
DACORUM BOROUGH COUNCIL

MEETING OF THE COUNCIL

16 JANUARY 2013

Present -

MEMBERS:

Councillor H Chapman (Mayor); Councillors, Adeleke, Adshead, Anderson, Ayling, Mrs Bassadone, Bhinder, G Chapman, Clark, Collins, Conway, Doole, Douris, Fantham, Mrs Green, Griffiths, Harden, Harris, Hearn N Hollinghurst, R Hollinghurst, Lawson, Link, Lloyd, Mahmood, Marshall, McKay, McLean, Organ, Peter, Mrs Rance, Ryan, G Sutton, R Sutton, Taylor, Tiley, Townsend, Whitman, Williams, Wood, C Wyatt-Lowe and W Wyatt-Lowe (42).

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 Clarke, P Bowles and L Stone.

The meeting began at 7.30pm.

36. MINUTES

The minutes of the meeting held on 21 November 2012 were agreed by the Members present and were then signed by the Mayor.

37. DECLARATIONS OF INTEREST

Councillor Mrs Rance declared a personal interest in minute 38.3 (Question and Answers by the Portfolio Holder for Planning and Regeneration. Cllr Rance is a trustee of Dacorum Sports Trust.

38. ANNOUNCEMENTS

1. By the Mayor

The Mayor asked that all Members sign the request to grant a general dispensation to enable them to participate and vote in discussions on the Council's budget and Council Tax setting.

2. By the Group Leaders and members:

Apologies for absence were submitted on behalf of Councillors Elliot, Flint, Guest, Laws, Macdonald, Reay and Wixted.

Councillors Bateman and White were absent

3. Members of the Cabinet:

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

The Leader did not make a report at this time but offered to take questions.

Councillor Rance referred to the Cabinet referral of the Corporate Plan 2012-15 (Agenda item 7.2) which included a recommendation to adopt a policy on disposals of land at less than best consideration. She asked the Leader to explain what this would involve.

Councillor Williams said that the policy would allow the Council to derive benefit from other considerations such as economic or social.

The Assistant Director (Legal, Democratic and Regulatory) explained that the general position in law was that the Council has a duty to obtain the best consideration reasonably obtained when disposing of an asset. The Secretary of State had allowed some tolerance in this for a discretion of up to £2 million less than best consideration. Local Authorities could seek to implement this policy; if there would be a regeneration or environmental benefit, it would be possible to dispose of the asset for less than best consideration.

Councillor N Hollinghurst said that he understood that there would be circumstances when this would be justified but asked what the future benefit would be. He said that if an asset was disposed of at less than best consideration it would be difficult to measure this against a well-being benefit which was not tangible. He said this should be a decision for Members and not delegated to officers. He asked for the Leader's thoughts about an unquantified subjective evaluation being offset against a qualified financial difference.

Councillor Williams said that if an asset was disposed of for up to potentially £2 million less than value, it would be a decision taken by Members. He added that he would want a very clear understanding of the benefit. A policy was needed to give the Council authority to do this.

Councillor Marshall asked the Leader if it would help to refer to the wording in the referral stating that each case would be considered on its own merits and would come back to Cabinet.

Councillor Harris asked if this referral was not agreed, would the disposal need to come to Full Council instead of Cabinet. He asked what change to the constitution would be made for this.

The Assistant Director (Legal, Democratic and Regulatory) said that it would not be necessary to change to the constitution or financial regulations. The current position was that disposals of assets could only be considered by Cabinet and not officers. This policy gave a steer from Council to Cabinet that they could consider an offer from a purchaser at less than best consideration if they were offering additional benefits.

Councillor Tiley, Portfolio Holder for Finance and Resources

Councillor Tiley did not make a report and there were no questions.

Councillor Douris, Portfolio Holder for Planning and Regeneration

The Draft Core Strategy was presented to the Inspector just before Christmas. It included a number of minor alterations and clarifications which he had requested. It is currently with the Inspector and we have committed to an early partial review of our housing numbers and with this amendment we believe that he will find our Plan to be sound and subject to the early partial review it will carry us forward to 2031.

