENDA

1. MINUTES

To confirm the minutes of the meetings of the Council on 16 May and 22 May 2012 (Appendices A and B Pages 21-32).

2. DECLARATIONS OF INTEREST

To receive any declarations of interest.

3. PUBLIC PARTICIPATION

To consider questions (if any) by members of the public of which the appropriate notice has been given to the Assistant Director (Legal, Democratic & Regulatory).

4. ANNOUNCEMENTS

To receive announcements and business brought forward by the Mayor, Leader, and Members of the Cabinet or the Chief Executive.

4.1 By the Mayor:

4.2 By the Chief Executive:

4.3 By the Group Leaders: Any apologies for absence

4.4 Council Leader and Members of the Cabinet:

Councillor Williams	Leader & Community Leadership
Councillor Mrs Griffiths	Housing
Councillor Harden	Residents & Regulatory Services
Councillor Mrs Laws	Environmental Services & Sustainability
Councillor Tiley	Finance & Resources
Councillor Douris	Planning & Regeneration

5. QUESTIONS

To consider questions (if any) by members of the Council of which the appropriate notice has been given to the Assistant Director (Legal, Democratic & Regulatory)

6. BUSINESS FROM THE LAST COUNCIL MEETING

To consider any business referred from the previous meeting.

7. CABINET REFERRALS

To consider the following referrals from Cabinet:

Minute No.	Date	Title	Yellow Pages
7.1 CA/042/12	24 April 2012	Asset Management Plan – Asset Rationalisation	33

7.2	CA/043/12	24 April 2012	Treasury Management Strategy Amendments	34
7.3	CA/053/12	29 May 2012	Apprenticeships Scheme Framework	36
7.4	CA/060/12	29 May 2012	Capital Strategy Steering Group Report Request For Capital Approval	37
7.5	CA/067/12	26 June 2012	Annual Risk Management Report 2011/2012	38
7.6	CA/070/12	26 June 2012	Local Authority Mortgage Scheme	40
7.7	CA/072/12	26 June 2012	Revised Capital Programme	42
7.8	CA/073/12	26 June 2012	Managing Change in Revenues and Benefits	43
7.9	CA/074/12	26 June 2012	Capital Strategy Steering Group Report Request For Capital Approval	45

8. OVERVIEW AND SCRUTINY REFERRALS

None

9. CHANGES AND APPOINTMENTS TO COMMITTEE MEMBERSHIP

To consider the following proposal for a change in membership:

Health in Dacorum

To replace Councillor Macdonald with Councillor Whitman.

Any further changes or appointments notified beforehand to Member Support will be tabled at the meeting.

AGENDA ITEM:10

SUMMARY



Report for:	Council
Date of meeting:	11th July 2012
PART:	1
If Part II, reason:	

Title of report:	THE LOCALISM ACT 2011 – UPDATE ON THE CHANGES TO THE STANDARDS REGIME
Contact:	Steven Baker, Assistant Director (Legal, Democratic & Regulatory) Directline: 01442 228229, internal extension: 2229 steve.baker@dacorum.gov.uk
Purpose of report:	<ul style="list-style-type: none">• To advise Members of the need to amend and re-adopt the Code of Conduct as a result of the recent publication of the definition of ‘Disclosable Pecuniary Interests’.• To advise Members of the need to register their disclosable pecuniary interests by notifying the Monitoring Officer.• To ask Council to confirm the appointment of the Parish and Town Council representatives on the Standards Committee.• To provide Members with an update on the recruitment of the Independent Person pursuant to the Localism Act 2011.
Recommendations	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.

	<p>2. Notes the requirement for Members to register their disclosable pecuniary interests, and those of their partners, by notifying the Monitoring Officer by 28th July 2012.</p> <p>3. Appoints Cllr John Allan and Cllr 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 Cllr Robin McCarthy as a substitute Parish and Town Council co-opted member for one year.</p> <p>4. Notes the progress to date on the recruitment of the Independent Person.</p>
Corporate objectives:	The promotion and maintenance of high standards of conduct by Members of the Council will assist the Council in achieving its priorities of performance excellence and reputation and profile delivery.
Implications: 'Value For Money Implications'	There are financial and efficiency costs to the Council in having to deal with complaints made under the Code of Conduct. There are, therefore, value for money benefits to the Council in striving to ensure that complaints against Members are minimised as far as possible and any complaints that are received are dealt with as cost effectively as possible.
Risk Implications	The risk to the Council in not having in place a robust local standards regime could damage its reputation for good governance and undermine public confidence in the Council as a whole.
Monitoring Officer	This is a report prepared by the Assistant Director (Legal, Democratic & Regulatory) in his capacity as Monitoring Officer.
Consultees:	None
Background papers:	<p>Reports to Cabinet: 7th February 2012, 24th April 2012</p> <p>Report to Standards Committee: 7th June 2012</p> <p>Localism Act 2011</p> <p>The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012</p>

BACKGROUND REPORT

Amendments to the Adopted Code of Conduct

1. At the Annual Meeting of Council on 16th May 2012 a revised Code of Conduct For Members was formally adopted pursuant to the provisions of the Localism Act 2011. However, paragraph 9 in Part 2 of the revised Code as adopted was incomplete as this paragraph deals with the definition of 'Disclosable Pecuniary Interests', and the regulations defining these types of interests had not been made by the Secretary of State.
2. On 8th June 2012 the Secretary of State published the 'Relevant Authorities (Disclosable Pecuniary Interests) Regulations', which came into force on 1st July 2012. The Regulations define seven specific categories of disclosable pecuniary interests under the following headings –
 - Employment, office, trade, profession or vocation
 - Sponsorship
 - Contracts
 - Land
 - Licenses
 - Corporate tenancies
 - Securities
3. The categories of disclosable pecuniary interests replicate, to some extent, the financial and other interests which were contained in the former Model Code of Conduct. As a result of the publication of the Regulations it has been necessary to amend paragraphs 9 and 10 of the Code as adopted by the Council in May. Paragraph 9 now contains a reference to the descriptions of disclosable pecuniary interests set in the new appendix 2 of the Code. Paragraph 10 has been amended by removing reference to those types of interests which now fall within the definition of disclosable pecuniary interests.
4. The definition of a disclosable pecuniary interest is significantly different from the former prejudicial interest definition. On 29th June the Monitoring Officer circulated an advice note to all Members on disclosable pecuniary interests, and this will be followed up by member training on the new requirements. The two most important differences are highlighted below:

Firstly, where a member has a disclosable pecuniary interest, it is a **criminal offence** under section 34 of the Localism Act to –

 - fail to register that interest,
 - fail to disclose it at a meeting unless it has already been registered,
 - participate on a relevant item of business unless the member has a dispensation, or
 - take any action on the matter as a Cabinet member unless it is to simply refer it to another Cabinet member to deal with.
5. Secondly, disclosable pecuniary interests apply to interests of the member's spouse or civil partner, or a person with whom they are living as if they were husband and wife, or as if they were civil partners. This means that, for

registration purposes, it is wider than the old requirements which applied only to interests of the member him/herself.

