

SUMMONS

MEETING OF THE COUNCIL

WEDNESDAY 15 JANUARY 2014

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, 15 January 2014 at 7.30 pm to transact the business set out below.

PART I

	Page
1. Minutes	2
2. Declarations of Interest	2
3. Public Participation	2
4. Announcements	2
5. Receipt of Petition	2
6. Questions	2
7. Business from the last Council Meeting	2
8. Cabinet Referrals	2
9. Changes to Committee Dates	3
10. Changes to Committee Membership	3
11. Exclusion of the Public	3
Appendix A Minutes of the Council Meeting 20 November 2013	4

PART II

12. Call-In and Urgency Procedure	36
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SALLY MARSHALL
CHIEF EXECUTIVE

TO ALL MEMBERS OF THE COUNCIL

Contact: Jim Doyle ext 2222
Louise Collins ext 2633

AGENDA

1. MINUTES

To confirm the minutes of the meeting of the Council on 20 November 2013.
(Appendix A Pages 4-22).

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 (Chief Executive's Unit).

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

5. RECEIPT OF PETITION

To formally receive a petition containing 943 signatures allowing Langley Hill Car Park to remain unrestricted parking

6. QUESTIONS

To consider questions (if any) by members of the Council of which the appropriate notice has been given to the Assistant Director (Chief Executives Unit)

7. BUSINESS FROM THE LAST COUNCIL MEETING

To consider any business referred from the previous meeting.

8. CABINET REFERRALS

To consider the following referrals from Cabinet:

Minute No.	Date	Title	Yellow Pages
8.1 CA/157/13	26 November 2013	Community Infrastructure Levy Update	23
8.2 CA/171/13	17 December 2013	Hemel Evolution Major Projects: Procurement and Funding, Water Gardens and Bank Court	26
8.3 CA/172/13	17 December 2013	Housing Revenue Account – Non-Residential Assets	32
8.4 CA/173/13	17 December 2013	Review of Council Tax Support Scheme	34

9. CHANGES TO COMMITTEE DATES

None.

10. CHANGES TO COMMITTEE MEMBERSHIP

None.

11. 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 (including the Council).

Local Government Act 1972, Part 5A, Schedule 12A, Part 1, Paragraph 3.

DACORUM BOROUGH COUNCIL

MEETING OF THE COUNCIL

20 NOVEMBER 2013

Present -

MEMBERS:

Councillor P Hearn (Mayor); Councillors, Adeleke, Adshead, Ayling, Mrs Bassadone, Bateman, Bhinder, G Chapman, Clark, Collins, Conway, Douris, Fantham, Flint, Griffiths, Mrs Guest, Harden, Harris, R Hollinghurst, Killen, Laws, Lawson, Link, Lloyd, Macdonald, Mahmood, Marshall, McLean, Peter, Mrs Rance, Reay, Ryan, G Sutton, R Sutton, Taylor, Tindall, Tiley, Townsend, Whitman, Williams, C Wyatt-Lowe and W Wyatt-Lowe (42).

OFFICERS:

The Chief Executive, The Corporate Director (Finance & Operations), The Corporate Director (Housing & Regeneration), The Assistant Director (Chief Executive's Unit) (MO), The Group Manager (Democratic Services), L Collins, P Bowles, C Thorley.

The meeting began at 7.30pm.

30. MINUTES

The minutes of the meeting held on 25 September 2013 were agreed by the Members present and were then signed by the Mayor.

31. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

32. DACORUM YOUTH FORUM – PRIORTIES PRESENTATION

A presentation was given from the representatives of the Dacorum Youth Forum.

Councillor Tiley thanked the members of Dacorum Youth Forum for their presentation. Councillor Tiley said that he thought the points raised in their presentation should be discussed at the next Cabinet meeting informally with officers. Councillor Tiley added that previously he had objected to funds being used for a 'Chill Out' space for young people but that following the presentation he had changed his mind.

Councillor Guest thanked the Youth Forum for a well-informed, positive and articulate presentation. Councillor Guest added that members of the Youth Forum could one day become Councillors. Councillor Guest referenced Councillor Wood who at 19 had stood for election and had become a Councillor at 20.

Councillor Griffiths then added that the Leader of the Council had been elected at 21. Councillor Griffiths said that she didn't know if any of the members of the Youth Forum were tenants or Leaseholders of Council Housing but that she would be very interested in helping any members of the Youth Forum join Housing focused initiatives such as the Tenants & Leaseholders Panel and other upcoming Housing projects. Kirsty Robertson responded and said that some members of the Tenants & Leaseholder Panel did attend the Youth Forum meetings but that the Youth Forum would enjoy the opportunity to work further with these groups.

Councillor Mahmood said that he understood the desire to have a Chill Out space for Young People where they did not feel pressurized to buy things, Councillor Mahmood then asked where the Youth Forum would suggest locating something like this? A member of the Youth Forum said that ideally these areas would be in the centre of town so they were easily accessible. Councillor Mahmood said that it was very encouraging to hear from the young people of Dacorum and he commended the work of the Neighbourhood Action team and Claire Lynch.

Councillor C Wyatt-Lowe commented that she would encourage young people to reach out to the political parties in their area in an effort to make connections and run through their ideas and gain guidance if wanted, as in what directions to take if they were interested in politics.

Councillor Tindall thanked the Youth Forum for their articulate suggestions and said that he acknowledged the points they raised regarding leisure facilities in the area. Councillor Tindall pointed out that there was a Youth Club in Highfield opening soon which could be another potential area for young people to use as a 'Chill Out' facility.

Councillor Townsend commented that he agreed with Councillor C Wyatt-Lowe in regards to members of the Youth Forum speaking to their local political parties in order to get an idea of the type of work they could get involved in. Councillor Townsend added that becoming involved in local politics could be an onerous process but that it was rewarding and interesting to be involved and it felt like you were making a change for the better.

Councillor R Hollinghurst commented that as Ward Councillor for Aldbury and Wigginton she would be very interested in consulting with the Youth Forum in regards to leisure facilities that Wigginton Parish Council were considering for Wigginton village. Councillor R Hollinghurst asked if the Youth Forum would contact the Parish Council to facilitate this.

Councillor Flint thanked the Youth Forum for their presentation and said that she had worked with young people for a long period of time and that there were many services around the area for young people such as Gadebridge youth club and voluntary organisations such as Urban Access. Councillor Flint added that she would be happy to show members of the Youth Forum around these locations if they wanted to learn more.

Councillor Harden commented that there were soon to be outside 'Chill Out' spaces in the newly refurbished water gardens and the performance area. Councillor Harden invited members of the Youth Forum to work with him in dealing with issues that fell within his Portfolio, like Community Safety & Adventure Playgrounds.

Councillor B Chapman said that he was very proud of the Youth Forum's presentation and that he felt that they had done a great job and that they were very inspirational.

Councillor Douris said that he had received a copy of the Youth Manifesto and that he thought it was a great document. Councillor Douris said that the members of the Youth Forum would be ideal ambassadors for the Council in order to draw in more young people to engage with the community and the Council's services.

Ahmed Al-Maadanli from the Youth Forum, thanked Councillor Douris for this and said that he would be happy to circulate more copies of the Manifesto to Councillors if needed.

Councillor Rance then thanked the Mayor for her continued commitment to young people in Dacorum Borough.

The Mayor thanked the Youth Forum for their presentation and said that the Council would ensure that officers would work with them to see that their ideas were being moved forward. The Mayor added that she was very proud of the work the Youth Forum were doing and that all the Councillors were very impressed.

