

## SUMMONS

### MEETING OF THE COUNCIL

WEDNESDAY 16 JANUARY 2013

### COUNCIL CHAMBER, DACORUM CIVIC CENTRE, HEMEL HEMPSTEAD

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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, 16 January 2013 at **8.00 pm** (following the Members Briefing commencing at 6.30pm) 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 meeting of the Council on 21 November 2012 (Appendix A Pages 4 - 15)

### 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 Tiley	Finance & Resources
Councillor Douris	Planning & Regeneration
Councillor Mrs Griffiths	Housing
Councillor Harden	Residents & Regulatory Services
Councillor Mrs Laws	Environmental Services & Sustainability

### 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:

<b>Minute No.</b>	<b>Date</b>	<b>Title</b>	<b>Yellow Pages</b>
7.1 CA/133/12	27 November 2012	Hemel Hempstead Town Centre Regeneration – Hemel Hempstead Town Centre Masterplan	16
7.2 CA/134/12	27 November 2012	Corporate Plan 2012-2015. Budget 2010/11	18
7.3 CA/146/12	11 December 2012	Annual Monitoring Report and Local Planning Framework Update	20
7.4 CA/148/12	11 December 2012	Capital Strategy Steering Group Report - Request For Capital Approval	24
7.5 CA/008/13	8 January 2013	Budget Preparation, Council Tax Base and Fees and Charges	25
7.6 CA/009/13	8 January 2013	Council Tax Support Scheme	25

**8. OVERVIEW AND SCRUTINY REFERRALS**

None.

**9. CHANGE IN COMMITTEE MEMBERSHIP**

To consider any proposals for changes in membership.

**10. 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 or business affairs of particular persons Minute CA/138/12.

Local Government Act 1972, schedule 12A, part 1, paragraph 3.

**11. PART 2 CABINET REFERRALS**

To consider the following part 2 referral from Cabinet:

<b>Minute No.</b>	<b>Date</b>	<b>Title</b>	<b>Green Pages</b>
CA/138/12	27 November 2012	Highbarns Chalk Mine	26

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**DACORUM BOROUGH COUNCIL**

**MEETING OF THE COUNCIL**

**21 NOVEMBER 2012**

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Present -

**MEMBERS:**

Councillor H Chapman (Mayor); Councillors, Adeleke, Adshead, Anderson, Ayling, Mrs Bassadone, G Chapman, Clark, Collins, Conway, Doole, Douris, Elliot, Fantham, Mrs Green, Griffiths, Mrs Guest, Harden, Harris, Hearn, N Hollinghurst, R Hollinghurst, Laws, Lawson, Link, Mahmood, Organ, Peter, Mrs Rance, Ryan, G Sutton, R Sutton, Taylor, Tiley, Townsend, Whitman, Williams, Wood, C Wyatt-Lowe and W Wyatt-Lowe (40).

**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), S Hamilton, P Duff and L Stone.

The meeting began at 7.30pm.

**29. MINUTES**

The minutes of the meeting held on 26 September 2012 were agreed by the Members present and were then signed by the Mayor.

**30. DECLARATIONS OF INTEREST**

Councillor G Chapman declared a personal interest in minute 32, Cabinet Referrals - Update on Council Home New Build Programme – Phase 1 (CA/119/12). Councillor Chapman is a Trustee on the Board of Druglink.

**31. ANNOUNCEMENTS**

**1. By the Group Leaders and members:**

Apologies for absence were submitted on behalf of Councillors Flint, Lloyd, Marshall, McLean, Macdonald, McKay and Reay.

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

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

The Leader of the Council had nothing to report but was happy to take questions.

Councillor Harris asked if, following a Conservative Member winning the Police and Crime and Commissioner election, it would be acceptable for him to retain four public positions as well as Chairman of Development Control Committee.

Councillor Williams said there was no official Council view on this, but that his own personal view was that the role of a Borough Councillor was compatible with a full time job. It would be a matter for Councillor Lloyd to decide with regard to his position with Herts County Council, although Councillor Williams said that Councillor Lloyd would be standing down as the deputy leader of Herts County Council.

Councillor N Hollinghurst asked the leader if he thought that the Police and Crime Commissioner role was not significant and could be done on a part time basis.

Councillor Williams said that was not the case. He said that the role of a Borough Councillor could be carried out by those in full time employment.

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

“The Council have commenced a phased introduction of an environmental data collection system (EDCS). This scheme will be placed inside all our refuse vehicles, which will speed up communication of missed bins, contamination etc from the residents to the crews, thus increasing efficiency of the service to our residents.

We have maintained ISO14001 accreditation at Cupid Green Depot. This accreditation is a result of the depot having an environmental management system in place which ensures our activities on the Cupid Green site are environmentally sound.

The refuse collection teams will be delivering the Christmas hangers during the first week of December. We are advertising as widely as possible, the slogan ‘Be in the know this winter.’ Residents can achieve this by getting information about changes to their bin collections sent straight to their mobile phone with free waste text alerts. They can sign up by texting ‘DBC waste with their house number and postcode’ to 60777. The initial text will be charged at their standard network rate (it may be charged outside their inclusive text package). They will not be charged to receive the alerts.

We have been working in the community, by providing the cut oak timber from Chipperfield for use by Leverstock Green Church Group to construct two benches in Bunkers Park.

Friends of Chipperfield Common & Bunkers Park have commenced Project days for the Autumn/Winter programme

We have also provided advice and supplied a memorial tree for a local family. The tree was planted in Gadebridge Park.