6. Council is now recommended to re-adopt the amended Code of Conduct For Members as appended to the agenda.

Registration of Disclosable Pecuniary Interests

7. As explained above, Members are required under the Localism Act to register their disclosable pecuniary interests, including those of their partners, by notifying the Monitoring Officer. The Act requires the Monitoring Officer to establish and maintain a register containing members' disclosable pecuniary interests, and any other personal interests which may be required to be registered under the Council's own Code of Conduct.
8. The Act states that members who are elected, or re-elected, after the Regulations came into effect (i.e. 1st July 2012) have 28 days in which to register their disclosable pecuniary interests. The Act, however, is unclear as to the period within which members already in office on 1st July have to register. The consensus seems to be that it would be prudent for existing members to register their interests within 28 days of the Regulations coming into effect i.e. by 28th July.
9. The Monitoring Officer has amended the form for registering members' interests and sent a copy to all Members on 29th June. Members are requested to complete the form and return it to the Monitoring Officer by 28th July

Parish and Town Council Representation on the Standards Committee

10. At the Annual Meeting, Council also resolved to appoint a Standards Committee consisting of five elected members of the Borough Council, two co-opted Town or Parish Councillors, with no voting rights, and two co-opted independent members, also with no voting rights. The Standards Committee, at its meeting on 7th June, resolved to recommend to Council that Cllr Julie Steer (Bovingdon Parish Council) and Cllr John Allan (Tring Town Council) be re-appointed for one year only in order to preserve continuity during the transition phase of moving from one standards regime to another. On 12th June the Monitoring Officer received notification from Aldbury Parish Council that it had agreed to nominate Cllr McCarthy as a non-voting member of the Standards Committee. Cllr McCarthy has submitted the following short biography:-

"I have been a member of Aldbury Parish Council since being elected in 2007. I have been an Executive Committee member of the Hertfordshire Association of Parish and Town Councils since 2010. Most of my working life was spent in the civil service with my latter years being in what is now called the Ministry of Justice. I was a Justice of the Peace on the West Hertfordshire Bench from 1989 to 2010 when I retired on age grounds".

11. It is recommended that Cllr Steer and Cllr Allan be appointed as the co-opted representatives of the Parish and Town Councils on the Standards Committee for one year only pursuant to the Standards Committee's recommendation. It is also recommended by the Monitoring Officer that Cllr McCarthy be appointed as a substitute Parish and Town Council representative. This would mean that Cllr McCarthy would be able to attend meetings of the Standards Committee in the absence of Cllr Steer or Cllr Allan. It would also mean that Cllr McCarthy would be able to attend training sessions for the members of the Standards Committee.

This would make Cllr McCarthy an ideal candidate for co-option as a member of the Standards Committee when the one year transition phase ends and Cllr Steer and Cllr Allan stand down.

Update on Recruitment of Independent Person

12. Under the Localism Act the Council must have in place “arrangements” for dealing with a complaint that a member of the Council, or a member of a Parish or Town Council, has failed to comply with the Code of Conduct. The arrangements must include provision for the appointment by the Council of an ‘Independent Person’ who must be consulted when a complaint about a member is being dealt with.
13. The Independent Person must be appointed through a process of public advertisement, application and appointment by a positive vote of a majority of all members of the Council. A person is considered not to be “independent” if –
 - He/she is, or has been within the last 5 years, an elected or co-opted member or an officer of the Council or of any of the Parish/Town Councils within its area;
 - He/she is, or has been within the last 5 years, an elected or co-opted member of any Committee or Sub-Committee of the Council or of any of the Parish/Town Councils within its area; or
 - He/she is a relative (as defined) or close friend of a current elected or co-opted member or officer of the Council or any Parish/Town Council within its area, or of any elected or cop-opted member of any Committee or Sub-Committee of such Council.
14. The Monitoring Officer advertised the role of Independent Person on the Council’s website and the local press with 27th June as the closing date for applications. Six applications for the role were received and four candidates were shortlisted for interview, but one of the shortlisted candidates has subsequently withdrawn his application. The three remaining candidates are due to be interviewed on the evening of 3rd July by an interview panel consisting of Cllr Carol Green, Cllr Maureen Flint, Shelley Savage (as the outgoing independent chair of the Standards Committee) and the Monitoring Officer.
15. The interview panel hope to be in a position to be able to make a recommendation on the appointment of the Independent Person to the Council at its meeting on 11th July, in order that the successful candidate can be in post for the implementation of the new standards arrangements. However, it is anticipated that it will not be possible to include the interview panel’s report in the Council agenda and will, therefore, have to be a ‘report to follow’.
16. The new Standards Committee, which came into effect on 1st July, will still have two vacancies for independent members. The independent members of the former Standards Committee; Shelley Savage, Eileen Heylin and Joanna Brown, have all indicated that they do not wish to continue to serve as non-voting members. This means that the vacancies for two independent members of the Standards Committee will have to be recruited in due course. However, in the meantime, it is important that the Council appoints an Independent Person, as this is a statutory requirement under the Localism Act, whereas the presence of independent members on the Standards Committee is discretionary and purely a matter for local choice.

COUNCIL 11th July 2012

Appendix to Agenda Item 10

DACORUM BOROUGH COUNCIL

CODE OF CONDUCT FOR MEMBERS

(Adopted by Annual Council 16 May 2012)

Part 1

General Provisions

1. Introduction and interpretation

- (1) As a member you are a representative of this authority and the public will view you as such therefore your actions impact on how the authority as a whole is viewed and your actions can have both positive and negative impacts on the authority. This Code deals with the conduct that is expected of you as a member of this authority when you are acting in that capacity.

The Code has been drawn up in accordance with Section 28 of the Localism Act 2011 (the Act). The provisions of this Code are consistent with the seven principles contained in Section 28(1) of the Act (the so-called “Nolan Principles”) and these are set out in Appendix 1.

- (2) In this Code-

“meeting” means any meeting of:

- (a) the authority;
- (b) the executive of the authority;
- (c) any of the authority’s or its executive’s committees, sub-committees, joint committees, joint sub-committees, or area committees;
- (d) any Task and Finish Group or similar internal body;
- (e) one or more members with an officer or officers of the authority, including any briefings by officers and site visits organised by the authority; or
- (f) any other meeting (except party group meetings) where one or more members are attending in an official capacity (or might reasonably be regarded by a member of the public as attending in an official capacity);

2. Who does the Code apply to?

- (1) This Code applies to all members of Dacorum Borough Council, including co-opted members.
- (2) It is your responsibility to comply with the provisions of this Code.

3. What does the Code apply to?

- (1) This Code applies to your conduct when you are acting in the capacity of an elected member or co-opted member of the Council or its Committees and Sub-Committees.
- (2) You must comply with this Code whenever you-
 - (a) conduct the business of the authority (which, in this Code, includes the business of the office to which you are elected or appointed); or
 - (b) act, claim to act or give the impression you are acting as a representative of the authority,and references to your official capacity are construed accordingly.
- (3) This Code does not have effect in relation to your conduct other than where it is in your official capacity.
- (4) Where you act as a representative of the authority-
 - (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
 - (b) on any other body, you must, when acting for that other body, comply with this Code, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

4. General Obligations

- (1) You must treat others with respect.
- (2) You must not
 - (a) do anything which may cause your authority to breach any of the equality enactments ;
 - (b) bully any person;
 - (c) intimidate or attempt to intimidate any person who is or is likely to be:
 - (i) a complainant,
 - (ii) a witness, or

- (iii) involved in the administration of any investigation or proceedings,

in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or

- (d) do anything which comprises or is likely to compromise the impartiality of those who work for, or on behalf of, the authority.