33. PUBLIC PARTICIPATION

A Question was asked by Mr Peter Scott to the Leader of the Council:

'The plot of vacant land on the corner of Durrants Lane and Berkhamsted High St, was, I understand, for Council housing. Is the plot still scheduled for Social Housing & if so, when will work start on this project?'

Answer given by the Leader of the Council:

"Farm Place has been allocated for development as part of phase one of the Council's new build programme. The main build contract was awarded to Hill Partnerships in November 2013. Initial enabling works to prepare the site for development will take place from November 2013 with the heavy construction commencing in February 2014. It is estimated the development of 26 new Council homes for social rent will be completed before March 2015".

Questions were asked by Mr Lee Royal (Chair of West Hemel Action Group) to the Leader of the Council:

1. "Further to Dacorum Borough Council's response to question 1 raised by Mr Lee Royal on behalf of WHAG at the last Full Council Meeting on the 25th September 2013, I would like to submit this supplementary question. It is considered that Dacorum Borough Council's response to the previously raised question, did not specifically answer the question that was raised, and we would ask Dacorum to revise their response to answer the question raised. The core of the previously raised question was "Do Dacorum Borough Council consider the modelled ratio of less than 1 in 3 cars leaving the planned LA3 development, to actually be realistic considering the very likely commuter nature of the residents that would populate a development at LA3? The answer provided by Dacorum Borough Council, did not answer this question. If Yes, can Dacorum Borough Council provide feedback on their grounds for this ratio being reasonable?"
2. "Dacorum Borough Council have voted to adopt a new Core Strategy based upon amongst other things, traffic modelling. It now transpires that Dacorum Borough Council have requested the previously run traffic modelling to be updated to take into account additional planned changes in Hemel Hempstead. It is our understanding from a response to previously raised questions at the 25th September Full Council Meeting, that this updated modelling was still underway at

the time the Core Strategy was adopted. Can you please explain how the Core Strategy was able to be fully considered by Councillors, if core information that was developed to support the Strategy was still in re-work?"

3. "When the Housing Minister came to meet officials from Dacorum Borough Council at the instigation of MP Mike Penning to talk about the possibility of development on the eastern boundary of Hemel Hempstead, what were those discussions and what the actions and outcomes?"

Answers given by the Leader of the Council:

Question 1:

"As I explained at the meeting of Council on 25 September, transport modelling work for Hemel Hempstead was carried out for the Council by transport consultants. Dacorum Borough Council is not the highway authority and as such this is specialist work that has to be procured. The findings were agreed by Herts County Council as the Highway Authority. This modelled trip generation rates at around 1 trip per 3 dwellings, but sensitivity testing was also carried out to measure impact at around 1 trip per 2 dwellings also.

I can advise further that the Council received an additional traffic study from consultants acting for the landowner at LA3, which assumed a higher trip rate of 1 car per 2 dwellings in the morning peak time, but that this also concluded that there would not be an undue impact on roads in the west Hemel area.

The impact of the proposed development at LA3 has been tested over a range of trip generation assumptions and as such a robust and realistic approach has been taken".

Question 2:

"As reported to the September Council, the traffic model for Hemel Hempstead is being updated to take into account the impact of developments proposed in the town centre, in particular the Morrison's foodstore. The findings are still awaited at this stage.

This is however routine updating of the information that the Council holds on transport and traffic, and it is right that the Council carries this out. The original transport model made assumptions about redevelopment and regeneration in the town centre, and as such the Council is confident that this provided a robust base from which to confirm the acceptability of proposals in the Core Strategy.

The model can be updated as specific developments come forward, such as the Morrison's scheme. This simply helps to build further accuracy into the traffic movement assumptions for the town, and assists the Council with further decision making as new developments come forward for consideration through the planning process".

Question 3:

"Mark Prisk MP, the Housing Minister, met with Mike Penning MP and senior management from DBC on 15 July 2013. The purpose of the meeting was to discuss housing in Dacorum generally, in particular the role of the Homes and Communities Agency, which is a major landowner in Hemel Hempstead.

As part of the meeting, there was a brief discussion of Dacorum's plans for future housing growth and the key sites for development, including the potential that might be offered by land to the east of the town. A brief explanation was given to the Minister regarding the proposals previously developed by the Crown Estate who are the major land owners of the land East of Hemel up to the M1. It was agreed that this is primarily a matter for St Albans City and District Council as it is the local planning authority for this land. SADC is at an early stage in the preparation of its Strategic Local Plan and has taken no decisions as yet about where it will meet its housing growth needs. At the meeting the Minister could see the benefits of a co-operative approach between DBC and SADC should that Council decide to include it for development. It was understood that Dacorum needs a robust housing land supply in the short to medium term, and presently we cannot have this without the land we have already allocated in the Dacorum Core Strategy. Under the Duty to co-operate, we will be liaising with SADC over the coming months as its new Local Plan takes shape".

34. ANNOUNCEMENTS

1. By the Mayor

The Mayor announced the deaths of Hon. Alderman Phyllis Courtnage who passed away on 8th October 2013, and former Councillors Peter Benton (Chairman of Borough 1986-87) and Bertram Barrett (Mayor of Hemel Hempstead 1966-67). A one minute silence was held in remembrance of them.

2. By the Chief Executive:

The Chief Executive announced the appointment of Martin Hone to the post of Corporate Director of Finance and Operations and the Council's Section 151 Officer with effect from 1 November 2013.

3. By the Group Leaders and members:

Apologies for absence were submitted on behalf of Councillors Anderson, Doole, Mrs Green, N Hollinghurst, McKay, Organ and Wood.

Councillors Elliot, and Wixted were also absent.

3. Members of the Cabinet:

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

Core Strategy Legal Challenge

"Following the adoption of the Core Strategy by Council on 25 September 2013, I can confirm to Members that the Council has received a legal challenge.

This has been made by Grand Union Investments by way of a claim to the High Court. Members are probably aware that this company (GUI) is promoting a major, housing-led urban extension to the south of Berkhamsted. The Council has not included GUI's proposal as a development site in the Core Strategy.

The GUI challenge is made on two grounds:

Ground 1 – that the change or modification the Council made to the draft Core Strategy to commit to an early partial review cannot address the basic soundness of the plan; and

Ground 2 – that the Council failed to carry out a legally compliant Sustainability Appraisal and/or Strategic Environmental Assessment.

Members will recall from the meeting of Full Council on 25 September that the Council was advised by solicitors acting for GUI that they would be advised to submit a legal challenge if the Core Strategy was adopted. Specialist legal advice was obtained at that time and it is our position that the Council has acted correctly and as such the legal challenge will be contested.

Currently Officers are in the process of completing our witness statement for submission to the High Court. As yet we do not know when the Court will hear the case, but this could be in the region of 4-6 months' time.

Hemel Evolution

The programme of developments for the ongoing regeneration of Hemel Hempstead Town Centre through the Hemel Evolution programme is progressing well.

The Old Town improvements are taking shape and work will cease temporarily in the next few days as we approach Christmas, with the scheme being completed in the new year.

The procurement process for the selection of a development partner for the Council for land to the south of the Civic Centre and at the Market Square/Bus Station has advanced with the first stages of the competitive dialogue process coming to an end. We will be narrowing the field from the current seven bidders very shortly down to three or four, and the competing schemes will continue to be developed before the Council selects a single partner by the end of March 2014.

To remind Members, the selected developer will be required to build out the new Public Services Quarter, providing a new state of the art library, provision for the registry service, Police Safer Neighbourhoods Team, the voluntary sector and smaller, modern, energy efficient offices for the Borough Council; a new town centre cinema, restaurants and further housing.

Design work for the public realm improvements to the pedestrianised area, The Marlowes Shopping Zone, is almost complete and to this end I would like to remind and encourage Members to attend a special briefing session at 6.30 pm next Wednesday 27 November in the Bulbourne Room.