The Council's bid to the Heritage Lottery Fund and the Big Lottery Fund for funding to continue to Stage 2 of the process for the Jellicoe Water Gardens Restoration project has been passed. This means that we have secured funding of £106,000 which will allow us to assemble the relevant submission to proceed with our bid for the works. For those who may not be aware the gardens which were designed and built in 1962 by the foremost twentieth century architect, Geoffrey Jellicoe, are starting to show their age. The Council's restoration project will bring out the best in the Grade 2 listed registered park and garden by improving its links to the rest of the town centre, restoring the Gardens' original structures including bridges and viewing platforms and replacing benches and lighting to be more sympathetic to the overall feel of the Gardens.

Dacorum has been the location to a number of television programmes and films over the years, perhaps the most noticeable recently was Mr Stink which was filmed almost exclusively in Hemel Hempstead and screened a number of times over the Festive period.

In addition we have the Snow Centre and the XC Centre both of which are widely known and respected venues making Hemel Hempstead and Dacorum a 'destination' which can generate business across a wide area. To enhance our tourism offer, we are pleased to welcome Sue Lea, our new Tourism and Marketing Officer. This is a new role within Dacorum Borough Council and has been created to support the growth and development of Dacorum's economy by working with tourism businesses in the Borough. Dacorum has a great tourism offer – ranging from the facilities I have already mentioned, to our exceptional countryside including locations such as the Ashridge Estate, where some scenes in Les Miserables were shot, and Tring Park. Sue will be responsible for measuring and monitoring tourism within the local economy and promoting more tourism in the borough.

Our second new officer appointment, funded from the Local Sustainable Transport Fund is that of Alan Story in a role that demonstrates Dacorum Borough Council's continued commitment to sustainable transport. Alan will take over the activities which the current Maylands on the Move Co-ordinator, Lynsey Harris, has been undertaking for the past year. He will be responsible for the ongoing development, promotion and implementation of the Maylands Area Travel Plan which seeks to maximise the use of both current sustainable transport infrastructure and also new services and facilities as they become available.

In Maylands, the Christmas shopper bus service which brought workers from the business park to shop in the town centre proved popular during December. Finally, following the success of the Dacorum Look No Further event at Shendish last October, by popular demand we are planning another one on 18th October this year.

Councillor G Chapman asked the Portfolio Holder if she could commend the Council's Strategic Regeneration and Maylands Business Partnership for their work together in supporting businesses in the acquisition of new skills and help in developing businesses especially in the present economic situation. She said she was also delighted to hear of the introduction of a leisure officer.

Councillor Douris said that the relationship between the Council and the Maylands Business Partnership was vibrant and profitable and one which he was keen to foster and develop.

Councillor Harris asked if the Portfolio Holder could confirm that there was no venue for performing arts planned in the town centre masterplan and asked if one would be planned elsewhere in the Borough in the next ten years.

Councillor Douris said there were numerous performing arts venues, some within a 15 minute drive or accessible by public transport, e.g. Watford, Aylesbury, High Wycombe, Dunstable, Rickmansworth, Milton Keynes and Chesham. He added that the Old Town Hall was a very successful entertainment venue, which is a niche venue where many comedians have started their tours. It would be foolish to spend huge amounts of money with on-going subsidies needed to create a new one.

Councillor Adshead asked how concerned the Portfolio Holder was for the town centre over the recent loss of Jessops, HMV and Blockbuster.

Councillor Douris said he was concerned about the situation in high streets across the country. He said it was always sad regretful when a business closed down, but businesses developed and generally the businesses which close did not follow developments and new businesses tended to start to replace those which had folded. He added that the Council only had one commercial premises currently available. They are all sought after and let very quickly.

Councillor Adeleke welcomed the appointment of a tourism officer. He asked if the Portfolio Holder could assure Council that the marketing of the Borough not be restricted to the UK.