5. Confidential Information

You must not-

- (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where-
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is-
 - (aa) reasonable and in the public interest; and
 - (bb) made in good faith and in compliance with the reasonable requirements of the authority; or
- (b) prevent another person from gaining access to information to which that person is entitled by law.

6. Not bringing the authority into disrepute

You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the authority into disrepute.

7. Conferring an advantage or disadvantage

You-

- (a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and

- (b) must, when using or authorising the use by others of the resources of the authority-
 - (i) act in accordance with the authority's reasonable requirements;
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and
- (c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

8. Decision-making

- (1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by-
 - (a) the authority's chief finance officer; or
 - (b) the authority's monitoring officer;

where that officer is acting pursuant to his or her statutory duties.
- (2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the authority.

Part 2

Members' Interests

9. Disclosable Pecuniary Interests

You have a disclosable pecuniary interest in any business of the authority if it is of a description set out in Appendix 2 and is either-

- (a) an interest of yours, or
- (b) an interest of-
 - (i) your spouse or civil partner,
 - (ii) a person with whom you are living with as husband and wife, or
 - (iii) a person with whom you are living with as if you were civil partners,

and you are aware that that other person has the interest.

10. Other Personal Interests

- (1) You have a personal interest in any business of the authority where either:
 - (a) it relates to or is likely to affect:

- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the authority;
- (ii) any body:
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management;

- (iii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
- (iv) any person or body who employs or has appointed you; or

- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected by the decision.

- (2) In sub-paragraph (1)(b), a relevant person is a member of your family or any person with whom you have a close association.

11. Disclosure of Personal Interests

- (1) Where you have a **personal interest** under paragraph 10 in any business of the authority and you attend a meeting of the authority at which the business is to be considered, you must disclose to that meeting the existence and nature of that interest before the commencement of that consideration, or when the interest becomes apparent.
- (2) Where you have a personal interest in any business which relates to or is likely to affect a body described in paragraph 10(1)(a)(i) – i.e. a body to which you have been appointed as the authority’s nominee – or 10(1)(a)(ii)(aa) – i.e. a body exercising functions of a public nature of which you are a member or in a position of general control or management - you need only disclose to the meeting the existence and nature of that interest if and when you address the meeting on that business.
- (3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 10(1)(a)(iii) – i.e. where you have received a gift or hospitality from a person worth

at least £25 – you need not disclose the nature and existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

- (4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.
- (5) Where you have a personal interest but, by virtue of paragraph 17, sensitive information relating to it is not registered in the authority's Register of Members' Interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (6) Subject to paragraph 14(c), where you have a personal interest in any business of the authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- (7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000.

12. Prejudicial Interests Generally

- (1) Subject to sub-paragraph (2), where you have a **personal interest** under paragraph 10 in any business of the authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) You do not have a prejudicial interest in any business of the authority where that business -
 - (a) does not affect your financial position or the financial position of a person or body described in paragraph 10;
 - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 10; or
 - (c) relates to the functions of the authority in respect of -
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and

- (vi) setting council tax or a precept under the Local Government Finance Act 1992.

13. Prejudicial interests arising in relation to overview and scrutiny committees

You also have a prejudicial interest in any business before an overview and scrutiny committee of the authority (or of a sub-committee of such a committee) where -

- (a) that business relates to a decision made (whether implemented or not) or action taken by the authority's executive or another of the authority's committees, sub-committees, joint committees or joint sub-committees; and
- (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

14. Effect of prejudicial interests on participation

Where you have a prejudicial interest in any business of the authority under paragraph 12 which is to be considered at a meeting (including a meeting of an overview and scrutiny committee) at which you are present--

- (a) you must, unless paragraph 11(5) applies (sensitive information) disclose the existence and nature of the interest in accordance with paragraph 11(1)

and, unless the meeting is a Council meeting, you must move to the public seating area until that business has been concluded;
- (b) you must not, unless you have obtained dispensation from the monitoring officer, participate in any discussion or voting on the matter, except that you may still make representations, answer questions or give evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose;
- (c) you must not exercise executive functions in relation to that business; and
- (d) you must not seek improperly to influence a decision about that business.

15. Effect of Disclosable Pecuniary Interests on Participation

- (1) If present at a meeting and you are aware that you have a **disclosable pecuniary interest** under paragraph 9 in any matter to be considered, or being considered at the meeting, you must not, unless you have obtained dispensation from the monitoring officer-
 - (a) participate, or participate further, in any discussion of the matter at the meeting, or

- (b) participate in any vote, or further vote, taken on the matter at the meeting,

and, unless the meeting is a Council meeting, you must move to the public seating area until that business has been concluded,
 - (c) you must not exercise executive functions in relation to that business;
and
 - (d) you must not seek improperly to influence a decision about that business
- (2) If a function of the authority may be discharged by a member acting alone and you have a disclosable pecuniary interest in any matter to be dealt with or being dealt with in the course of discharging that function you may not take any steps or any further steps in relation to the matter (except for the purpose of enabling the matter to be dealt with otherwise than by yourself)

Part 3

Registration of Members' Interests

16. Registration of members' interests

(1) Subject to paragraph 17, you must, within 28 days of -

- (a) this Code being adopted by the authority; or
- (b) your election or appointment to office (where that is later),

register in the authority's Register of Members' Interests (maintained by the monitoring officer under Section 29(1)) of the Act details of any-

- (i) **disclosable pecuniary interests** as referred to in paragraph 9 that you may have , or your spouse, civil partner or person with whom you live as if they were your spouse or civil partner may have in so far as you are aware of their interests at that time
- (ii) other **personal interests** that you may have where they fall within a category mentioned in paragraph 10(1)(a)

by providing written notification to the authority's monitoring officer.

(2) Subject to paragraph 17, you must, within 28 days of becoming aware of any new disclosable pecuniary interest or other personal interest or change to any existing disclosable pecuniary interest or other personal interest registered under paragraph (1), register details of that new interest or change by providing written notification to the authority's monitoring officer.

17. Sensitive information

- (1) Where you and the authority's monitoring officer both consider that the information relating to any of your interests (whether or not a disclosable pecuniary interest) is sensitive information then copies of the register that are made available for inspection, and any published version should not include details of the interest but may state that you have an interest details of which are withheld under Section 32(2) of the Act and/or this paragraph.
- (2) You must, within 28 days of becoming aware of any change of circumstances which means that details excluded under paragraph (1) are no longer sensitive information, notify the authority's monitoring officer asking that the details be included in the authority's Register of Members' Interests.
- (3) In this Code, "sensitive information" means information which if disclosed or made available for inspection by the public could lead you, or a person connected with you, to being subject to violence or intimidation.

CODE OF CONDUCT

APPENDIX 1

THE NOLAN PRINCIPLES AND SECTION 28(1) OF THE LOCALISM ACT 2011

SELFLESSNESS

Members should only serve the public interest and should never improperly confer an advantage or disadvantage on any person

INTEGRITY

Members should not place themselves in situations where their integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour

OBJECTIVITY

Members should make decisions on merit, including when making appointments, awarding contracts or recommending individuals for rewards or benefits.