For the first time in 20 years the remembrance parade started from Tring Memorial Gardens. This is reflective of the hard work that has been put in obtaining the Green Flag status and continual programme of improvement that has been carried out by the 'Friends of' group

The Clean Safe and Green team worked alongside Friends of Water Gardens group and businesses for a morning of planting shrubs and putting down mulch as part of the annual Winter Maintenance Programme in Water Gardens

DBC's use of tree work contractors has been formalised through the award of a Tree Maintenance Services Term Contract commencing on December 1st for 2 years renewable for a further two years. We have an approved contractor for North Dacorum, another for South Dacorum and one for our borough-wide Woodlands. The borough's highways, parks and housing areas are split geographically into three – two for contractors and one for our Tree and Woodlands Team. All works within a contract area will be carried out by the contractor – pruning, felling, stump grinding, planting. Each contractor will provide 24/7 cover for emergencies within their area and additional cover during extreme weather events.

Our Countryside access officer has achieved a successful bid to HCC for an extra 25k for five public rights of way improvement schemes - a key factor of the award was our ability to deliver projects”.

Councillor N Hollinghurst said that he was pleased with Tring Memorial Gardens. He asked if any of the Ash trees in Dacorum had been infected with dieback fungus and if any precautions were being taken to avoid an outbreak.

Councillor Laws said that inspections had been carried out and no infected trees had been found. The Council was following the guidance of the Environment Commission. The disease was not airborne.

Councillor Harris welcomed the ISO14001 accreditation at Cupid Green Depot. He also welcomed the introduction of being able to pay for car parking via a mobile phone. He asked when the paper on car parking would be going to an Overview and Scrutiny Committee as the Portfolio Holder had previously agreed to do.

Councillor Doole arrived at 7.40pm.

Councillor Laws said the paper had been prepared and would be brought to an Overview and Scrutiny meeting around February. The paper would include different items and aspirations and the Scrutiny Committee would be asked to prioritise those items.

Councillor Adeleke said that at a village fair the previous week, a large amount of people asked him to thank an individual Clean, Safe and Green operative for their hard work and dedication.

Councillor Laws said that she would identify the individual and thank him with pleasure.

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

“Cabinet decided at our special meeting at 7.00 pm to proceed with the ‘Local Authority Mortgage Scheme’ (LAMS), to inject some fresh activity in the local housing market to help the construction industry, first time home buyers locally and the economy. The decision needed to be reaffirmed because there is a remote risk that the EU could take action against us if it deems that ‘state aid’ rules have been breached. The risks are set out in the Cabinet paper as is the Counsel’s advise that it is reasonable to proceed having drawn members’ attention to the details. I have no doubt we should proceed but also felt it right to draw the item to all members at the first opportunity. The scheme is to be launched with our borough and county partners on Friday this week.

Members will have seen Sally Marshall’s announcement that Shane Flynn is taking a two year secondment to Louise Miller’s team as Assistant Director supporting ‘The Public Service Sector’ regeneration of Hemel Hempstead Town Centre where more resources are needed and that James Deane has been promoted to cover for him as acting Assistant Director of Finance and Resources for two years and his post will be filled by a two year appointment. These are very important appointments for our activities and I congratulate them and wish them success in these roles”.

Councillor Townsend asked why the Portfolio Holder thought the risk of EU action was so remote with regard to LAMS. He asked if there was any Government mitigation nationally.

Councillor Tiley said 33 Councils were already running the scheme, some of whom were approaching their second year. It was unlikely that the EU would focus resources into this. It was not possible to indicate a quantum of risk, but it was true that the remoteness of risk was extreme. Councillor Tiley added that the Government should not carry risk on behalf of Local Authorities.

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

“On Friday 9<sup>th</sup> November we launched the Dacorum Look No Further initiative, and hosted our first ever Business Showcase at Shendish Manor Hotel. The event comprised a showcase of around 70 local business and organisations, who took display stalls at the event, coupled with a series of presentations by Mike Penning MP, our Chief Executive Daniel Zammit, representatives of the business community and our officers. The feedback I have received is very positive with business having been derived from it already. We are now looking forward to hosting an international business showcase event in 2013, and as resources allow will look to carry out further events in subsequent years. We are also exhibiting at the Business Start Up Show at Olympia this week to demonstrate to a national audience why locating to Dacorum makes good business sense.

In relation to the economic development of the Borough, we are finalising arrangements with the Hertfordshire Local Enterprise Partnership to secure the offer of funding from the Growing Places Fund to kick start development in the Maylands Gateway. At its last meeting, Cabinet approved the submission of a planning application for residential development on part of the Gateway, and our officers are making arrangements for this to be submitted by the LEP’s deadline of December this year. The funding, worth £2 million, which will be repaid after the development has been implemented, will facilitate new roadways into the site with the aim of encouraging further investment in the future.

The Maylands Business Centre goes from strength to strength with all the units taken and a waiting list. It provides an excellent service to new and growing business and is set to achieve significantly above budget forecasts for this year.

Whilst I am referring to Maylands, I am pleased to report that the delayed planting scheme at Green Lane and the Phoenix roundabout is now well underway. Earlier in the year, work was held up as a result of the hosepipe ban, and now that the planting season has returned, the work can proceed and is nearly completed.

Last month, the public examination into our Local Planning Framework Core Strategy took place over a two week period. The feedback I have had indicates that the process went well, with the Inspector being satisfied with the level and amount of information he received from the Borough Council to help in his deliberations. We expect to receive an initial letter of findings from the Inspector in early December, which will indicate how well our strategy for growth and development in the Borough to 2021 has fared. From this we hope to be able to address any issues of concern the Inspector may have before preparing formal modifications to the Plan, for which there will be a further round of public consultation.