Councillor Douris said they would seek to extol all the benefits of tourism and welcome all visitors wherever they come from.

Councillor McKay congratulated the Portfolio Holder for continuing to remove eye sores from the town, for example the shop with the very curved window in the Old Town. He asked for assurance that this work on enforcing high standards would continue.

Councillor Douris said he happily worked with various agencies to ensure high standards and would continue to apply enforcements.

Councillor Wood left at 8.15pm.

Councillor C Wyatt-Lowe asked if the Portfolio Holder agreed that there were two unique venues within Dacorum in the XC and Snow Centres which generated jobs, attracted a lot of visitors and were at no cost to the tax payer.

Councillor Douris agreed and said these two venues also helped to fill hotel rooms especially when hosting events.

Councillor N Hollinghurst said that the Old Town Hall had limited capacity and that the other venues mentioned were not all accessible by public transport in the evening. He asked the Portfolio Holder to support a move to restore the financial contributions made to the County Council for bus transport so that the people without cars can get to these venues.

Councillor Griffiths, Portfolio Holder for Housing

Tenant and Leaseholder Services

The New Year has seen the last of the current Christmas Rent Payment Campaign – *the best present at Christmas is peace of mind*. The campaign has run for two consecutive years and has result in over £200,000 in extra rent payments compared to previous years at a cost of £3,500 to run.

The campaign was shortlisted for two Chartered Institute of Public Relations Excellence Awards in 2012 for its innovative use of MOSAIC profiling data and the integrated nature of the communications message.

The winter edition of Housing News and Views was accompanied by a leaflet entitled – *Changes to Benefits Are Coming*. This leaflet forms part of the communications plan designed to ensure that tenants are prepared for the changes to welfare benefits that are due to be introduced from April 2013.

The Housing Service are currently running a series of Housing Information Fairs. These have been advertised on the Council's website and in Housing News and Views. These fairs, amongst other events, provide an opportunity to talk to tenants about the review that is currently underway of the Secure and Introductory Tenancy Agreement.

PROPERTY AND PLACE

Procurement Update

The procurement project to ensure new contracts are in place by April 2014 to deliver the repairs, maintenance and improvements to the Housing stock, continues to progress well and last week a workshop was held to discuss the legal and financial issues relating to each of the new contracts. The workshop was attended by internal representatives from the Council and external legal, financial and procurement advisors to ensure the scope of the project and lessons learned are incorporated in the new contractual arrangements.

The Gas servicing and installation contract has been "fast-tracked" due to the termination of the Carillion contract and in order to minimise the risk of challenge, whilst Orion undertake the servicing on an interim basis. The Pre Qualification Questionnaire (PQQ) is due for return on the 4th February after which a shortlist of suitable contractors will be drawn up to tender for the new contract. The major contract for the "Total Asset Management", which includes both the repairs and improvement programmes of work is to be procured using Competitive Dialogue so that the contractors are able to present their best solutions for the delivery of this

contract in line with the Dacorum Standard and to ensure that there are wider benefits to the local area.

The remaining two contracts will deliver the other specialist Mechanical and Electrical works packages and the consultancy support required to provide professional services in connection with the delivery of the contract and pro-active management of the stock.

Gas Servicing Update

Orion Building Energy Services Ltd currently undertake the servicing and maintenance of the communal boiler plants in the sheltered schemes and had been supporting the Council by undertaking the turn on and tests and those domestic gas services that had become overdue. Additionally Orion had previously satisfied the pre-tender criteria, required by the Council, when they tendered for the communal servicing contract and therefore were considered as a viable option to provide the interim servicing contract.

Orion have been delivering the gas servicing contract since the 7th December and managed the transition well, despite the incomplete information relating to those services booked by Carillion Energy Services Ltd. Additional complications have arisen from repairs, which Carillion Energy Services Ltd had originally attended, ordered replacement parts, but not rescheduled an appointment to fit the new part.