Also, and strongly related to these works are the proposals for the creation of a new bus interchange at Bridge Street/Marlowes. There will be a further briefing for Members this time on Tuesday 10 December, also at 6.30 pm in the Bulbourne Room. Work is continuing on the design of the restoration of the Water Gardens and we remain on course to submit our final bid for funding of this very exciting project to the Heritage Lottery Fund at the end of February 2014. We hope to learn the outcome by June 2014.

Questions and Answers

Councillor Guest raised a question in regards to the predicted housing needs in Dacorum. Councillor Guest highlighted that there was discrepancy between Dacorum Borough Council's own predicted figures and the figures recently released by the Office of National Statistics for Dacorum. The Leader responded by saying that he did recognize that the Office of National Statistics predicted 2,300 more than Dacorum Borough Council but that he felt that Dacorum's predictions were accurate and that there was evidence to back this up and a Government Inspector would be looking at this.

Councillor Tiley asked if the Leader would agree with him that one of his greatest political weaknesses is his hopeless inability to “blow his own trumpet”? What he has achieved in helping to gain this serious intent to secure refurbishment of the Ice Rink is a remarkable turnaround in fortunes and he should say so.”

Councillor Townsend asked the Leader if he could assure members that the charging of the Community Infrastructure Levy would be carried out with the interests of the community in mind rather than those of the Developers.

The Leader responded that the Community Infrastructure Levy was not for the benefit of the developers and that the Council would be looking at all the available options to maximise the benefits for the community that exists and the community that is being developed.

Councillor Griffiths, Portfolio Holder for Housing

Tenant & Leaseholder Services

The impact of welfare reform on rent arrears

“The Housing Income Team have been working to ensure that any impact on the level of rent arrears as a result of the changes to the welfare benefit regime among the tenant population is mitigated.

Resources have now been identified within the team to provide additional financial support to new tenants and tenants who reach a certain trigger within the rent recovery escalation policy.

Money advice sessions are also being held for the wider tenant population at the following venues:

- Adeyfield Community Centre – 1st Tuesday of every month 10am – 12 midday
- Bennetts End Community Centre - 2nd Tuesday of every month 10am - 12 midday
- Highfield Community Centre – 3rd Tuesday of every month – 10am – 12 midday
- Grovehill Community Centre – 4th Tuesday of every month 10am – 12 midday

Pre-tenancy training is also going to be available to prospective tenants from the new calendar year – additional priority/points will be available to those who attended in line with the Council’s Housing Allocation Policy.

Tenant and Leaseholder Day Update

The Tenant and Leaseholder Day took place on Saturday 28 September at the South Hill Centre.

Over 130 tenants and leaseholders attended. Highlights of the day were Housing Heroes certificates and awards. “Speed Swapping” session where tenants were able to speak to each other about swapping their homes; bitesized computer courses run by Dacorum Communities for Learning and the “Question Time” panel. Panel members included Rose Kosmalski Chair of the Tenant and Leaseholder Committee and Councillor Andrew Williams.

Christmas Campaign

The “Catch up This Christmas” rent and Council Tax seasonal campaign is well underway.

Over the last two years our Christmas campaigners have brought an additional £200,000+ in additional rent payments over the Christmas period compared to previous years.

Please look out for advertisements on bin lorries and bill boards in Hemel Hempstead, Berkhamsted and Tring.

Property & Place

Procurement Project Update

The Procurement project continues to progress well, with the Gas servicing and installation contract award agreed by Cabinet in September, with the commencement of the contract on 1st October. The mobilisation and transition to the new provider was undertaken very professionally and the compliance rate remains high at 99.95% with only four properties overdue, all of which are being targeted with interventions under our no access procedure. Sun Realm are the new provider and initially will be carrying out the servicing and installation of boilers, which breakdown and are unable to be repaired (CAT 1 breakdowns), whilst Keepmoat are still in contract to carry out the planned installations until April 1st next year.

The Total Asset Management procurement has completed the second stage of the dialogue with the remaining three shortlisted contractors. The bidders are in the process of developing their final solutions, which are due for submission in December.

Strategic Housing

The Council’s new Housing allocations Policy which was approved by Cabinet in March this year was fully implemented on Monday 11th November as planned. The Housing Register now comprises of two parts – the Active register (where applicants can bid for properties via CBL) and the Deferred register where applicants are unable to bid, but are able to keep their application up to date. There are 4510 applicants now on the Active register and 3639 on the Deferred register. Over 8500 letters were sent out last week advising of the changes and the Strategic Housing team are holding daily advice surgeries at the Civic Centre to assist with any queries regarding the changes running all of this week.

There are surgeries planned for Berkhamsted and Tring, with an evening session planned for any applicants who are working.

Next week at Cabinet there is a report on the Boroughs new Homelessness Strategy which has been received very well during the public consultation over the summer. There is also a report to Cabinet regarding the proposed New Development Strategy – called Building for the Future. At the last Cabinet meeting approval was agreed to purchase further sites for development at Tring depot, Papermill, Apsley and Able House in Hemel Old Town – these sites will provide approx. 50 new Council homes for rent.

Questions and Answers

Councillor R Hollinghurst asked what Councillor Griffiths' response was to concerns raised by Councillors in regards to the abolition of the Housing Appeals process.

Councillor Griffiths said that this matter had been discussed at great length during the Housing & Community Overview & Scrutiny Committee and that the minutes of this would be referred to Cabinet.

Councillor Tiley, Portfolio Holder for Finance and Resources

"Can I add my own enthusiasm to the Chief Executives welcome for Martin Hone Martin Hone to the post of Director of Finance, Resources and Operations. He said we have a top quality management team and band of senior officers below them who have grasped the essentials of what the Council is trying to achieve and they will help members with enthusiasm and commitment and integrity to drive it forward.

I am pleased to tell Members that our Benefit Team have earned an unqualified external audit of the Benefit Subsidy claim for 2012/13 and that it was approved with no inaccuracies. In 55 million pounds worth of transactions, that is quite a feat and I congratulate them.

I am also pleased to tell Members that we will be bringing a balanced budget to scrutiny for 2014/15 with no proposed cuts in front line services. No doubt it will get thoroughly scrutinised by Members".

Questions and Answers

None.

Councillor Harden, Portfolio Holder for Residents and Regulatory Services

"Environmental Protection

Statutory Noise Nuisance: A number of residents living in a block of flats in Hemel Hempstead complained to the Council that a tenant regularly played amplified music at excessive levels. Environmental Health Officers (EHOs) were able to witness this noise which resulted in the serving of an abatement notice under the Environmental Protection Act 1990. Despite the notice being served the noise continued and officers had no choice but to take direct action. Officers obtained a warrant from the court and broke into the flat and seized the tenant's music centre. This was a good example of partnership working with the police, who supported our intervention from the onset, and agreed to accompany officers on the day the equipment was seized.

Noise Abatement Notices:

Three noise abatement notices were served for noise nuisance which if breached will lead to further action on a formal basis.

Food Safety

Closure of a food premises: Voluntary closure procedures were initiated following an inspection of a restaurant in Markyate. A number of problems were identified including a pest infestation and a general failure to maintain standards of hygiene & cleanliness.

Food Hygiene Rating System: The Council's website has been updated and there is now a widget on the home page of the DBC website which allows the public to see all recent 4 and 5 rated premises and there is also an app which can be downloaded onto smart phones and tablets which will give instant information to users.

Pest control

There are plans in the future to expand the Council's Pest Control Service and in September we met with representatives from Hertfordshire County Council to discuss taking over the pest control contracts for 15 of their largest sites. Additional officers are being trained on pest control which will increase capacity in this area. We are also looking at other income streams including the possibility for charging for some domestic call outs.