ACCOUNTABILITY

Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

OPENNESS

Members should be as open as possible about their actions and those of the Council and should be prepared to give reasons for those actions.

HONESTY

Members should not place themselves in situations where their honesty may be questioned, should not behave improperly and should, on all occasions, avoid the appearance of such behaviour.

LEADERSHIP

Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

Appendix 2

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<i>Interest</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992).
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share

capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose –

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification to the monitoring officer of their disclosable pecuniary interests, either–

following their election or co-option for the purposes of section 30(1) of the Act, or

following a disclosure of a disclosable pecuniary interest which has not already been registered, or is not in the process of being registered, for the purposes of section 31(7) of the Act;

“relevant person” means M, or

M’s spouse or civil partner, or
a person with whom M is living as husband and wife, or as if they were civil partners;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

11. APPOINTMENT OF INDEPENDENT MEMBER TO THE STANDARDS COMMITTEE

Report to follow

12. EXCLUSION OF THE PUBLIC

To consider passing a resolution in the following terms:

That, under section 100A(4) of the Local Government Act 1972, the public be excluded during the item 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 this item there would be disclosure to them of exempt information relating to the financial and business affairs of the Council and third party company/organisation. (Part 2 Cabinet Minute CA/046/12).

DACORUM BOROUGH COUNCIL

ANNUAL MEETING OF THE COUNCIL

16 MAY 2012

Present -

MEMBERS:

Councillor H Chapman (Mayor); Councillors, Adeleke, Adshead, Anderson, Ayling, Mrs Bassadone, Bhinder, G Chapman, Clark, Collins, Conway, Doole, Douris, Elliot, Fantham, Flint, Mrs Green, Griffiths, Mrs Guest, Harden, Harris, Hearn N Hollinghurst, R Hollinghurst, Laws, Lawson, Link, Lloyd, Macdonald, Mahmood, McKay, McLean, Organ, Peter, Mrs Rance, Reay, Ryan, Sutton, Taylor, Tiley, Townsend, White, Williams, Wixted, Wood, C Wyatt-Lowe and W Wyatt-Lowe (47).

OFFICERS:

The Chief Executive, The Corporate Director (Finance & Governance), The Corporate Director (Housing & Regeneration), The Corporate Director (Performance, Improvement and Transformation), Group Manager (Legal Governance), The Group Manager (Democratic Services), L Clarke, M Anderson, P Bowles, T Coston, L Dolphin.

The meeting began at 7.30 pm.

1. THE MAYOR

Prior to the commencement of the proceedings Councillor Gillian Chapman announced the death of former Councillor Don Bennett. Councillor White paid tribute before a minutes silence was held in memory of Don.

Councillor Gillian Chapman then made a speech in relation to her year as Mayor.

Councillor Gillian Chapman asked for nominations for the election of a Mayor to hold office until the appointment of a successor at the Annual Meeting of the Council 2013.

It was moved by Councillor Lloyd, seconded by Councillor C Wyatt-Lowe and

Resolved:

That Councillor Herbert Chapman be appointed Mayor to the Borough of Dacorum until the appointment of a successor at the Annual Meeting of the Council 2013.

Councillor Gillian Chapman vacated the chair which was taken by Councillor Herbert Chapman who made his declaration of acceptance of office.

2. COUNCILLOR GILLIAN CHAPMAN

The Mayor referred to the duties carried out by Councillor Gillian Chapman as Mayor of the Borough of Dacorum during the previous year.

It was moved by the Mayor, seconded by Councillor Williams and unanimously

Resolved:

That the Council tender to Councillor Gillian Chapman their most cordial thanks for the admirable manner in which she has discharged the duties of the office of Mayor of the Borough of Dacorum during the past year and place on record their appreciation of the energy and sound judgement which distinguished her actions during that period: That the Seal of the Council be affixed to a copy of this resolution: and that it be presented to her in recognition of her services as Mayor of the Borough of Dacorum.

3. DEPUTY MAYOR

The Mayor asked for nominations for the appointment of the Deputy Mayor to hold office until the appointment of a successor at the Annual Meeting of the Council in 2013.

It was moved by Councillor Conway, seconded by Councillor Ryan and

Resolved:

That Councillor Penny Hearn be appointed Deputy Mayor of the Borough of Dacorum until the appointment of a successor at the Annual Meeting of the Council 2013.

Councillor Penny Hearn made and subscribed to her declaration of acceptance of office.

4. MINUTES

The minutes of the meeting held on 18 April 2012 were agreed by the Members present and were then signed by the Mayor.

5. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Bateman, Marshall, and Whitman

6. DECLARATIONS OF INTEREST

No declarations of interest were made.

7. ANNOUNCEMENT

The Chief Executive announced the following:

A vacancy has arisen for a Borough Councillor in the Woodhall Farm Ward of Dacorum Borough. In addition, a vacancy has arisen in the County Council Division of Hemel Hempstead Town.

Having received the required signatures requesting a Borough Election, and after consultation with the County Council, who have also received the required signatures calling for a County Council election, the Returning Officers have agreed to hold both elections on 21 June 2012 to fill these vacancies.

A Timetable for the Elections has been published on our website or can be obtained from our offices.

Nomination Packs for both election are now available for collection here at the Civic Centre, Marlowes, Hemel Hempstead.

8. CABINET REFERRAL

The referral from Cabinet on 24 April 2012 was submitted. It was moved by Councillor Williams, duly seconded and

Resolved:

That the following be approved:

THE LOCALISM ACT 2011 – CHANGES TO THE STANDARDS REGIME (CA/037/12)

1. That Council be recommended to adopt the Code of Conduct for Members appended to the agenda.
2. That Council be recommended to approve that the composition of the Standards Committee should be as detailed in Option 3 in the report:

That the political proportionality rules should be disapplied.

Number of Members:

- 5 elected Members of the Borough Council
- 2 Co-opted Independent Members with no voting rights
- 2 Co-opted Town/Parish Councillors with no voting rights

Decision 1 and 2 will come into effect from the date that the Government bring into force the new arrangements for standards contained in the Localism Act 2011 (this is expected to be on 1st July 2012). Until the new arrangements come into force the existing Code of Conduct and Standards Committee will remain in place.

9. CABINET, OVERVIEW & SCRUTINY AND REGULATORY COMMITTEES 2011/12

Proposals for the Cabinet, Chairmen and Vice-Chairs, Members and substitute Members to serve on the Standing Committees until the Annual Meeting of the Council in 2013 were circulated.

It was moved by Councillor Williams, duly seconded and

Resolved:

1. That six Members of the Cabinet (Leader and five Portfolio Holder's) and their respective Portfolios be appointed and in addition to the Cabinet offices, a new office of Cabinet Support Member be appointed. This new office will not be a Cabinet Member, but will be accountable to the Cabinet and will have responsibility for Policy Development and with focusing on ICT and Shared and Outsourced Services.
2. It is also recommend that the office of Cabinet Support Member should receive a Special Responsibility Allowance amounting to £4,951 (1 x the Basic Allowance), and that the Council's Scheme of Members' Allowances be amended accordingly.
3. That the persons shown in Annex A to these minutes be appointed Members, Substitutes, Chairman and Vice Chairman of the standing committees until the Annual Meeting of the Council 2013, subject to the Local Government Act 1972 and the Council's Constitution.