Finally, the Government issued its consultation on changes to the legislation governing the rights of property owners to carry out works to their property without the need for planning permission. This was trailed by the Prime Minister in the summer, and we will be carrying an analysis of the Governments proposals. On the 30<sup>th</sup> November, we will be hosting the annual Town and Parish Council conference, at which our officers will be running a planning workshop which will focus largely on neighbourhood planning but will also refer to the Government's latest proposals and any queries that our Town and Parish Councils may have about their implications.

Finally, with your permission Mr Mayor, may I bring to your attention the Dacorum Exclusive Limited edition of the Monopoly board game? It is one of only 3 specially licensed local versions per year. It is available to purchase from the Customer Service Centre and at only £24.95 it makes an ideal Christmas present".

Councillor Harris said that those in Kings Langley would not be likely to buy the Monopoly game as they had been missed out.

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

#### Tenant and Leaseholder Services

Christmas Rent Campaign - The Christmas rent collection campaign has started. Posters are now being displayed on bin lorries, within the Customer Service Centres, on rent statements, in community centres and within Housing *News and Views* (our Tenant and Leaseholder Newsletter). There is an energy efficiency slant to the campaign this year with tenants in rent arrears living in energy inefficient homes being particularly targeted.

Last year (2011) the campaign generated an additional £101,000 of rent payments compared to the previous year. This is the last year we will be running the campaign entitled "*the best present at Christmas is peace of mind*". Next year the logo, graphics and approach will be refreshed.



Introduction of Flexible Tenancies - Preparation for the introduction of Flexible Tenancies from April 2013 is well underway. Dacorum Borough Council's Strategic Tenancy Policy is being developed and will be brought to Cabinet in January. This identifies how and when flexible tenancies will be used. The existing Secure Tenancy Agreement is being reviewed to update it in preparation for a new Flexible Tenancy Agreement to be developed. Finally a guide to explaining how flexible tenancies work and what they mean is being developed to ensure that tenants who are issued with the new agreement understand their 'rights' and 'responsibilities'.

### Property and Place

The Procurement Project continues to be delivered in line with the project plan and Leaseholders were sent the Notice of Intention last week, following which there will be a 30 day period to receive their observations. The various sub-group meetings have been set up and work is progressing to get the PIN notice completed for publication on the 18<sup>th</sup> December.

Carillion have been served with a default notice, which outlines the areas of poor performance and breaches of the contract provisions. The notice provides Carillion with the opportunity to resolve the current issues regarding missed appointments and incomplete compliance data, by the 30<sup>th</sup> November. Subject to the status of service a decision will be made regarding the ongoing management of the gas servicing contract and as an interim measure Orion, who currently service the communal boilers, have been undertaking the critical gas services and turn on and test's.

MITIE performance targets continue to be met or exceeded and the weekly operational meetings identify issues and agree remedial measures to ensure early intervention.

Keepmoat are successfully delivering the additional work volumes created through the enhanced Capital investment available under self-financing although there was a slight dip in customer satisfaction which has been subject to a further review.

The CIH pilot project, which is targeting an intensive estate improvement project in an area of Highfield, continues to gain momentum and the graduate, Gemma Goacher, has held a number of site meetings with stakeholders including the ward councillors, residents, members of staff from other directorates and contractors. The area is being assessed for improvements that will assist with building a cohesive community and enable residents to have a sense of pride in the area in which they reside.

### Strategic Housing

In October Cabinet approved phase 1 of the Council New Build programme. This included a £14m development programme to build 71 new council homes and a new 33 bed space homelessness hostel.

The 71 homes will be built at 3 sites within the Borough – 26 at Farm Place in Berkhamsted, 36 at London Road Apsley and 9 at Galley Hill on the old St Peters church site. All of the homes are due for completion around March 2015. The new homeless hostel will be built on Council owned land on the Redbourn Road, Hemel and is also due for completion around March 2015.

Homelessness continues to rise in Borough. A new temporary accommodation facility has been opened by the Council in Leys Road, Hemel which includes 8 rooms with shared kitchen and bathroom facilities. The accommodation opened in September and has already reduced the numbers of people who need to be booked into B&B,

however the numbers are monitored on a monthly basis and are expected to rise again over the busy Christmas period.

It is a year now since the Council introduced its new electronic housing register system. There are currently 6,200 applicants on the housing register, with record numbers bidding for available properties each week. The Allocations Policy is currently under review due to new government guidelines. A staff and members working group has been set up to discuss the principles of a new policy – with the first draft being discussed at the Housing and Communities OSC on 5<sup>th</sup> December”.

Councillor N Hollinghurst said that a Carillion subsidiary had got into significant difficulties in a hospital contract. He said that he had previously questioned at a Scrutiny meeting why the Council had chosen to proceed with Carillion and had been told it had not been the Council's choice as Carillion had taken over from the previous company. He asked if the Portfolio Holder would not shrink away from terminating a contract for poor performance if necessary.

Councillor Griffiths said she would not shrink away from responsibilities on gas safety or any other safety issues. If it were to become necessary, she would take advice from finance and legal officers on terminating the contract.

Councillor Elliot asked the Portfolio Holder to thank Councillors Taylor and Douris for their work in helping to sort out the eyesore that was St Peter's Church to get housing developed there.

Councillor Griffiths agreed and thanked the housing department who had also done a lot of work.

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

#### “Legal Governance

Legal Governance has retained its Lexcel practice management standard accreditation following an assessment in October. Lexcel accreditation has introduced effective case and performance management processes which has led to better customer service for both internal clients and external partners. The Lexcel assessor was extremely complimentary about the Legal Governance team who she said were positive and fully engaged in the new ways of working.