Health and Safety

Health and Safety Enforcement notices were served on a warehouse after an inspection identified that workers were being exposed to excessive noise and dust. In addition notices were served for dangerous racking and an unprotected mezzanine floor and a fork lift truck was prohibited from being used. We are continuing to work with the business and they are now largely compliant with Health and Safety legislation.

Animal Welfare

A woman, living in Hemel Hempstead, was successfully prosecuted under the Animal Welfare Act for prolonged neglect of a pet dog, to the extent that the dog had to be put down, The pet owner, who tried to pass her dying dog off as a stray, was fined £580 and given a suspended prison sentence alongside a ten year ban from owning a dog.

The Council's dog warden service has achieved the Silver Footprint (RSPCA) award for animal welfare for the third year running. The attainment of this assurance scheme means the public can be confident that we are looking after their dogs when they are under our care.

Clinical Waste

Changes to the clinical waste collection in partnership with CSG, Env Agency and Hertfordshire County Council has resulted in a 30% reduction in 'over classified' waste. This will allow people that have certain ailments to keep their dignity as they will now be less readily identified, whilst maintaining the Council's duty to ensure that clinical waste is disposed of in the correct way. There were some initial complaints about the reduced service at the beginning but crucially no non-conformances have been reported to HCC.

Infection Control

Officers are running an infection control awareness event on the 21st November aimed at proprietors running childcare businesses. This is the first event of this type.

HR

Online Medical checks for new Starters

Working in partnership with Serco (our providers), medical checks have been moved from paper copy to online. This has reduced the amount of time it takes to medically clear an applicant from 1 week to two days.

Communication & Consultation

Web Development

The web team has just managed to get the accessibility errors on our entire site down to 0 for both A and AA standards. That's a total of 187,119 errors fixed since April 2013. Only a few local authorities have achieved both A and AA ratings.

Around one in five internet users experiences some kind of accessibility issue when they use a website, whether that's because they have a disability, need to zoom in a lot, have a learning disability, can't use a mouse, etc. By working to fix these errors, we're making sure that our website is as accessible as it can be for our customers.

Resident Services:

ASB – A Premises Closure Order was heard at Watford Magistrates Count on 19th November which closed down a property in Adeyfield due to persistent ASB associated with drugs.

Neighbourhood Action – Kick out Racism event a big success with a range of partners taking part to organise a young peoples' football tournament.

The first stage of the verge hardening project is nearing completion with 140+ new parking bays in place across Dacorum. Further funding has been approved to extend this project and deliver further improvements over the next 2 years. Members have received an email asking for further requests of areas for consideration.

Town Centre - The Christmas light switch on takes place on Sunday 24th November. This year's event has a completely different format with the Hemel Hempstead community at the forefront – Snow play, a Christmas market, Radio Dacorum and a wide range of community groups will be involved in the celebrations which will end with fireworks from the rooftops of the Marlowes Centre and Riverside.

Old Town Hall – The café has opened for business at the Old Town Hall following phase 1 of the improvements which included the changes to the Gallery Bar. This season is selling well with a number of shows 'sold out'.

Questions and Answers

Councillor Tindall asked how the project concerning the leasing of Apsley lakes was progressing. Councillor Harden commented that discussions were still being held but that an organisation from Watford was looking to participate in the clean-up process and potentially formulate a community trust made up of various parties with an interest in maintaining the lakes and that the lease would go under the name of this trust.

Councillor R Hollinghurst asked if the verges in Tring could be looked at in the next series of verge hardening projects. Councillor Harden said this could be facilitated if residents in the areas in question could send in a request to the relevant officer.

Councillor C Wyatt-Lowe asked if the next series of verge hardening would be occurring at locations which had already been shortlisted or whether the shortlists would be compiled from scratch again. Councillor Harden said that the shortlists would be newly compiled and so it would be best for residents to re-request if they felt an area needed consideration.

Councillor Mrs Laws, Portfolio Holder for Environmental Services and Sustainability

“The Recycling team presented at JFK School’s Volunteer Day to encourage sixth formers to carry out voluntary work/project. Seven students signed up to a DBC initiative to organise a Style Swap event (swishing) at their school in January next year. The initiative aims to encourage reuse of clothes to everyone involved and will teach the students in the project team skills in fashion, marketing, project/events management and design.

The Recycling team along with Hertfordshire WasteAware Partnership ran an online competition to encourage residents to make something out of cardboard, film it and upload it on ‘You Tube’ for the public to ‘like it.’ The online competition promoted the wonderful ways that cardboard can be reused and recycled and it received more than 1,200 views. Two residents from Dacorum excelled above other entrants from Hertfordshire - one was miniature Hemel Town made from everyday cardboard which shows the KD tower, skate park and many other landmarks which comes in a handy take-away cardboard case. The other was a re-enactment of a battle scene where the armour and swords were made from cardboard. Both winners won a Kindle Fire tablet.

The Clean Safe and Green team in commemoration of remembrance Sunday, hosted a ‘Poppy Saturday’ event at Tring Memorial Garden. The event featured the unveiling of a new information board for the site, which includes information of the gardens purpose today and as a memorial to those who lost their lives in WW2. There was live music and refreshments.

The Clean Safe and Green have planted 100,000 Muscari bulbs in Gadebridge Park. The bulbs will flower in Spring with clusters of small bright flowers in shades of blues and purple”.

Questions and Answers

Councillor Griffiths asked if Councillor Laws could pass on thanks to the Clean, Safe and Green team from the residents of Leverstock Green in regards to cleaning the war memorial in preparation for Remembrance Day.

Councillor Bassadone asked if the distribution of the refuse collection calendars could be distributed on a ‘black bin’ week because last year they had been distributed on a ‘green bin’ week which had caused inconvenience to residents who may not put their green bins out in the winter. Councillor Laws acknowledged this and said that they were now being distributed at a time that was deemed to be more appropriate for residents.

35. RECEIPT OF PETITION

A petition was received containing 8,238 signatures supporting the retention of the Ice Rink facility at Leisure World, Jarmans Park.

Steven Da Costa (Save Hemel Ice Rink group) made a statement before the Council.

“I would like to thank the council for allowing me this opportunity to share our concerns over the future of the Hemel Hempstead Ice Rink.

Since we submitted our petition to the council we now have over 9000 signatures and this continues to increase. The Ice Rink has gained much exposure regarding the closure including local television as well as local and national newspaper coverage.

Since hearing about the lifting of the covenants protecting the Ice Rink and its planned closure, our committee has been keen to work closely with the council and owners to highlight the view of the people of Dacorum Borough and the ice skating community as well as assist where possible in constructively requesting the situation is reviewed.

Therefore I would like to thank those Councillors and MP's who took the time to listen, respond and support our group. In particular I would like to thank Councillor Andrews Williams for stepping in and helping to gain the temporary security we now enjoy, pending a permanent decision.

There are six key issues that I would like to ask the whole council to consider:

1. No one denies that Jarman Park needs redeveloping but why was the Ice Rink covenant removed so easily and without public consent?
2. Why was section 74 of the National Planning Policy Framework treated as guidelines? The Ice Rink, is a sports venue and should be treated as such.
3. We question the validity of the third-party report that deemed the Ice Rink economically unviable. Looking forward, we would like to offer our services to assist in reviewing the situation.
4. The Ice Rink can generate more footfall per hour peaktime than the bowling alley and from a wider geographical area – therefore providing more potential business to the restaurants.
5. There is an opportunity to position the Snow Dome and the Ice Rink, as a destination hub for winter sports. This would attract visitors from across the South East of England.
6. The Ice Rink provides the local community with a leisure activity proven to be a good way to keep fit, helping to combat obesity. In addition, the Ice Rink keeps younger people off the streets, helping to reduce crime.