10. ADDITIONAL COUNCIL MEETING

Resolved:

That an extra ordinary Meeting of the Council be held on **Tuesday** 22 May 2012 to consider the following two items only - Referrals from Cabinet on 24 April.

- Submission of the Core Strategy
- Hemel Hempstead Town Centre Regeneration and Public Service Quarter.

The meeting ended at 8.06 pm..

MEMBERSHIP OF CABINET, OVERVIEW & SCRUTINY COMMITTEES, POLICY DEVELOPMENT PANELS AND STANDARDS COMMITTEE 2012/13

CABINET

Cabinet Portfolio Holder	Conservative
Leader & Community Leadership	Cllr Williams
Finance & Resources	Cllr Tiley
Housing	Cllr Mrs Griffiths (Deputy Leader)
Environmental Services & Sustainability	Cllr Mrs laws
Planning and Regeneration	Cllr Douris
Residents & Regulatory Services.	Cllr Harden

Cabinet Support Member	Cllr Ayling
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OVERVIEW & SCRUTINY COMMITTEES (12 - Ratio = 10:1:1)

HOUSING AND COMMUNITY

Conservative	Liberal Democrat	Labour
Adeleke	Cllr N Hollinghurst	Cllr Flint
Adshead		
Mrs Bassadone		
G Chapman		
Conway		
Hearn		
Mahmood (Vice-Chairman)		
Marshall (Chairman)		
McLean		
Organ		
Substitutes		
Clark	Cllr Rance	Cllr White
Wixted		
Vacancy		

FINANCE AND RESOURCES

Conservative	Liberal Democrat	Labour
Adeleke	Cllr Townsend (Vice-Chairman)	Cllr White
Ayling		
Clark		
Collins		
Doole		
Marshall		
Organ		
Sutton (Chairman)		
Taylor		
W Wyatt-Lowe		
Substitutes		
Anderson	Cllr Harris	Cllr Flint
Elliot		
McKay		

STRATEGIC PLANNING AND ENVIRONMENT

Conservative	Liberal Democrat	Labour
Anderson (Chairman)	Cllr Harris	Cllr White
Bhinder		
Elliot		
Guest (Vice-Chairman)		
Macdonald		
McKay		
Reay		
Wixted		
Wood		
C Wyatt-Lowe		
Substitutes		
Adshead	Cllr N Hollinghurst	Cllr Flint
Collins		
Lawson		

HEALTH IN DACORUM COMMITTEE (4:1)

Conservative	Liberal Democrat	Labour
Guest	Cllr Link	
Whitman (as from 11 July 2012)		
Sutton		
W Wyatt-Lowe		
Substitutes		
Adeleke	Cllr R Hollinghurst	
Wood		

AUDIT COMMITTEE (6:1)

Conservative	Liberal Democrat
Collins	Cllr Townsend
Doole	
Elliot	
Lloyd	
Taylor (Chairman)	
W Wyatt-Lowe	
Substitutes	
Anderson	Cllr Harris
Marshall	
McKay	

DEVELOPMENT CONTROL, APPEALS, LICENSING AND HEALTH AND SAFETY ENFORCEMENT

Development Control (12 members = 11:1)

Conservative (11)	Liberal Democrat (1)
Adshead	Cllr R Hollinghurst
Clark	
Guest	
Lawson	
Lloyd (Chairman)	
Macdonald	
McKay	
Reay (Vice-Chairman)	
Sutton	
Whitman	
C Wyatt-Lowe	
Substitutes	
Mrs Bassadone	Cllr Harris
G Chapman	Cllr Rance
Conway	Cllr N Hollinghurst
Mrs Green	
Hearn	
Peter	

Appeals (5 members = 4:1)

Conservative	Liberal Democrat
Mrs Bassadone (Chair)	Cllr Link
G Chapman	Cllr N Hollinghurst
Conway	Cllr R Hollinghurst
Fantham	
Mrs Green	
Hearn (Vice-Chair)	
Lawson	
Ryan	
Taylor	

Licensing and Health and Safety Enforcement Committee

Conservative	Liberal Democrat
Bhinder	Cllr Link
G Chapman	Cllr Mrs Rance
Conway	Cllr R Hollinghurst
Fantham	
Mrs Green (Vice-Chairman)	
Lawson (Chairman)	
Peter	
Ryan	
Sutton	
Taylor	
Whitman	

Licensing and Health and Safety Enforcement Sub-Committee

Conservative	Liberal Democrat
G Chapman	Cllr Link
Conway	
Fantham	
Mrs Green (Vice-Chairman)	
Lawson (Chairman)	
Sutton	
Substitutes	
Bhinder	Mrs Rance
Ryan	R Hollinghurst

Licensing of Alcohol & Gambling Sub-Committee

This Committee consists of a Panel of 3 Members who are picked from the Members of the Licensing of Alcohol & Gambling Sub-Committee. Only Members who have had training on the Licensing of Alcohol & Gambling Sub-Committee can sit on this Panel.

Conservative	Liberal Democrat
Bhinder	Cllr Link
G Chapman	Mrs Rance
Conway	R Hollinghurst
Fantham	
Mrs Green (Vice-Chairman)	
Lawson (Chairman)	
Peter	
Ryan	
Sutton	
Taylor	
Whitman	

STANDARDS COMMITTEE – Existing arrangements until the Government bring into force the new arrangements for standards contained in the Localism Act 2011

Conservative	Liberal Democrat	Labour
Mrs Green	Cllr Rance	Cllr Flint
Lloyd		
Wood		
Substitutes		
C Wyatt-Lowe		

APPOINTMENTS (7 members 5:1:1)

Conservative (5)	Liberal Democrats (1)	Labour (1)
Mrs Bassadone	Cllr Rance	Cllr Flint
Griffiths		
Lloyd		
Tiley		
Williams		
Substitutes		
Reay	Cllr N Hollinghurst	Cllr White

Electoral Review Committee

Conservative (5)	Liberal Democrats (1)	Labour (1)
Anderson	Cllr Rance	Cllr White
Harden		
Laws		
Lawson		
Williams (Chairman)		
Substitutes		
Marshall	Cllr Harris	Cllr Flint

OTHERS

JNC (Joint Negotiating Committee)

Conservative	Liberal Democrat
Harden (non-voting)	Cllr Rance
McLean	
Sutton	
Whitman	
Wood	
C Wyatt-Lowe	

Member Development Steering Group

Conservative	Liberal Democrat	Labour
Conway	Cllr Rance	Cllr Flint
Guest		
Hearn		
Taylor		
Wixted		Cllr White (sub)

DACORUM BOROUGH COUNCIL

EXTRAORDINARY MEETING OF THE COUNCIL

22 MAY 2012

Present -

MEMBERS:

Councillor G Chapman (Mayor); Councillors, Adeleke, Adshead, Anderson, Ayling, Mrs Bassadone, H Chapman, Clark, Collins, Douris, Elliot, Fantham, Flint, Mrs Green, Griffiths, Mrs Guest, Harden, Harris, Hearn, Laws, Lawson, Link, Mahmood, Marshall, McKay, McLean, Peter, Mrs Rance, Reay, Ryan, Sutton, Taylor, Tiley, Townsend, White, Whitman, Williams, Wood, (38).