Despite these challenges and a deterioration in the weather, the compliance rate has increased from 98.8% to 99.34% and customer satisfaction with the quality of the service has improved from 92% to 98%.

A more detailed report on the performance of the interim gas servicing contract is being taken to the Housing & Communities Overview & Scrutiny Committee on January 23rd

STRATEGIC PLANNING

The draft Housing Allocations Policy will be discussed by Cabinet on 22nd January and H&C OSC on the 23rd January. A six week consultation period will begin on the 24th January (subject to approval by Cabinet on the 22nd).

Any comments will be considered during the consultation period and reported back to H&C OSC and Cabinet in March – with the final policy being presented to full Council at the April meeting.

If there are any questions on the new proposals please contact Julia Hedger – Group Manager for Strategic Housing.

Councillor Rance raised a question for Councillors Griffiths and Harden relating to the automated telephone answer service. She asked if the Portfolio Holders agreed that it was not user friendly. A disabled, elderly tenant had a leak on Boxing Day. His daughter had telephoned the Council and had not been able to get the out of hours number. Councillor Rance asked if the system message could be changed at out of hours times to reflect that. This tenant had also contacted his carers who had not known what to do. Councillor Rance said it wasn't a good service and it wasn't user friendly, she asked if the communication between agencies was acceptable. She added that Orion did respond quickly when they had been reached. Councillor Rance said she was informed that there were fridge magnets available with the contact

numbers, but these are only given out at roadshows. An officer has assured Councillor Rance that these will be sent out with the next mailing with all tenants.

Councillor Griffiths said the out of hours number was published in Housing News and Views, it was in tenants' handbooks and on the website. She said that the carers should have had the number.

Councillor Adshead said he had been disappointed to discuss the termination of a contract at Housing and Community OSC but asked the Portfolio Holder to accept congratulations on how smoothly the transition to Orion had gone.

Councillor Griffiths agreed and said that a lot of work had gone in and that Orion had done an excellent job and will be applying for the contract.

Councillor Harris asked the Portfolio Holder if it was true that no inspections were taking place on Council houses as there was no money to carry out any work as a Mitie employee had told a tenant.

Councillor Griffiths said that this was not true and that she would pass the message onto contractors that they should not be giving out any untrue messages to tenants.

Councillor N Hollinghurst asked the Portfolio Holder to accept congratulations on the decisive way the Carillion contract had been terminated and the transmission.

Councillor Griffiths agreed that it had gone well.

Councillor Harden, Portfolio Holder for Residents and Regulatory Services

Adventure Playgrounds

Attendance at the Twilight Youth Club sessions continues to increase with over 60 young people attending sessions at Adeyfield and Chaulden.

OFSTED visited Chaulden Adventure playground and passed the site with flying colours – everything was up to standard

Numbers attending the playgrounds continue to increase and a pilot scheme to increase the age of attendance to include year 9 and 10 (14/15 year olds) is working well and has increased attendance outside of the Youth Clubs by 13%

The success of the Twilight Youth Clubs has encouraged partnership with Youth Connexions to deliver an additional service from the Adventure Playgrounds which started on 14th January.

Neighbourhood Action

Christmas lights were switched on in Neighbourhoods across Hemel Hempstead – Neighbourhood Action groups organised & lead by Members and attended by Mike Penning MP in Adeyfield, Chaulden, Grovehill, Gadebridge & Warners End.

ASB/Community Safety

12.8% reduction in all crime reported for the same period last year – April to Dec
27.58% reduction in reported ASB

Environmental Health

Following the success of the Tesco Primary Authority partnership we had our annual review meeting with Tesco in December and they were very pleased with what we

have achieved. We are continuing to review their procedures to ensure compliance. We are assisting many Enforcement Officers throughout the country with their enquiries and overall, helping to achieve greater consistency and save resources. Because of this relationship we have been approached by another large retailer & a cinema chain who would like to discuss a health and safety partnership with us.