Finally, I would like to invite any of the Councillor and their families to come and visit the Ice Rink, have a free lesson and meet our community”.

Councillor Tiley said that the protest group had acted in a most courteous way and never harassing. He added that he found it most refreshing and warmed him into trying to help them and would recommend it to any other pressure group who are trying to achieve something.

Councillor Williams congratulated and thanked Mr Da Costa for his tenacity in driving this process and agree with Councillor Tilley that whilst Mr Da Costa had been quite vigorous in his campaigning, he has always conducted himself in a very polite manner during the discussions. Councillor Williams read out the following summary and background statement from the Petition:

“It has been announced that the Ice Rink located on Jarmans Park, Hemel Hempstead is to be permanently closed on or around 28 October 2013. Originally the rink was to be retained. However since the purchase of the site by Tesco Pension Fund on 20 August 2013 plans have been changed by removing the Ice Rink covenant without public consultation.

The Petition is to convince Tesco Pension Scheme and DBC to retain and refurbish the Ice Rink in line with the original submitted plans”.

Councillor Williams said that this was the first Petition received under the Petition Scheme to formally accept petitions in excess of 1,000 signatures of Dacorum residents. This Petition contains in excess of 8,000 signatures. He added that despite the wording of the petition the site has not yet been purchased by Tesco Pension Scheme and is still in the ownership of Capital Regional. DBC’s involvement is limited in the fact that it is not the operator or owner of the site, or the lease holder and is not an investor in the site. There is also the issues over the covenant.

Councillor Harris said that he had taken part in the protest march and signed the petition and was please to know that things are moving forward in a positive way. He thanked the Leader and the Portfolio Holder and others who have helped facilitate debate and for getting Capital Regional and Planet Ice around the table to work out a solution.

Councillor Tiley said that if the refurbishment goes well the refurbished Ice Rink should reopen in October 2014. He said this was the only Ice Rink in Hertfordshire and he urged the Council to seriously consider how it could promote the facility. He thought the Petitioner was right when he said that the Ice Rink is very complimentary to the Snow Centre and Extreme Sports and we should be attracting visitors to these facilities. Thought should be given to a big reopening next Autumn with a small contribution from the stakeholders – the owners, operators and DBC as site Free-Holders and the County Council.

Councillor Flint said she supported the aim and longed to see a successful outcome. She said she remembered when the covenants were first placed. Some have been lifted but this one should remain. She agreed with Mr Da Costa’s belief that the facility brought business to the area.

Councillor Rance said that it would be good to see the Ice Rink saved but she has been informed that only 25% of the petition signatories are DBC residents and the remaining 75% live outside the Borough. She said that she would like to see Mr Da Costa and his group inviting the 75% to come and do something in Dacorum so that they can contribute to the opening of this facility.

Councillor Griffiths said that the Leader has fulfilled the requirements of the Petition – to convince the current owners and DBC to retain and replenish the Ice Rink. She said the Leader had spent an enormous amount of time working behind the scenes speaking to different people and encouraging them to speak to each other. She reiterated that we have no direct control in as much as we do not own the lease, we do not operate the facility and the Leader has carried out the request of the Petitioners.

Councillor Griffiths added that she has been a user of the facility and felt it was sparsely used and put it down to its dilapidated state. She said that we should be cautious in publicity until the agreement is signed sealed and delivered and not until the Ice Rink has been fully refurbished. She hopes it will be successful but said its success lay between the commercial enterprises.

Councillor Tindall thanked the Leader for his efforts on keeping the Ice Rink open. He said that he had heard that the owner of the site or some other interested organisation were being advised not to advertise or promote themselves. He asked the Leader to check if this was true and perhaps convince the commercial enterprises that this is not the way to drum up business.

Councillor Williams thanked his colleagues for their kind words of support. He said that one of the things he discussed with the campaigning group was their role once and if the Ice Rink was saved. He had asked whether the group would become more involved with strategy and promotion to make the community more aware of its existence. The facility will need marketing but only after refurbishment of the Ice Rink and frontage. He concluded by congratulating the group in putting together their case in such a short period of time.

36. QUESTIONS

None

37. BUSINESS FROM THE LAST COUNCIL MEETING

None

38. CABINET REFERRALS

The referrals from Cabinet on 22 October 2013 were submitted. It was moved by Councillor Williams, duly seconded and

Resolved:

That the following be approved:

1. COMMUNITY SPORT ACTIVATION FUND APPLICATION (CA/139/13)

Up to £45,000 to support the grant application.

Councillor Harden took the opportunity to inform Council about the background of the application. He said that last year he attended an AGM meeting of Dacorum Sports Network where they discussed the Olympic legacy. A presentation was given by Sports England who promoted the Sports England Community Sport Activation Fund. Councillor Harden said that he made enquiries and for £45,000 and a commitment from our local community they will give us £250,000 to develop sporting activities within Dacorum. He added that the council is looking to involve Dacorum Sports Network, Sportspace, the Community Centres and voluntary Groups. He asked his colleagues who are involved with either sport or the various community groups to contact him or the relevant officers because a partnership needs to be formed in order to justify the funding.

Councillor Harris said he welcomed the proposal. He said it was an excellent idea to leverage some money out of other organisations towards this Borough and he hoped some of the money would go towards figure skating.

2. MEETING TIMETABLE 2014-15 (CA/140/13)

The Meeting Timetable for 2014/15.

Amended Timetable attached at Annex A to full minutes.

3. CHANGES TO THE HEALTH IN DACORUM COMMITTEE (CA/142/13)

The following changes to the terms of reference and membership of the Health in Dacorum Committee:

- 1. The terms of reference shall be to perform a non-statutory role of overview and scrutiny in relation to:**
 - (a) matters relating to the provision of Health Services in the Borough by external local health providers, and**
 - (b) matters associated with the role of the Council in promoting and helping to improve the health and wellbeing of its residents, including monitoring the progress of the Council's work internally, and its partnership working with the County Council and other public health partners, in tackling the local health and wellbeing priorities of the Borough.**
- 2. That the membership of the Health in Dacorum Committee be changed by increasing the number of Borough Councillors from five to seven and that Council appoint two additional Councillors as members of the Committee. (see Minute 39a below)**

39. CHANGES TO COMMITTEE DATES

It was moved by Councillor Williams, duly seconded and

Resolved:

That the following proposals to accommodate the holding of the European Elections on 22nd May 2014 be approved.

1. Annual Council

- To change the meeting date from 14 May to 28 May 2014.
- Group Meeting changed from 13 May to 27 May 2014

2. Dacorum Community Safety Partnership

To change the meeting date from 2 April to 9 April 2014.

3. Call-in Contingency

To delete the meeting scheduled for 6 May 2014.

4. Health In Dacorum

To delete the meeting scheduled for 7 May 2014.

5. Member Development

To delete the meeting scheduled for 20 May 2014.

6. Cabinet

To change the meeting date from 27 May to 29 May 2014

7. Licensing

To change the meeting date from 27 May to 29 May 2014.

39a. CHANGES TO COMMITTEE MEMBERSHIP

The report was moved by Councillor Williams, duly seconded and

Resolved:

The following changes to the Committee Membership were made:

Housing & Community OSC

- Councillor R Sutton to replace Councillor Douris

SPAEC OSC

- Councillor Collins (previously a substitute Member) to replace Councillor R Sutton as a full Committee member
- Councillor G Sutton to be appointed as a substitute member

Health in Dacorum OSC

- Councillor R Sutton to be added to the Committee
- Councillor Adeleke to move from substitute member to full member

40. CONSTITUTION UPDATE

The report was moved by Councillor Williams, duly seconded and

Resolved:

1. That the Council note and formally adopt the amendments made to Part 3 of the Constitution 'Responsibility For Functions' following the changes to the Council's senior management structure.
2. That authority be delegated to the Assistant Director (Chief Executive's Unit) to make any consequential amendments to the Constitution.