OFFICERS:

The Chief Executive, The Corporate Director (Finance & Governance), the Corporate Director (Housing & Regeneration), the Corporate Director (Performance, Improvement and Transformation), the Assistant Director (Legal Democratic & Regulatory), The Group Manager (Democratic Services), L Smith, M Anderson, P Duff.

The meeting began at 7.30pm.

11. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Bateman, Bhinder, Conway, Doole, N Hollinghurst, R Hollinghurst, Lloyd, MacDonald, Organ, Wixted, C Wyatt-Lowe and W Wyatt-Lowe.

12. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

13. CABINET REFERRALS

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

Resolved:

That the following be approved:

SUBMISSION OF CORE STRATEGY (CA/039/12)

- (a) no significant changes are made to the Pre-Submission Core Strategy as a result of representations received; and
- (b) the Submission documents are submitted to the Planning Inspectorate.

Key points of discussion

Councillor Reay said he was not happy with the decision but understood it was a compromise the Council was forced to make. The Council was under pressure to supply houses as there was a need but there was a shortage of infrastructure and pressure on the landscape. Councillor Reay was pleased that the submission draft had not accepted any amendments by the Berkhamsted Concept, although there were some minor changes. It was difficult to trace these back to the consultation responses and they may have been motivated by the National Planning Policy Framework which was designed to stimulate economic regeneration.

Councillor Reay believed the aspiration of the plan to build so many homes per year was optimistic. Councillor Reay said he was prepared, as a compromise, to support this policy, but with a heavy heart.

Councillor Laws arrived at 7.32 pm.

Councillor Guest said she had been trying to save the green belt in Hemel Hempstead since 1996 and now the Government was imposing difficult housing targets on the Council. If the Council did not set a high enough level of house building, there was a risk its Core Strategy could be found unsound and this would cost the tax payers a lot of money. An up to date Core Strategy put the Council in a stronger position to fight developers. As windfall sites could now be included, this would mean that green belt land would be put further down the list of land to be used. Councillor Guest would be supporting the motion as the best option to safeguard the green belt.

Councillor White said the Conservatives were reluctantly agreeing to the plans to build a small number of houses. There was an increasing and significant pressure for affordable houses across the borough but the Council was looking at things from a Berkhamsted perspective. There were references in the report about talking to St Albans and one of the most significant pressures on infrastructure in Hemel Hempstead was coming from St Albans wanting to build a large number of properties on the border of Hemel Hempstead putting pressure on the town's infrastructure.

The Council should be looking at how to develop homes that met the needs of the residents of the borough and the people who were going to come and live and work in the borough. 430 properties per year would not meet the level of housing need in the borough and the Council should be concerned about this. The villages were happy to see cramped infill in Hemel Hempstead and the Council had permitted 30 extra units in Adeyfield. If this happened in one of the villages the residents would be up in arms. Extra infrastructure and solutions to the parking problems was needed. The Council needed to think about the impact of these proposals on Hemel Hempstead and about Neighbourhood Plans right across Hemel Hempstead.

Councillor Anderson said the Council was taking a balanced approach to the future of the borough in providing housing and protecting the environment where residents worked and lived.

Councillor Williams said there had been arguments over the Core Strategy over many years regarding the development of potential green belt. This was not without controversies. The Council had to strike a balance between the level of housing need and the protection of the green belt and the Core Strategy did that. It delivered 90% of the Office of National Statistics housing needs which was a more significant amount than neighbouring authorities were delivering. There was an issue about the level of housing proposed in St Albans. If there was a significant build on Dacorum's

boundary, there would be a need for infrastructure but this had not been decided on yet.

The Core Strategy delivered on the Council's key priorities and on housing and growth in the borough. The Conservative administration had delivered more affordable housing than Labour did some years ago and would continue to do so. The Council was aware of the need to deliver affordable housing for residents and Councillor Williams said he was proud of its achievements. It was the case that affordable housing had developed at a significant rate recently. The housing numbers proposed in the green belt were minor and there was a balance between the villages and Hemel Hempstead. The Council had to deliver housing where people wanted to live. Hemel Hempstead was the largest town and took the biggest proportion of the housing. The houses built in Adeyfield fitted in well with the area and the housing proposed for the brown field sites made a better use of the land.

Councillor Williams was happy to support the recommendation. It was a robust plan that sought to strike a balance of a suitable number of housing and protect the green space as best as possible.

14. EXCLUSION OF THE PUBLIC

Resolved:

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1, Paragraph 12 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public were excluded during the item in Part II of the Agenda for the 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 this item there would be disclosure to them of exempt information relating to the financial and business affairs of the Council and third party company/organisation (Minute 15).

15. CABINET REFERRAL – PART 2

HEMEL HEMPSTEAD TOWN CENTRE REGENERATION – PHASE 1 PROPOSALS AND NEW PUBLIC SERVICE QUARTER (CA/046/12)

Full details are in the Part II minutes.

The meeting ended at 8.05 pm.

AGENDA ITEM 7 - REFERRALS FROM CABINET

24 APRIL 2012

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

Decision

That Council be recommended to approve:

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

Reason for Decision

To approve revisions to the existing asset management plans and to approve a new strategy for driving value from the Council's assets.

Implications

Financial

The Council currently spends approximately £3.0m p.a. on premises. Income derived from commercial lettings amounts to £3.3m per annum.

Capital resources set aside within the capital programme for property acquisitions include £1.110k in 2011/12 and £700k in 2012/13. Anticipated capital receipts from sales of properties (including Housing under the Right to Buy scheme) amount to a budgeted £1.5m p.a.

Decisions regarding the acquisition, development and disposal of assets can therefore have a significant impact on capital and revenue budgets.

Value for Money

Maintaining assets to support the delivery of council services is essential, as is acquiring new ones to support changes and disposing of existing ones that are no longer fit for purpose. The consideration of 'fit for purpose' incorporates a decision over value for money and each decision regarding the utilisation of assets needs to take value for money into account.

Risk Implications

Individual Risk Assessments are completed for each development, acquisition or disposal decision in relation to Council assets. Risk Registers supporting Directorate Service Plans incorporate risks governing the use of property and Health and Safety risks which form part of the preparation of the Strategic Asset Management Plan

Corporate Objectives

Management of the Council's assets supports the achievement of the Council's vision and all five of its priorities. In particular the proposals and programmes set out in the Strategic Asset Management Plan support the Regeneration Priority under the heading 'Drive Value from Council-owned Assets'.

Advice

The Portfolio Holder for Finance and Resources introduced the report.

The Assistant Director (Finance and Resources) said the purpose of the report was to provide the strategic context.

Options and Why Options Rejected

No alternative options were considered.

Consultation

Consultation took place with:

The Corporate Management Team
The Finance and Resources Overview and Scrutiny Committee.

Voting

None.

7.2 TREASURY MANAGEMENT (CA/043/12)

Decision

1. **That Council be recommended to approve 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. **That Council be recommended to approve 'cash-backed' participation in the Local Authority Mortgage Scheme, in tandem with Hertfordshire County Council.**

Reason for Decision

To approve amendments to the Council's Treasury Management Strategy.

Implications

Financial

The Council's return on investment provides a revenue stream and should be optimised within the context of the Council's risk appetite.