Legal have also received the decision on the cross-border hire licensing case with Ash Travels and the Council obtained convictions on 8 of the 9 charges. A press release is currently being prepared.

#### Regulatory Services

- The Council was awarded a Silver Stray Dog Footprint, for the provision of its stray dog (Dog Warden) service – September 2012
- We worked with Housing on the Pet Policy for Council tenants – The Council was awarded a Gold Footprint – September 2012
- A surgery is being held every Tuesday between 10am and 11am here at the Civic Centre, offering micro-chipping of Council tenants' dogs free of charge in line with the new Pet Policy.

- There has been a lot of enforcement activity, with various infestations of food premises (rats, cockroaches), many fly tipping investigations, a health and safety Prohibition Notice was used to close down a dangerous work activity, private sector housing investigations (e.g. damp/mould, cockroach infestations, structural issues and illegal eviction investigations).
- The Emergency Planning service has been audited. The Council was found to be very compliant in this area.
- Events have been organised for businesses on various health and safety matters – infection control in care homes, dermatitis in catering etc.
- The fire at the recycling plant in Appspound Lane caused a number of enquiries from the public & media about air quality issues. These have all been satisfactorily responded to.
- The Primary Authority Partnership with Tesco is progressing well. A second inspection plan has now been submitted to the national regulators for all other Environmental Health departments in England, Wales and Scotland to follow.

### Resident Services

#### Childrens Services/Adventure Playgrounds

- 300+ people attended a free firework event at Adeyfield Adventure Playground.
- External funding had been secured for skate ramps at Adeyfield and Chaulden Adventure Playgrounds, an in-ground trampoline, lap top computer, projector and flat screen TV and video camera for a film club and also for resurfacing the pool tables.
- A pilot project to include young people aged up to 15 years at 3 of the Adventure Playgrounds on 2 nights per week is being well received and will be evaluated in January.
- Attendances at the Adventure Playgrounds and the Youth Clubs at the APG's continue to increase.

### Youth Democracy

Neighbourhood Action staff developed and ran interactive sessions for 51 young people on the Human Rights of the Child for European Local Democracy Week.

#### Rights of the Child Art Exhibition - Tuesday 16 October

270 children from across Dacorum took part in an art competition (6 schools and 2 community groups). Schools were given a resource pack which had information, worksheets and interactive sessions on 'Democracy' and the 'Human Rights of the Child'. 48 people attend the exhibition.

Dacorum Youth Forum and the Youth Action Entertainers presented to the young people involved and their families about the opportunities that are available for them in future

#### Neighbourhood Action visit to Technik - Wednesday 17 October 2012

Students from Cavendish and Hemel schools have designed publicity for Neighbourhood Action. During Local Democracy Week 15 students who had designed the publicity from both schools were taken on a trip to a local designer and printers to develop their skills further.

### Visit to the Houses of Parliament - Thursday 18 October 2012

11 prize winners from the Art Democracy competition went on a private tour of the Houses of Parliament with MPs Mike Penning and David Gauke. The MPs informed the group about the historical facts about the building and how Parliament works.

### Youth Action Entertainers - Wednesday 24 October 2012

39 local residents gathered at Gilbert Burnet House for performances from the Youth Action Entertainers. 11 young people attended and performances including guitar, singing, piano and Dacorum Majorettes.

### Community Cohesion and Neighbourhood Action

The 'Kick it Out' – Kick Racism out of Football event took place on 2<sup>nd</sup> October and involved a range of partners. Partnership members were Dacorum Borough Council, Global Pindd, Bangladeshi Welfare Association, Hemel Mosque, Marlowes shopping centre, Arsenal Soccer School and Sportspace. 299 young people were involved in a wide range of activities throughout the day.

The localised reports for all Neighbourhood Action areas are now completed and will be on the website shortly. All members in Neighbourhood Action areas should have received a copy of the report for their area.

Friends of Gadebridge Park were launched in November – volunteers have been busy in the part clearing the river and planting bulbs

### Community Safety and ASB

Reports of anti-social behaviour and crime across the borough continue to fall with a reduction on 28% on the last 12 months for ASB and 13.9% for all crime.

Following the awareness campaign for the need to report and record race and hate incidents – reports to the council (although very few) have increased. Work continues with a range of agencies to raise awareness on this matter.

### Policy & Performance

Re Flexible Working:

The flexible & Remote Working project is part of the wider 'Dacorum Anywhere' programme, and so far has been piloted in the Revenues & Benefits service and Procurement. A further pilot to test how much office space can be saved through hot-desking is about to take place in Finance.

The pilot has proved very successful in Revenues & Benefits, with productivity showing an increase of 45% in home workers compared to 24% in office based workers (productivity levels have also increased due to other improvement initiatives other than the introduction of remote working, therefore comparisons are made between the two groups). Impacts on productivity will continue to be monitored across services as they move to remote working.

A programme to roll-out remote working has now been developed and this will commence from November, starting with Phase 2 in Revenues & Benefits, to include all remaining staff in the service, and Strategic Housing in December.

In addition, training to support staff will continue, and a revised Communications Strategy will be developed as part of the wider Dacorum Anywhere programme, to ensure Communication avenues are aligned with new remote working practices”.

Councillor Harris said there were new regulations coming into force reducing the number of surprise inspections of premises which would need to be carried out. He asked if the Portfolio Holder could confirm this to be the case.

Councillor Harden said he would confirm this in writing after the meeting.