41. CALL-IN & URGENCY PROCEDURE

It was agreed that the following item be considered in Part 1 because the Portfolio Holder has already updated Council on this matter and therefore there was no reason for it to be considered as a part 2 item.

In accordance with the Constitution the following PH decision was reported:

PORTFOLIO HOLDER FOR RESIDENTS AND REGULATORY SERVICES (PH/048/13) – NOVEMBER 2013 - PREMISES CLOSURE ORDER (ANTI-SOCIAL BEHAVIOUR ACT 2003 AS AMENDED BY THE CRIMINAL JUSTICE AND IMMIGRATION ACT 2008)

Resolved:

That the action taken be noted.

42. EXCLUSION OF THE PUBLIC

Resolved:

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 the view of the nature of the business to be transacted, that if members of the public were present during these items there would be disclosure to them of exempt information relation to the financial and business affairs of the Council and third party company/organisation. (Items 9.4 (Cabinet Referral), and Item 13 (Call-In and Urgency Procedure))

43. SITE PURCHASES: INVESTMENT OPPORTUNITY AND COUNCIL NEW BUILD PROGRAMME (CA/147/13)

Full details are in the Part II minutes.

44. CALL-IN & URGENCY PROCEDURE

In accordance with the Constitution the following PH decisions were reported:

- 1. PORTFOLIO HOLDER FOR RESIDENTS AND REGULATORY SERVICES (PH/042/13) – 9 OCTOBER 2013 - EXTENSION OF AN EXISTING CONTRACT TO ENSURE RESILIENCE IN THE COUNCIL'S DATA CIRCUIT INFRASTRUCTURE**

**2. PORTFOLIO HOLDER FOR RESIDENTS AND REGULATORY SERVICES
(PH/044/13) – 23 OCTOBER 2013 - AGREEMENT TO TERMINATE THE
EXISTING INTERNAL AUDIT CONTRACT AND AWARD A REPLACEMENT
INTERNAL AUDIT CONTRACT (PH/044/13) – 23 OCTOBER 2013**

Resolved:

That the action taken be noted.

The meeting ended at 9.14pm.

ITEM 8 - REFERRALS FROM CABINET

26 November 2013

8.1 CA/157/13 Community Infrastructure Levy

Please note the amended Appendix 1 of the report can be accessed via the following link:

[http://www.dacorum.gov.uk/docs/default-source/council-democracy/appendix-1---draft-charging-schedule---updated-\(1-76-mb\).pdf?sfvrsn=0](http://www.dacorum.gov.uk/docs/default-source/council-democracy/appendix-1---draft-charging-schedule---updated-(1-76-mb).pdf?sfvrsn=0)

Decision

1. **That Council be recommended to approve the content of the Draft Charging Schedule and policies on Discretionary Relief, Exceptional Circumstances Relief from CIL, Instalments, Payments in Kind and Regulation 123 List for public consultation.**

Reason for Decision

To seek approval for public consultation on a Draft Charging Schedule and associated policies.

Implications

Financial

The cost of developing and implementing CIL is being borne by the Local Development Framework (LDF) budget, and may be repaid from future CIL receipts. Once implemented, up to 5% of CIL receipts may be used for its administration. The project is therefore expected to be cost-neutral in the long term.

Once CIL is in place the Council will be responsible for collecting and allocating significant sums of money.

Value for money

Where possible, technical work that supports the CIL has been jointly commissioned with adjoining authorities to ensure value for money. Also, see above regarding the project ultimately being cost neutral.

Legal

CIL should reduce the need for involvement of the Council's planning solicitor, as it will reduce the role of s106 agreements. The Council's legal department may need to become involved in cases where liable parties do not pay CIL.

Human Resources

A member of the Strategic Planning and Regeneration team has taken over the role of leading CIL development and associated infrastructure planning work, for an initial two year period. Any additional staff needs will be considered as the project develops. It is likely that the current secondment which ends in early 2014 will need to be extended to cover the CIL examination and the early implementation of CIL.

Land

Once in place, CIL will be payable for any chargeable development on Council owned land. The opportunity also exists for the Council to accumulate land for the delivery of infrastructure in lieu of CIL payment in accordance with Regulation 73 of the CIL Regulations. A draft policy on Payments in Kind is included at Appendix 6 of the report.

Risk Implications

The Project Initiation Document (PID) was updated in February 2013 and sets out full details of the risks associated with the introduction of a CIL. They include insufficient buy-in from infrastructure providers and key stakeholders, changes in Government policy and team capacity.

Corporate Objectives

Preparation and implementation of a CIL contributes to all of the corporate objectives.

Affordable Housing

Affordable housing will be exempt from paying CIL, and the CIL revenues cannot currently be used for provision of Affordable Housing, which will continue to be provided via S106. Officers from the Strategic Housing service are involved in developing the CIL charging schedule, for which affordable housing requirements will be a key consideration. If CIL is set too high then developers may not be able to meet the affordable housing policy requirements.

Safe and Clean Environment

The infrastructure provided through CIL monies is likely to include open space and urban realm improvements to support the development of the borough, both of which contribute to a safe and clean environment.

Building Community Capacity

CIL revenues may be used to social enterprise and local community infrastructure which supports those in the most deprived areas.

Regeneration

CIL will be used in combination with S106 to support the delivery of the key regeneration priorities for the Council.

Dacorum Delivers

Developing the CIL represents Value for Money as it will become cost-neutral once it is up and running as explained below. It will lead to the delivery of infrastructure required to support new development so will improve the reputation of the Council.

Advice

Councillor Williams introduced the report and said a question had been asked at the last Council meeting seeking assurance that the charging of the Community Infrastructure Levy would be carried out with the interests of the community in mind rather than those of the developers.

Councillor Williams had confirmed this was not developer friendly but struck the best balance to allow schemes to be sufficiently viable to enable them to go ahead for the benefit of new and existing residents.

Since being considered by the Finance and Resources Overview and Scrutiny Committee it had been modified. Land at LA5 (Tring) had been re-modelled to fit into the CIL charging strategy.

The charging mechanism struck a fair balance.

The Assistant Director (Planning, Development and Regeneration) said the purpose of the report was to gain approval for the charging schedule with the associated policies. An amended appendix A had been circulated which included the missing maps. The setting of the CIL rates had been subject to public scrutiny and work carried out by the viability consultant.

Paragraph 2.15 of the report referred to two sites that should be subject to a nil CIL charge because of the amount of infrastructure required (primary schools, new roads, surgery). S106 agreements would be used instead.

Section 4 of the report dealt with supporting policies. These would cover chargeable relief, instalments and payments in kind.

Section 5 of the report dealt with the timescale. The public consultation would be held in January, the examination in June with a view to the Council adopting CIL in January 2015.

The Portfolio Holder for Residents and Regulatory Services asked for clarification on the collection of CIL and if Dacorum Borough Council (DBC) made the spending decisions, in consultation with others.

The Assistant Director (Planning, Development and Regulation) advised that a report would be going to Cabinet regarding CIL governance. DBC was the charging and collecting authority. The Council was required to consult with Hertfordshire County Council (HCC) who would be a major partner in spending a lot of the receipts.

The Portfolio Holder for Residents and Regulatory Services expressed concern that HCC would want to use the money for its projects.

The Assistant Director (Planning, Development and Regulation) said the main items were in the regulation 123 list. There would be plenty of opportunities to influence the content of the list.