Value for Money - See above.

Risk Implications

Increasing investment in specific types of institution increases the risk of financial loss in the event of default by institutions within that category. This risk applies to all financial investments and is mitigated by spreading the risk across a range of institutions.

Under current arrangements the advice by our financial adviser Sector is that investment is limited to the least risk categories (as defined by the Sector colour scheme). Increasing the threshold for investment in institutions within these groups, therefore represents a lower risk option than seeking higher returns at institutions outside of the schemes recommended by Sector. The risk can be further mitigated by spreading investments across the range of institutions within the group.

Corporate Objectives

None.

Advice

The Portfolio Holder for Finance and Resources introduced the report. The recommendation to full Council was to increase the limit for the Council's counterparties rated in the highest 'blue' category to £12.5m. The Corporate Director (Finance and Governance) had spoken to the auditors who said they were comfortable with the decision and that the Council invest in the Local Authority Mortgage Scheme, in tandem with Hertfordshire County Council. This would encourage first time home ownership in the borough.

The Portfolio Holder for Housing said it would be a missed opportunity for first time buyers in Dacorum if the Council did not participate in this scheme.

The Portfolio Holder for Planning and Regeneration said first time ownership was very important and it would help people get on the first rung of the ladder.

Options and Why Options Rejected

No alternative options were considered.

Consultation

Consultation took place with:

Hertfordshire County Council
Sector Treasury Services.

Voting

None.

29 MAY 2012

7.3 APPRENTICESHIPS SCHEME FRAMEWORK(CA/053/12)

Decision

1. That the establishment of an Apprenticeships Scheme at the Council (to be called 'Dacorum Apprentices') and the Apprenticeships Framework, including recruitment from the National Graduate Development Programme be approved.
2. **That Council be recommended to approve a supplementary estimate of a maximum of £331,140 to fund the apprenticeships scheme, to be drawn from the Management of Change Reserve.**

Reason for Decision

To enable an Apprenticeships Scheme Framework to be established at the Council to support and enable the employment of local young people and contribute to the economic regeneration of Dacorum.

Implications

Financial

The cost of establishing the Apprenticeships Scheme is £331,140 if 14 month appointments are made and £303,140 if 12 month appointments are made. The higher level of funding will enable the Council to establish 10 apprentice posts for 14 months and 2 National Graduate Development Programme (NGDP) posts for 2 years. It is proposed that 1 of the NGDP posts could be funded from the HRA which would reduce the level of General Fund revenue reserves required.

A further £50,000 funding is already in the budget for the apprentices being employed through the Employment and Skills Partnership Young People's Employability Fund (point 3.4 of the report)

Value for Money

The posts will be made on nationally recognised paycales and by making these opportunities available working with partner organisations, we will be supporting the delivery of economic well-being in the local community. The appointment of apprentice posts also supports the delivery of the Council's Workforce Plan.

Risk Implications

A Risk Assessment was completed on 2 May 2012.

Corporate Objectives

Building Community Capacity:

Facilitating pre employment programmes to ensure a steady stream of job ready candidates for new businesses moving to Dacorum and for existing businesses are elements of the Economic Development Strategy.

Advice

The Portfolio Holder for Finance and Resources introduced the report. The aim was to provide apprenticeships to help young people back into work. The Portfolio Holder was pleased the Council was taking this action and fully supported it.

The Assistant Director (Strategy and Transformation, Community and Organisation) said it had long been the ambition of the Council to establish an Apprenticeship Scheme and this had been developed with Group Managers to offer young people a proper employment experience. The services were ready to receive these people and had roles for them.

After the first year, the Council would look at services to appoint apprentices as vacancies arose.

The Portfolio Holder for Planning and Regeneration asked if consideration could be given within the scheme to offer places to children looked after by County (young people who came from difficult backgrounds). To give them consideration would be a great benefit to them.

The Portfolio Holder for Environmental Services and Sustainability asked why the apprenticeships were for 14 months rather than 12 months.

The Learning and Skills Officer advised that the 14 month placements were for level 3 apprenticeships, equivalent to A levels. It was probable that most would be level 2 business administration apprenticeships.

Options and Why Options Rejected

No alternative options were considered.

Consultation

Consultation took place with:

Cllr Neil Harden - Portfolio Holder for Residents and Regulatory Services
Cllr Nick Tiley – Portfolio Holder for Finance and Resources
Corporate Management Team
Group Managers.

Voting

None.

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

Decision

That Council be recommended to approve 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
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Reason for Decision

To approve capital provisions within the Capital Programme 2011/12-2016/17 and amendments to the Capital Programme approved by Council on 29 February 2012.

Implications

The proposal is in line with the approved budgets, financial regulations and financial projections.

Risk Implications

There were no risk implications.

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

Options and Why Options Rejected

No alternative options were considered.

Consultation

Consultation took place with the Capital Strategy Steering Group.

Voting

None.

26 JUNE 2012

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

Decision

- 1. That Council be recommended to note the year- end report for 2011/12.**
2. That the progress to date for the Q4 report on the Strategic Risk Register be noted.
3. That the progress to date for the Q4 report on the Operational Risk Registers be noted.

Reason for Decision

To approve the year end report for 2011/12 in relation to the ongoing implementation of the Risk Management Strategy

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 these 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 Assistant Director (Finance and Resources) introduced the report. Procedures had been strengthened and all work had been put on CorVu. The internal audit report had been positive. The current position was that the risk assessment process could be used for forward planning and a review of the Strategic Risk Register had been carried out with the Assistant Directors. A number of changes had been suggested that should come through in the first quarter of next year. Trend data would be plotted in the future.

The Portfolio Holder for Housing expressed concern about some of the risk scoring wording on page 4 of the report.

The Assistant Director (Finance and Resources) advised that the word 'delete' was questioning whether to take the item out and replace it with something more current.

The Portfolio Holder for Planning and Regeneration referred to page 5, paragraph 9 of the report, detailing scores 8 – 12.

The Assistant Director (Planning, Development and Regeneration) advised that these were long standing risks and as part of the review process some of these scores could be reduced.

Options and Why Options Rejected

No alternative options were considered.

Consultation

Consultation took place with:

The Corporate Management Team – 29 May 2012;
The Finance and Resources Overview and Scrutiny Committee – 12 June 2012.

Voting

None.

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

Decision

That, relating to the implementation of the Local Authority Mortgage Scheme, Council be recommended to:

- 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. Approve that a maximum loan size of £190k per property be implemented.**
- 3. Approve 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. Approve 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).**

Reason for Decision

To recommend Council to approve the recommended eligibility criteria for the Local Authority Mortgage Scheme within Dacorum.

Implications

Financial

The financial implications of the LAMS are detailed in the previous reports to Cabinet – as listed in the Background Papers section of the report.

Risk Implications

The risk implications of the LAMS are detailed in the previous reports to Cabinet – as listed in the Background Papers section of the report.

Corporate Objectives

Affordable housing.

Advice

The Corporate Director (Finance and Governance) introduced the report and said the Treasury Management Strategy had been amended in April to allow the Council to enter into the scheme. Council now needed to be recommended to delegate authority to the Corporate Director (Finance and Governance) to identify mortgage lenders. The Council would try to get a range of local and complementary parties.