Councillor Lawson said that taxis licensed outside of Dacorum but operating within had been successfully prosecuted. He asked if others found doing the same would be pursued.

Councillor Harden said that others would be pursued. He said that a press release would go out and that the Gazette would run this story.

## **32. CABINET REFERRALS**

The referrals from Cabinet on 23 October 2012 were submitted. It was moved by Councillor Williams, duly seconded and

Resolved:

That the following be approved:

### **1 MEETING TIMETABLE 2013/14 (CA/112/12)**

**The Meeting Timetable for 2013/14 as set out in Appendix A to the report.**

### **2 DACORUM ECONOMIC DEVELOPMENT STRATEGY 2012-15 (CA/113/12)**

**The approach and general content of the Dacorum Economic Development Strategy 2012-2015, together with the Open for Business statement.**

### **3 CAPITAL STRATEGY STEERING GROUP REPORT REQUEST FOR CAPITAL APPROVAL (CA/118/12)**

- 1. The updated Capital programme to include the following schemes detailed within the report.**

<b>9 High Street Tring – Structural Works and Professional Fees</b>	<b>£25,000</b>
<b>Multi Storey Car Park, Berkhamsted – Phase 1 Due Diligence</b>	<b>£120,000</b>
<b>39 The Marlowes</b>	<b>£335,000</b>
<b>Queen Street Depot</b>	<b>£15,000</b>

<b>Voltage Optimisation Units</b>	<b>£38,000</b>
<b>Planning Software Replacement (funded from Earmarked Reserve)</b>	<b>£130,000</b>

2. That £130k is drawn down from the Planning and Regeneration Project Implementation Reserve as an in-year supplementary estimate. And that this then forms an in-year revenue contribution to capital in order to finance the Planning Software Replacement project.

**4 UPDATE ON COUNCIL HOME NEW BUILD PROGRAMME – PHASE 1 (CA/119/12)**

Land appropriation from the general fund to the HRA for London Road, Apsley – subject to site valuation (approx £1.2m).

**5 LOCAL AUTHORITY MORTGAGE SCHEME (CA/123/12)**

The Treasury Management Strategy be amended to enable a cash-backed guarantee in support of LAMS to be invested in a participating institution for a maximum period of 12 years.

**33. GAMBLING ACT 2005 REVIEW OF STATEMENT OF PRINCIPLES**

The report was moved by Councillor Williams, duly seconded and

Resolved:

That the revised document as the authority's Statement of Principles under section 349 of the Gambling Act 2005 for the period 31<sup>st</sup> January 2013 to 30<sup>th</sup> January 2016 be adopted.

**34. STANDARDS OF CONDUCT (LOCALISM ACT 2011) – APPOINTMENT OF INDEPENDENT PERSON STANDARDS COMMITTEE TERMS OF REFERENCE**

The report was moved by Councillor Williams, duly seconded and

Resolved:

1. That Rachel Keil be appointed as the Council's Independent Person for the purposes of section 28 of the Localism Act 2011 for a term of two years.
2. That Andrew Russell be appointed as an independent member of the Standards Committee for a term of two years.
3. That the revised Article 9 'Measures for Standards of Conduct' be adopted as set out in the annex to the report pursuant to the recommendation of the Standards Committee and authorises the Monitoring Officer to make the necessary amendments to the Council's Constitution.

**35. CHANGES IN MEMBERSHIP**

It was moved by Councillor Williams, duly seconded and

Resolved:

That Councillor R Sutton be appointed as a substitute member on the Strategic Planning & Environment Overview & Scrutiny Committee.

The meeting ended at 8.15 pm.

## 7. REFERRALS FROM CABINET

27 NOVEMBER 2012

### 7.1 HEMEL HEMPSTEAD TOWN CENTRE REGENERATION – HEMEL HEMPSTEAD TOWN CENTRE MASTERPLAN (CA/133/12)

#### Decision

1. That the amended Hemel Hempstead Town Centre Masterplan Supplementary Planning Document be approved.
2. **That Council be recommended to approve and adopt the Hemel Hempstead Town Centre Masterplan Supplementary Planning Document.**

#### Reason for Decision

To recommend Council to approve and adopt the Hemel Hempstead Town Centre Masterplan Supplementary Planning Document.

#### Implications

##### Financial

##### Expenditure to date

<b>Project</b>	<b>Expenditure</b>
Access and Movement Study	Stage 1 : £ 6,633 Stage 2 : £13,671 Stage 3 : £ 4,522
Major Land Use Study	£26,174
Draft Heritage Improvement Study	£20,833 (costs include conservation area report)
Charette Workshop and Report 2011	N/A, Funded by DC CABE
Stakeholder Workshop and Report 2012	£4,465.82
Water Gardens Study, Hemel Hempstead – Report by Allies and Morrison Urban Practitioners and The Landscape Partnership, October 2011	£19,742.50

##### Value for Money

The efficient use of public resources is being managed in the following ways:

Town Centre Masterplan – in-house production using establishment officer resource and selective use of expert consultancy input only where necessary.

##### **Risk Implications**

Risk Assessment completed as part of the Hemel Hempstead Town Centre Regeneration Project Implementation Document.



## **Corporate Objectives**

The project to regenerate Hemel Hempstead Town Centre has been identified as a priority for the Council.

## **Advice**

The Leader of the Council asked that the comments from the Strategic Planning and Environment Overview and Scrutiny Committee be considered with the report.

The Portfolio Holder for Planning and Regeneration introduced the report and said that the Overview and Scrutiny Committee had considered this and their comments were contained in the Cabinet referral.