The Corporate Director (Housing and Regeneration) said an additional element was the local level which would (in parished areas) go to parishes. The rate was variable, between 15 – 25%, depending if there was a Neighbourhood Plan. In many parishes the rate would be zero. Berkhamsted and Tring could receive a sizeable sum. There could be concerns about on-going revenue consequences of projects and this should be considered.

The Leader of the Council said hopefully the implications would be considered when the money was spent.

The Portfolio Holder for Environment and Sustainability said Berkhamsted had already started doing a lot of work and the position had been made clear by the Strategic Planning and Regeneration Officer. The Portfolio Holder asked if the CIL charge would apply to strategic sites even if planning permission had been given before January 2015.

The Assistant Director (Planning, Development and Regulation) said the answer was no as CIL could only be charged once the policy was in place. For developments that were in the pipeline, developers would have made assumptions from pre-application discussions and would be charged whatever rates applied at the time.

The Portfolio Holder for Environment and Sustainability referred to the map of Zone 1 and asked if Northchurch should be in the title rather than 'Berkhamsted and Surrounding Areas'.

The Assistant Director (Planning, Development and Regulation) agreed this could be mentioned.

The Portfolio Holder for Environment and Sustainability referred to the Exceptional Circumstances Relief Policy and asked if it was correct that both S106 and CIL could be applied in most cases.

The Assistant Director (Planning, Development and Regulation) said the policy made it clear that the S106 payment had to exceed the CIL charge that would apply. It was not a way of avoiding the liability. The Council may decide that it would be more appropriate to take a S106 payment. This would be exceptional. The benefit of CIL was that it was straightforward and transparent.

Options and Why Options Rejected

No alternative options were considered.

Consultation

The CIL Task and Finish Group have discussed the programme for the introduction of CIL and draft versions of the Instalments policy and the Regulation 123 List.

The supporting CIL policies have been circulated to members of the CIL Task and Finish Group and members of the CIL Working Group by email.

The County Council have been regularly consulted over the content of all CIL documents. Their comments and advice received is reflected in this report.

Voting

None.

17 December 2013

8.2 CA/171/13 HEMEL EVOLUTION: MAJOR PROJECTS PROCUREMENT AND FUNDING, WATER GARDENS AND BANK COURT

Decision

Major Projects Procurement and Funding

- 1. That Council be recommended to approve the reallocation of £110,337 underspend from three strands of GAF Funding currently within Strategic Planning and Regeneration (£40,000 – Renewable Energy Provision (BP004); £18,500 - Maylands Business Centre – PV installation (BP005);**

£51,837 - Neighbourhood Centre Improvements (BP006) to create a new contingency budget for Major Regeneration Projects.

Reason for Decision

To approve the reallocation of existing underspent GAF Funding currently within Strategic Planning and Regeneration to create a new contingency budget for the Hemel Evolution Major Projects (Marlowes Shopping Zone, Bus Interchange and Water Gardens improvements).

To note the appointment of an Employer's Agent, Cost Manager, CDM Coordinator and Design Monitor to effectively manage the delivery of Hemel Evolution Major Projects.

Implications

- Major Projects Procurement and Funding

Financial

Work on all the Major Regeneration Projects has been progressing steadily. As they progress, consultation responses, lessons learnt for efficiency and good practice, and professional recommendations have increased the scope and requirements of many of these projects. Given the size, scale and locations of these projects, as we move on to the construction phases, it is likely that unforeseen circumstances beyond our control (as identified in the Risk Register) could further increase the requirements of these projects.

There is an underspend of £110,337 in three strands of GAF (Growth Area Fund) funding which we recommend reallocating to create a contingency budget to support increased requirements of the Major Regeneration Projects.

The three budgets that are recommended to be reallocated are:

Renewable Energy Provision (BP004) - £40,000
Maylands Business Centre – PV installation (BP005) - £18,500
Neighbourhood Centre Improvements (BP006) - £51,837

The Renewable Energy Provision budget was originally allocated to deliver a Combined Heat and Power (CHP) unit in Maylands. However, after working with Renewables East, this was found to be not viable due to prohibitive costs of retrofitting the heating element of the scheme and lack of new developments coming forwards.

The photovoltaic panels (PV) on the Maylands Business Centre and the Neighbourhood Centre Improvements projects were both delivered with underspends.

Value for Money

The Council is investing significant sums of money in each of the Major Regeneration Projects to achieve the vision of the Hemel Hempstead Town Centre Masterplan to deliver an appealing, attractive and sustainable destination with a thriving economic centre and a high quality environment. The reallocation of these funds create a contingency budget for the delivery of the Major Regeneration Projects and will support marginal additional costs that will make a big difference to delivering a high quality result.

- **Water Gardens**

Financial

In December 2012 the Heritage Lottery Fund granted the Water Gardens a stage 1 pass for a proposed restoration project of £3.3 million. This would be funded by a £2,311,000 HLF grant, £23,100 volunteer contribution, and Dacorum Borough Council contribution of £967,450 to support capital and revenue costs for a five year period commencing in June 2014.

In December 2012, Capital Strategy Steering Group approved funding of £997,500 to support the total capital project costs for both Stage 1 and Stage 2. An additional allowance to the HLF bid of £95,000 was included as a contingency for the Gardens to meet the requirements of the Water Framework Directive within a sensitive scheme acceptable to English Heritage.

The Stage 1 bid included development costs of £152,000 to prepare the proposals up to Stage 2. As part of the Stage 1 pass, the HLF has awarded £106,000 towards this programme. Since the Stage 1 submission, the total development costs have increased and are now anticipated to be £165,000, setting Dacorum Borough Council's contribution at £59,000. The increased cost to Dacorum Borough Council is £13,000 and this can be funded from balances in established budgets within the SPAR service.

Through the development process, the restoration project costs have been assessed against a detailed works specification, activity and management plan produced by the appointed design team. The total project costs are now calculated at £3,611,022. This is a worst case scenario and further evaluation of all project costs is underway to ensure accuracy and value for money. It is anticipated that the total project costs will be reduced as a result of this exercise. HLF advised at the stage C meeting held on 27 November 2013, that any costs above the £3.3 million agreed at stage 1 should be split equally between Dacorum Borough Council and the Heritage Lottery Fund. This would set the maximum funding contributions at

Dacorum Borough Council	£1,037,386
Volunteer time	£23,100
Increased management & maintenance (funded by DBC)	£84,800
HLF grant	£2,465,736
Total funding	£3,611,022

The plan includes the provision of a new building to provide welfare facilities for both site based operatives and volunteers, schools and learning organisations activities in the Gardens. This is costed at £220,000 to include the removal the existing brick building in the entrance of Water Gardens north car park from Combe Street which is currently used by Clean, Safe and Green. The costs of maintaining the building will have a minimal impact on the existing revenue budgets, with responsibility for cleaning to form part of the site operatives' role.

As part of the scheme, it is proposed to extend the Gardens into the Water Gardens (south) car park to provide space for a new play area within a central location. This will result in a maximum reduction in car park income of £37,200 per annum at current ticket prices. These figures have been confirmed by the parking service. It is envisaged that the displaced usage would be accommodated within the Water Gardens (north) car park which currently operates under capacity, with the potential to minimise any loss in revenue. HLF has recommended this as a demonstration of Dacorum Borough Council's commitment to the scheme. The demand for Water

Gardens car parks is likely to increase in the future due to regeneration proposals and property development in the immediate vicinity.

Staff costs.