Paragraph 1.2 of the report identified the criteria and recommendations 2 and 3 of the report reflected that. There was also a requirement to delegate authority to the Monitoring Officer to give opinion letters.

It was hoped to hold a big county wide launch for the cross county scheme in July. This would be referred to the next Council meeting.

The Portfolio Holder for Residents and Regulatory Services referred to recommendation 3 of the report and asked if Dacorum had any postcodes that overlapped neighbouring authorities.

The Corporate Director (Finance and Governance) said this would be checked, although the neighbouring authorities were entering into the scheme.

The Portfolio Holder for Housing said the Council was lending and not depositing and was limited on how much money it could invest.

The Corporate Director (Finance and Governance) said that was why the Council was looking at some smaller Building Societies to give greater scope. This would be done according to the Treasury Management Strategy approved by Council.

The Portfolio Holder for Environmental Services and Sustainability said this was a very positive proposal and would support the social and economic well being of the borough.

The Portfolio Holder for Planning and Regeneration said this scheme would give people an opportunity to get on the housing ladder.

The Portfolio Holder for Housing said she supported the scheme and the sooner it was launched the better.

Options and Why Options Rejected

No alternative options were considered.

Consultation

Consultation took place with:

Hertfordshire County Council;
Sector Treasury Services; and
The Group Manager (Strategic Housing).

Voting

None.

7.7 REVISED CAPITAL PROGRAMME (CA/072/12)

Decision

That Council be recommended to approve the revised capital programme, as amended, for the five year period 2012/13 to 2016/17.

Reason for Decision

To recommend that Council approve the revised capital programme for the five year period 2012/13 to 2016/17.

Implications

Financial

No items have been removed from the capital programme approved by Council on 29 February. However, following a detailed review of the programme, £8.7m has been rescheduled from 2012/13 to 2013/14 and subsequent years. This reprofiling should help to ensure reduced slippage on the programme for 2012/13. It also allows for additional funds to be placed in longer term investments as they are not required for draw down to fund capital projects in the short term. This will have the impact of increasing investment income. Estimates on increased income will be reported during quarterly reports to Overview and Scrutiny and Cabinet during the financial year.

Value for Money

Effective capital programme improves cash flow forecasting and increases the potential resources to be set aside in longer term investments.

Risk Implications

Risk assessments are completed for individual capital projects. Any projects affected by the re-profiling will require revised risk assessments to be completed.

Corporate Objectives

Developing and delivering an efficient capital programme supports all five of the Council's strategic objectives.

Advice

The Portfolio Holder for Housing introduced the report and advised that there was a change to Appendix A, page 4 of 5 of the report:

The £500,000 for Old Town environmental enhancements should be in the 2013/14 Estimate column, not the 2014/15 Estimate column.

The Corporate Director (Finance and Governance) said the Capital Programme had gone to Council in February. Now that the outturn for 2011/12 was known, the opportunity had been taken to review progress against schemes for the first quarter. Schemes were being rescheduled and re-profiled to make them match better.

The Portfolio for Housing said the self financing was having a good effect on housing spend.

The Portfolio Holder for Environmental Services and Sustainability asked why some projects did not have any moneys by them.

The Corporate Director (Finance and Governance) said a number of items would have been in the old financial year. Reformatting was taking place so that each project would have a column showing the total rolling programme cost.

The Assistant Director (Finance and Resources) said the funding part of the programme was being worked on and would be brought to Cabinet in due course. This would show the available capital resources at the end of the five year programme.

In answer to a question from the Portfolio for Housing, the Corporate Director (Finance and Governance) said the layout of the Capital Programme was being looked at regarding use of grid lines and indicated that officers would welcome feedback from members on the presentation of the programme in future

Options and Why Options Rejected

No alternative options were considered.

Consultation

There was no consultation.

Voting

None.

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

Decision

1. That the progress to date and the actions being taken to ensure that the Revenues, Benefits and Fraud Service can continue to maintain service provision at an acceptable level while preparing for a period of significant change be noted.
2. **That Council be recommended to approve 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.**

3. That Council be recommended to approve a supplementary income estimate of £84,000 for Localisation of Council Tax Support.

Reason for Decision

To give supplementary approval of up to £100,000, to be funded from the Management of Change reserve, to implement service improvement initiatives in preparation for the introduction of Localised Council Tax Support, changes to Local Government Finance, transition to Universal Credit and the creation of a Single Fraud Investigation Service.

Implications

Financial

The Service improvements outlined will, in the main, be sourced from existing budgets and staffing resources. However, the Service has been employing extra resources through an ongoing resilience contact in order to improve and maintain performance. In order to implement future change it is anticipated that these resources need to be maintained for a further period which would exceed current budgets hence the request for further resources in the form of this reserve.

Value for Money

Correctly paid benefit is refunded at the rate of 100% by the Department of Work and Pensions; therefore there should not be a direct impact. The report highlights actions to be taken which will contribute to maximising collection and to identify efficiencies all of which contribute to improved value for money.

Risk Implications

Risk assessments have been completed for the individual service improvement projects mentioned in this report. Controls have been put in place for the relevant risks identified.

Corporate Objectives

Maintaining acceptable service levels to enable prompt and accurate payment of Housing Benefit and Council Tax Benefits whilst ensuring that the service maintains acceptable levels of collection of Council Tax and Business Rates is linked to the following aspects of the Council's Vision and Priorities:

Dacorum Delivers – improvements in the service will continue to support the 'Dacorum Delivers' corporate objective by improving the level of service to customers and delivering better value for money for all residents.

Affordable Housing – prompt payment of benefits will also help to prevent homelessness and lead to an increased availability of affordable housing.

Building Community Capacity – ensuring our customers are receiving the correct benefit in a timely fashion will increase the household income of some of our most deprived residents.

Regeneration – ensuring that local residents are supported and receiving their benefit entitlement supports the local economy. Ensuring timely and accurate billing and collection of National Non Domestic Rates supports local businesses.

Advice

The Assistant Director (Finance and Resources) introduced the report and said there were issues regarding capacity in Revenues and Benefits as there were a number of big changes coming up. This report was requesting sufficient resources to enable the Council to maintain and improve performance while preparing for the planned changes from April 2013.

The Corporate Director (Finance and Governance) said the recommendation was to release the first £50k and the second £50k would be released in liaison with the Portfolio Holder for Finance and Resources.

The Portfolio Holder for Housing said it was important to keep ahead of these changes. This would directly affect customers and she supported the recommendation.

Options and Why Options Rejected

No alternative options were considered.

Consultation

There was no consultation.

Voting

None.

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

Decision

That Council be recommended to approve 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

Reason for Decision

To recommend Council to approve capital provisions within the Capital Programme 2011/12 – 2016/17. This Capital Programme was approved by Council on 29 February 2012.

Implications

The proposal is in line with the approved budgets, financial regulations and financial projections.

Risk Implications

None.

Corporate Objectives

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

Advice

The Assistant Director (Finance and Resources) said, regarding the Co-location of the Council's Data Centre, the Portfolio Holder for Finance and Resources had asked for a further discussion on where that funding should come from. This would be reported back in due course. In the meantime it was being allocated from Capital Resources.

Options and Why Options Rejected

No alternative options were considered.

Consultation

Consultation took place with the Capital Strategy Steering Group.

Voting

None.