Home Energy Conservation

It was reported previously that officers had been working with colleagues at Watford Borough Council and Hertfordshire County Council, to produce a Hertfordshire bid for half million funding to deliver the Warmer Homes, Healthy People campaign. The bid was largely successful, with £395,000 awarded to Hertfordshire. Officers continue to support Hertfordshire County Council with the management of the scheme and to promote it to local residents. Colleagues in other departments of the Council have been also been assisting with this.

Emergency Planning

The report from the Internal Audit of the Emergency Planning service has been received. A very high compliance rate was achieved, with just 2 minor improvements recommended. These have now been implemented.

Councillor Harden responded to Councillor Rance's earlier question. He said that he was concerned to hear that there were still issues on the automated telephone service. He would investigate the issue and report back to Councillor Rance.

Councillor Adshead asked if the Portfolio Holder was aware of the work put in by Dacorum Town Twinning Committee which was looking to increase the impact on the area and create a draft constitution. He asked if the Portfolio Holder would attend their next meeting in February.

Councillor Harden said he would attend if it did not clash with another engagement.

Councillor Harris asked the Portfolio Holder what his views were on the privatisation of the back office police staff to G4S as the Council's representative on the Police Crime Panel.

Councillor Harden said the decision was for the Police and Crime Commissioner. The panel would then scrutinise those decisions.

Councillor Mrs Laws, Portfolio Holder for Environmental Services and Sustainability

Councillor Williams read out the following statement on behalf of Councillor Mrs Laws.

"The Christmas Bank holiday catch up was successful with all of the collections up to date by week commencing 7th January. There had been some localised disruption to services in the snow on Monday, but these had all been completed by the end of Tuesday.

The popularity of Christmas tree recycling has grown again this year with a total of 2300 trees being shredded, 550 more than last year. Any unclaimed chippings which are not bagged up for residents to use against weeds in their gardens are sent away for composting. This year we worked again in partnership with 1st Berkhamsted Scouts and 1st Tring Scouts groups who collected trees from residents' homes for a small donation and transported them to the shredding sites.

The Council's Parking Service introduced a complimentary payment system for our car parks on 11th December 2012, which is intended to provide an improved customer service in line with the Dacorum Delivers strategy. Ringo provide customers with the facility to pay for car parking through their mobile phones. With the increasing usage of mobile and smart phones, this type of payment mechanism is already well established as a useful addition to more traditional forms of parking payment.

Ringo operate the system over 21 of Dacorum Borough Council's 25 car parks. Over the past two weeks 61% of Ringo's payments were in central Hemel Hempstead, which is the 3 car parks at Moor End, Water Gardens North and Water Gardens South, with a further 26% being in the 3 central Berkhamsted car parks. The use of Ringo by our customers is anticipated to be low in the early months, with an increase in its usage, as its awareness and people's familiarity grows. The team will monitor the level of usage and provide reports to the Portfolio Holder, as necessary."

Councillor C Wyatt-Lowe asked if the Leader agreed that the Christmas refuse collections had been superb and she asked for her congratulations to be passed on to the team.

Councillor Williams agreed and said he had only received one complaint this year that the collection had been a day early.

39. CABINET REFERRALS

The referrals from Cabinet on 27 November, 11 December 2012 and 8 January 2013 were submitted. It was moved by Councillor Williams, duly seconded and

Resolved:

That the following be approved:

27 NOVEMBER 2012

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

Approval and adoption of the Hemel Hempstead Town Centre Masterplan Supplementary Planning Document.

2 CORPORATE PLAN 2012-2015 (CA/134/12)

1. The adoption and publishing of 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. The adoption of 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.

Key points of discussion:

Councillor Rance said she was grateful to the earlier response to her questions and was happy to support this referral subject to decisions being made by Members and coming back to Council.

Councillor Williams said these would be decisions for Members.