The Masterplan came to Cabinet in July this year. This report set the long term plan following the recent consultation. It reflected the outcome of the consultation and how it impacted on the seven character zones, all of which feature in the Masterplan.

The advice that the Strategic Planning and Environment Overview and Scrutiny Committee communicated to Cabinet was that it was content with the Hemel Hempstead Town Centre Masterplan final report. The list of recommended qualifications could be found in table 1 of the report.

The Leader of the Council said the report was an update since the consultation.

The Portfolio Holder for Planning and Regeneration advised of an amendment to table 1 of the report:

'It also outlines that extensive liaison will be carried out with *Hertfordshire County Council Highways* and key public transport operators.

## **Options and Why Options Rejected**

No alternative options were considered.

## **Consultation**

Consultation took place with:

David Austin, Assistant Director, Neighbourhood Delivery;  
Alex Chrusciak, Group Manager Development Management and Planning;  
Chris Taylor, Group Manager Strategic Planning and Regeneration;  
Mike Evans, Group Manager, Commercial Property and Assets;  
Fiona Webb, Assistant Team Leader, Development Management (Conservation and Design);  
Matt Wood, Property Service, HCC;  
Sanjay Patel, Jenny Applestone and James Dale, Highways HCC;  
Steve Barnes, Vinci Parking, DBC;  
Guy Brigden, HCC;  
Paul Newton, Team Leader, Development Management and Planning; and  
Cllr Terry Douris, Portfolio Holder for Planning and Regeneration

## **Voting**

None.

## **7.2 CORPORATE PLAN 2012-2015. BUDGET 2010/11 (CA/134/12)**

### **Decision**

- 1. That the Corporate Plan 2012-15 be finalised, that Council be recommended to adopt and publish the Corporate Plan 2012-15, as amended, and that the Monitoring Officer and Chief Finance Officer be given delegated authority to make the consequential changes to the Council's Constitution, including the Procurement Standing Orders and Financial Regulations.**
- 2. That Council be recommended to adopt the Policy on Disposals of Land at Less Than Best Consideration (Annex A2 of the report), in conjunction with the Corporate Plan, as the Council's approach to asset disposal in cases where 'less than best consideration' presents a significant economic well-being opportunity.**
3. That progress on the priorities and delivery arrangements set out in the Plan be reported to Cabinet and Council in November 2013.

### **Reason for Decision**

To agree the content and text of the Council's Corporate plan 2012 – 2015, for finalisation and publication, setting out the vision, priorities and delivery arrangements.

### **Implications**

#### Financial

The cost of producing the Corporate Plan is absorbed within budget.

Delivery of the priorities and programmes set out in the plan will be integral to the Council's budget processes

#### Value for Money

Value for money and efficiency is a priority within the Plan.

### **Risk Implications**

The Corporate Plan sets out the council's priorities and aims. Delivery on these is underpinned by associated work programmes. Success on stated outcomes will enhance the Council's reputation as Leaders of place.

### **Corporate Objectives**

The Corporate Plan clarifies the Council's Corporate objectives.

### **Advice**

The Leader of the Council introduced the report and said it followed on from priorities and visions members were familiar with.

The Chief Executive drew attention to the Policy on Disposals of Land at Less than Best Consideration. This was not a policy that would become the Council's default position but would enable the Council to give due consideration of broader benefits when disposing of assets (creation of jobs, use of land etc.). It would give broader economic and social benefits but would not preclude the accounting safeguards normally associated with these decisions. The Policy aimed to capture all aims and ambitions into one plan and provided some context for members of the public and other interested parties on what the Council was attempting to achieve during this administration.

The Chief Executive thanked Keith Shepherd on behalf of the Corporate Management Team for his hard work in pulling it together.

The Leader of the Council asked if the Council would require dispensation when considering disposals under best consideration for community benefit.

The Chief Executive advised that Annex 1, paragraph 3 of the report set out the formal position. This policy could be referred to in the future as a form of security.

The Corporate Director (Finance and Resources) said the Financial Regulations set out the requirements and by annexing this policy to the Financial Regulations, this policy could be referred to. The only time the Council would need to apply to the Secretary of State would be if the aggregate of "under value" exceeded £2m.

Each case would be looked at on its own merits and it would be brought back to Cabinet.

The Corporate Director highlighted an error under the S.151 Officer comments:

'Financial Regulation D, paragraphs 23 to 24 and Annex F, govern the disposals of Council assets which will require consequential amendments *once* the policy is adopted.'

The Leader of the Council said it would strengthen discussions with auditors around disposals.

The Portfolio Holder for Planning and Regeneration suggested amended wording to the draft Corporate Plan (Annex B of the report, page 7):

- Improve the ~~entertainment~~ *recreation and leisure* offer in the Borough.

This was agreed.

### **Options and Why Options Rejected**

No alternative options were considered.

### **Consultation**

The vision and priorities were agreed in 2010 following extensive consultation.

### **Voting**

None.

**11 DECEMBER 2012**

**7.3 ANNUAL MONITORING REPORT AND LOCAL PLANNING FRAMEWORK UPDATE (CA/146/12)**

**Decision**

1. That the headline results from the forthcoming Annual Monitoring Report 2011/12 be noted.
2. That the Local Development Scheme be updated in accordance with the principles set out in paragraphs 3.4 to 3.7 of the report, and authority be delegated to the Assistant Director (Planning, Development and Regeneration) to agree the final wording of the document with the Portfolio Holder.
3. That the interim timetable set out in Chart A of the report be approved and authority be delegated to the Assistant Director (Planning, Development and Regeneration) to continue to keep this timetable under review and issue updates if required.
4. **That Council be recommended to approve that an early partial review of the Core Strategy be conducted, once adopted, as recommended by the Planning Inspector in his note of 19<sup>th</sup> November (Annex 1 of the report).**
5. **That Council be recommended to approve the list of main modifications to the Pre-Submission Core Strategy for submission to the Planning Inspector, and that authority be delegated to the Planning and Regeneration Portfolio Holder to agree any changes to this wording required by the Planning Inspector.**

**Reason for Decision**

To note the Annual Monitoring Report, to enable the Local Development Scheme to be updated and to approve the future Local Planning Framework timetable.