11 DECEMBER 2012

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

1. That an early partial review of the Core Strategy be conducted, once adopted, as recommended by the Planning Inspector in his note of 19th November (Annex 1 of the report).
2. 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.

4 CAPITAL STRATEGY STEERING GROUP REPORT - REQUEST FOR CAPITAL APPROVAL (CA/148/12)

The updating of the Capital programme 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.

8 JANUARY 2013

5 BUDGET PREPARATION, COUNCIL TAX BASE AND FEES AND CHARGES (CA/008/13)

Councillor Williams apologised to Council as there would be a late amendment to the referral. The change would be an introduction of an additional charge for properties that had been empty for more than two years. Under new legislation Councils' can charge an additional % of Council Tax to encourage property owners to bring the properties back in to use. The recommendation is for that charge to be 150% of Council Tax after it has been empty for two years. The premium being introduced from April 2015 rather than April 2013 as the original referral stated. (Agreed amendment underlined)

The following Council Tax local discounts and premiums:-

- An unoccupied and unfurnished property discount of 100% of Council Tax for three months, then a full charge
- An uninhabitable property discount of 100% of Council Tax for three months, then a full charge.
- A long term empty property discount of 100% for three months followed by a full charge (100%) of normal Council Tax until they have been empty for two years, with effect from 1 April 2015, then charge a premium of an additional 50% (a total of 150%) of Council Tax on properties empty for more than two years.
- **A full council tax charge of 100% for Second Homes**

Key points of discussion:

Councillor Marshall asked for clarification if 150% or 100% started in April 2015. Councillor Williams said it was the additional 50%, the extra two year period would give people chance to do work on the empty homes. The 100% would start after the three month period.

Councillor Townsend said it was right to encourage fewer vacant homes.

6 COUNCIL TAX SUPPORT SCHEME (CA/009/13)

Councillor Williams introduced the referral. He said this was a significant change nationally which moved from a national scheme to a local scheme. The Council would receive a grant based on 90% of the estimated previous total. The Government had made clear that the benefits of pensioners should be protected. There would be a reduction in overall funding to benefits and Members had looked to do that in the fairest way protecting vulnerable groups and those with children under 5. Some of the reduction would come from Council reserves, and the rest would have to be a reduction in benefits. The relevant Overview and Scrutiny Committee would monitor it and the scheme would be kept under review.

1. The proposed scheme for Council Tax Support as consulted upon with the following amendments:
 - (a) the extension of the disability definition to include main phase Employment and Support Allowance (ESA)
 - (b) a flat rate non-dependent deduction of £5 for all working age non dependents
2. That the Corporate Director (Finance and Governance) in consultation with the Leader of the Council and the Portfolio Holder for Finance put in place arrangements for a discretionary policy in compliance with S13A(2)(a) of the Local Government Finance Act 1992.

Key points of discussion:

Councillor Harris expressed concern about the Quality Impact Assessment Form which he said is quite lengthy. He asked how this would affect people. He added that another authority had chosen not to implement the scheme but to maintain the existing support.

Councillor Townsend said that it was unfortunate that such a policy was necessary and that it had been brought in within a short time scale. He was pleased that the policy would be reviewed and asked that Members remain open to the possibility of adding more reserves into the fund if necessary.

Councillor Williams said he was aware of another authority funding the difference through reserves and said that it was not a sustainable approach. It would cost the Council £1 million to fully fund it for one year which would lead to other services being cut.

40. CHANGES IN MEMBERSHIP

Councillor Williams said that Councillor Collins would replace Councillor Reay as the Council's representative on the Luton Airport Consultative Committee.

Councillor Williams said that it was intended to revert back to the previous arrangement for just the Leader of the Council and the Leader of the opposition to attend the LGA annual conference.

41. 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 be excluded during the items 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 those items 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 42)

42. REFERRAL FROM CABINET 27 NOVEMBER 2012

HIGHBARNES CHALK MINE (CA/138/12)

Full details are in the Part II minutes.

The meeting ended at 8.57 pm.