**Implications**

Financial:

Whilst outside of the 2011/12 monitoring period, it is prudent to take account of the latest position on the Core Strategy, especially in rolling forward the interim timetable. The Core Strategy has recently been examined by a Planning Inspector to determine whether or not the plan is 'sound'. At the time of finalising this report, the Inspector's preliminary letter had just been received and its implications were being assessed by Officers. Further updating will be given orally at Cabinet. The nature and scope of any further main changes to the plan will determine future financial implications – both in terms of further consultation on the Core Strategy and any delays to progressing work on subsequent Development Plan Documents.

Value for Money:

Every effort has been made to secure external funding, to reduce the impact on the Council's budget. Where possible, evidence base work is undertaken jointly with other authorities to ensure cost is optimised (through economies of scale). Collaborative

working with landowner consultants will continue to help extend the resources available to the Council and avoid the duplication of site specific technical information.

Legal:

No direct effects. The performance of planning policies does however have a direct bearing on the proportion of planning appeals allowed and dismissed. An out-of-date planning strategy also increases the risk of speculative planning applications and legal challenges.

Human Resources:

No direct implications. However, in order to ensure the Local Planning Framework continues to progress to timetable, the Strategic Planning team currently employs a temporary member of staff (via Comensura) and has a CIL/Infrastructure Officer on a 2 year secondment. Both posts are funded through the LDF reserve.

Land:

No direct implications. Land within the Council's control will however play an important role in ensuring housing and employment targets set out within the Core Strategy are met.

Environmental:

No direct effects, but monitoring looks at the success of existing policies to ensure environmental protection.

**Risk Implications**

A risk assessment has been carried out as part of the PID process. The Local Development Scheme also contains its own risk assessment. The key concern is that the (new) development plan must be sound, and delivers what is needed expeditiously. Risk is reduced by ensuring processes and the evidence base is robust. Sufficient financial resources are essential to achieve that. Certain elements of the process have explicit statutory requirements such as consultation, publication, examination and presentation of the adopted Development Plan Document. The Annual Monitoring Report reviews the risks inherent in preparing the Local Planning Framework. Monitoring of development is a source of information which, properly used, can assist risk reduction – i.e. it checks whether progress and control of development has been successful and can indicate where change (in policy or process) may be beneficial.

**Corporate Objectives**

The Annual Monitoring Report looks at the effectiveness of current planning policies – for example the achievement of the overall housing target and protection of green space/wildlife sites – and progress towards planning policy review (i.e. targets set out in the Local Development Scheme). It therefore provides a good summary of how the Council's planning policies are supporting delivery of corporate objectives – especially those relating to affordable housing; safe and clean environment and regeneration. As the policies within the Core Strategy and other planning documents are aimed at enabling growth, it also provides an indication of how the 'Dacorum Delivers' objective is being supported.

The Local Planning Framework is important in supporting delivery of the long term goals of Destination Dacorum as expressed in the Sustainable Community Strategy and the projects in the Dacorum Development Programme (DDP).

## **Advice**

The Portfolio Holder for Planning and Regeneration introduced the report.

This was an annual report to Cabinet to receive the Annual Monitoring Report for the Local Plan for the Borough. It was also an update on the intended programme of work for the next stages of the Local Planning Framework and considered the next stages of the Core Strategy process that had recently completed its public examination.

Regarding the Annual Monitoring Report, this showed some of the key findings of the report for 2011-12 that were set out on pages 8 to 10 of the report. This was another strong year for housing delivery with 447 dwellings delivered, even in a time of economic restraint. The Portfolio Holder was pleased to note that the Council was using the land within the Borough sensitively and carefully with 93% of this total being delivered on previously developed land.

Regarding the Local Development Scheme, the Council was required by law to maintain a Local Development Scheme, setting out which documentation it would be developing in its Local Planning Framework.

The proposals were set out on pages 8 to 10 and Chart A of the report.

Regarding the Core Strategy, this was what lies at the heart of the Framework. Council would be asked to adopt the Core Strategy by May of 2013.

The site allocations development plan document provide details of the main sites that the Council expected to come forward for development over the plan period. It will give details on numbers of dwellings on each site, the areas of employment and other land to be developed, and what infrastructure will be expected to be provided in association with new development. Work will commence in earnest on the Site Allocations after Christmas, with a view to go to formal Submission stage by summer 2013.

A series of site development briefs and masterplan will continue to be developed over the next 3 years, as well as Conservation Area reviews and appraisals.

Regarding the Core Strategy – next steps, a series of Frequently Asked Questions together with their answers would be added to the DBC website and I believe that this will be helpful to those who have questions at this time. Added to this report on the Local Planning Framework is the latest position with regard to the Core Strategy. The public examination took place for a two week period in October. The Inspector's initial findings and queries can be found at annex 1 to the report. This has also been published on the Council's website.

The Inspector raised an issue around the level of housing planned. In doing so he has queried whether it provides for full objectively assessed housing needs, bearing in mind the requirements of the Government's new National Planning Policy framework (NPPF) and the Government's objective to 'boost significantly the supply of housing'. The Inspector sees a need for a further green belt review and further investigations about the role that neighbouring authorities could play in accommodating some of the Borough's housing needs.

To take the plan forward, the Inspector set out four options for the Council: to do an early partial review to address these matters; to suspend the examination to allow this work to be undertaken; to withdraw the core strategy or finally to leave matters as they

are, but with the "significant risk" (the Inspector's words) that he may "not be in a position to find the Core Strategy sound".

The Inspector requested that DBC provide him with a response by 6 December and this has been done, with the reply posted again on the DBC website. I believe the correct course of action is to opt for the early partial review.

The Portfolio Holder for Finance and Resources sought clarification of the Inspector's letter which said the Council should target to build 540 dwelling per year over the whole period. The Portfolio Holder said this was the Council's target in the early years of the plan to provide affordable housing and growth. It was over the longer term where the Inspector was saying there was a shortfall.

The Assistant Director (Planning, Development and Regeneration) said work would have to be carried to test if it was an appropriate level or if further numbers were required. The early delivery level was high.

The Leader of the Council said the 540 per year was on the assumption that, in later years, the level would drop off. This was subject to the next review of the plan.

The Portfolio Holder for Residents and Regulatory Services said the Inspector said the Council needed more housing and should be considering the area between Hemel Hempstead and St Albans.

The Assistant Director (Planning, Development and Regeneration) said the Inspector was asking if the Council had co-operated with other councils and if the Council's needs could be met elsewhere. These options would be explored more fully.

The Corporate Director (Housing and Regeneration) said there was a duty to co-operate with St Albans and neighbouring boroughs which the Council had not always done to date.

The Portfolio Holder for Residents and Regulatory Services asked if it would be enough for the Council to demonstrate that co-operation had been tried.

The Corporate Director (Housing and Regeneration) said the Council would need to demonstrate that those actions had taken place meaningfully. The Inspector said he was not convinced by the arguments that had been put. If it turned out that the figures would not be possible, the Council would have to factor in what would be possible.

The Portfolio Holder for Planning and Regeneration said co-operation was a two way activity. The neighbouring authority would have to co-operate with DBC.

The Portfolio Holder for Environmental Services and Sustainability asked if the review in five year's time would give developers the opportunity to put pressure on the Council as to where extra housing was required.

The Assistant Director (Planning, Development and Regeneration) said the purpose of the Green Belt Review was to tease out the best places in the borough. The Council would have to respond to other areas.

The Leader of the Council referred to paragraph 4 of the Inspector's letter which said the Council could have reached the same conclusion on numbers committed but had not demonstrated it robustly enough. Would the Council be able to produce a more robust case as to why its figures were appropriate?

The Corporate Director (Housing and Regeneration) said the Inspector was telling the Council he was not yet convinced the arguments had been made. It would depend on the nature of the findings of the review and the discussions with neighbouring authorities as to whether the number increased. If the Council did the work again and justified it strongly, it would be in a position to put that forward. The Inspector was telling the Council to be more thorough and examine the possibilities with St Albans and others more robustly so that DBC could come up with a conclusion that was more objective about the numbers.

The Assistant Director (Planning, Development and Regeneration) said it was not a forgone conclusion that the numbers would go up. The Inspector had not given the Council his final letter yet. On the basis he was happy with everything else, the Council could proceed to adopt the plan.

The Portfolio Holder for Planning and Regeneration said it was important the plan was found to be sound as, if it was not, it would revert automatically to the National Planning Policy Framework and the existing Core Strategy and, until the plan was sound, the Council could not implement the Community Infrastructure Levy because that was based on having a sound Core Strategy.

The Assistant Director (Planning, Development and Regeneration) confirmed to the Leader of the Council that the recommendation asked Cabinet to agree the modifications.

### **Options and Why Options Rejected**

No alternative options were considered.

### **Consultation**

Consultation took place with:

The Assistant Director (Planning, Development and Regeneration); and  
The Group Manager (Strategic Planning and Regeneration).

### **Voting**

None.

## **7.4 CAPITAL STRATEGY STEERING GROUP REPORT - REQUEST FOR CAPITAL APPROVAL (CA/148/12)**

### **Decision**

**That Council be recommended to approve that the Capital programme is updated to reallocate the £450k (Phase 2) element of the Old Town Hall works to meet the additional costs associated with delivering Phase 1 of the works.**

### **Reason for Decision**

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



## **Implications**

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

## **Risk Implications**

None.

## **Corporate Objectives**

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

## **Advice**

The Portfolio Holder for Finance and Resources introduced the report that was requesting the re-profiling of the capital finance allocated for the Old Town Hall remedial works. Phase two of the works appeared to be more challenging than thought, particularly regarding making use of the colonnade area.

Consultation had taken place with the Portfolio Holder for Residents and Regulatory Services regarding this.

The Portfolio Holder for Residents and Regulatory Services said this was turning the Old Town Hall into a 21<sup>st</sup> century standard building. It would increase business and the cellar would be opened up. The Portfolio Holder appreciated the Council's investment in this.

## **Options and Why Options Rejected**

No alternative options were considered.

## **Consultation**

Consultation took place with the Capital Strategy Steering Group.

## **Voting**

None.

## **8 JANUARY 2013**

### **7.5 BUDGET PREPARATION, COUNCIL TAX BASE AND FEES AND CHARGES (CA/008/13)**

**To Follow**

### **7.6 COUNCIL TAX SUPPORT SCHEME (CA/009/13)**

**To Follow**