The development phase included funding for a Community Engagement Officer for 9 months. Through the Stage 2 bid a maximum of a further 5 years of funding is sought for this post, after which it would be added to Dacorum Borough Council's establishment costs. Additional site based maintenance staff proposed through the bid comprise a lead gardener from January 2016, 2 seasonal maintenance operatives (8 months pa) from March 2017 and an apprentice from April 2017. Following advice from the HLF the level of required staffing will be considered further. The maximum additional maintenance staff costs which will be proposed through the bid up to June 2019 is £215,900. These figures have been confirmed by the finance service. Staffing needs will be reviewed as the project progresses.

Activity plan

To deliver the Parks for People programmes outcomes of increasing the range of audiences and volunteers and improving skills and knowledge through training, a detailed activity plan has been prepared with an associated budget provision of £77,450.

The anticipated revenue costs, profiled across the five year delivery project, are set out in appendix 2 of the report. These will be further revised to reflect the HLF's requirement that costs above £3.3 million are funded equally by Dacorum Borough Council and the HLF, and through the detailed costs review process.

The ongoing commitment from Dacorum Borough Council following the 5 year delivery programme was reported in January at £61,100 pa from 2019 onwards to include the costs of the lead gardener, community engagement officer and building operating costs. The uplift in maintenance costs from 2019/20 has been recalculated to include the costs of the seasonal operatives, apprentice, Canada geese management plan, the maintenance of the green screen and ongoing equipment, tools and materials requirements. These are now anticipated to be approximately £97,000, as shown in appendix 2. Further consideration will be made as to what costs will be essential to retain the high quality of the Gardens following the delivery period.

Value for Money

The Parks for People programme provides the opportunity to secure significant capital funding for major restoration works set within a community development project. The bid to the HLF will seek up to a 70% contribution towards the overall project costs for a five year period.

- **Bank Court**

Financial

There is provision in the draft Capital Programme for 2014/15 for £539,500 to undertake the regeneration of Bank Court as an extension to the improvements along the Marlowes Pedestrianised area. This will be considered by Council in February 2014. This report seeks approval to undertake this regeneration and to procure suitable consultancy, project management and construction, installation and works to complete the proposed works subject to the Council's procurement rules. The cost of this work will be tested through the procurement process and it expected to be capitalised against the above provision as an essential cost of this capital project.

Value for Money

The regeneration of Bank Court will provide an opportunity to add value to the investments in regenerating the town centre and other major projects, particularly the Marlowes Pedestrianised area and the Water Gardens projects.

Value for money will also be achieved through the procurement process.

Risk Implications

Major projects procurement and funding forms part of separate projects with their own PIDs

Risk Assessment to be developed as part of the PID process for Bank Court following the approval of the regeneration strategy.

Risk Assessment included within the Water Gardens PID for this area of work.

Corporate Objectives

The Hemel Hempstead Masterplan supports the Council's vision and in particular the corporate objective of Regeneration.

Advice

The Portfolio Holder for Planning and Regeneration introduced the report.

The Assistant Director (Planning, Development and Regeneration) said this was a complex report about the projects, particularly the Water Gardens. This was a critical stage preparing for the submission of the bid in February 2014.

Project management of the Hemel Evolution Projects was detailed on page 12 of the report. A robust project management team was required to look after the implementation of the projects.

A review had been done of the arrangements required. As part of the contract with the architects, they have provided a report on the correct procurement route. A design and build contract would be the best way. The benefit was it would transfer key risks on costs and timing on to the consultant.

The Council would need specialists in place to ensure quality and value for money and to provide an independent view of the delivery of the project.

There was a need for a contingency of £100k in the budget and this was detailed in page 10 of the report and agreement was required to have this added to the project management budgets.

The Portfolio Holder for Residents and Regulatory Services queried an under spend of £51k for GAF projects.

The Assistant Director (Planning, Development and Regeneration) said this should be traced back to 2008 when GAF was first awarded to the Council. The Council had to make estimations as to how the money would be spent. Various projects had been done and this was what was left.

The Water Gardens proposal had been worked up. The Council had been awarded Heritage Lottery funding of £106k to develop the scheme. Since then the consultants had been working on the plans which were summarised in the report.

The Assistant Director (Planning, Development and Regeneration) drew attention to the change in the costs outlined in the report. The costs had now risen to £3.61m from £3.5m. The biggest area of change was in the capital works but substantial savings had been made on the community facility building. There had been a rise in the staffing costs.

Officers had met with the Heritage Lottery Fund and the plans had been received very well and they said any costs going above the fund would be shared on a 50/50 basis between them and the Council. The proposals had been taken to the Hemel Evolution Board on 9 December 2013.

The Portfolio Holder for Residents and Regulatory Services asked how the costs of £23k were calculated for voluntary time.

The Strategic Planning and Regeneration Officer said a cash value could be put on voluntary time and this could go into the bid. It would bring money into the project at no cost to the Council.

The Chief Executive said this was a notional cost.

The Portfolio Holder for Finance and Resources expressed concern that the costs may go over the estimate. This was taxpayers' money and the Council must use caution and see if there were ways to be more economical. The Portfolio Holder hoped the tax payer representative on the Hemel Evaluation Board was keeping an eye on the cost.

The Leader of the Council confirmed that the Project Board did make comments around the cost.

The Assistant Director (Planning, Development and Regeneration) said Bank Court was now a tired looking area. Options had been worked on and a key issue was around the Blue Badge parking.

Option 1 retains 6 spaces.

Option 2 relocates all spaces to Waterhouse Street.

Option 3 retains all 12 spaces.

The funding for Bank Court was £0.5m and was subject to a capital bid. Public consultation had to be carried out on the proposals and recommendation 15 in the report would need to be amended to reflect this.

The Portfolio Holder for Housing said with the current parking in Bank Court it was dangerous for pedestrians to get to the pedestrian crossing to cross Waterhouse Street. For the safety of pedestrians cars should be taken out of that area.

The Portfolio Holder for Residents and Regulatory Services and the Leader of the Council said they would prefer option 2. If option 2 was the preferred option it should be subject to consultation.

The Strategic Planning and Regeneration Team Leader for Hemel Evolution confirmed that the improvements to Bank Court would not make any difference to the TRO for Waterhouse Street as it was a separate scheme.

Options and Why Options Rejected

Options regarding Blue Badge parking in Bank Court:

Option 1 retains 6 spaces. This option was rejected as it was considered to be a danger to pedestrians

Option 2 relocates all spaces to Waterhouse Street. This was the preferred option.

Option 3 retains all 12 spaces. This option was rejected as it was considered to be a danger to pedestrians

Consultation

Consultation took place with:

Ben Hosier, Group Manager, Commissioning, Procurement and Compliance;
James Stammers, Transformation Programme Manager for DBC, and Consultant at V4 Services;
Richard Baker, Regulatory and Financial Accounting Team Leader;
Yaqubul Islam, Accountant (Housing and Regeneration);
David Austin, Assistant Director (Neighbourhood Delivery);
Chris Taylor, Group Manager (Strategic Planning and Regeneration); and
Mike Evans, Group Manager (Commercial Property and Assets).

Voting

None.

8.3 CA/172/13 HOUSING REVENUE ACCOUNT – NON RESIDENTIAL ASSETS

Decision

That Council be recommended to approve that Housing Revenue Account Investment Properties are appropriated to the General Fund at market value of £2.018m, with land remaining with the HRA where dwellings are situated above commercial units.

Reason for Decision

To enable HRA investment properties be transferred to the General Fund at market value.

Implications

Financial

The net budgetary impact for the council is nil. However, the two funds maintained by the Council will be affected.

The HRA will appropriate the investment property to the GF meaning Capital resources will be transferred from the GF to the HRA.

The GF, in return for the Capital resources passed to the HRA will receive an annual revenue income (net of costs) of around £175k.

Value for Money

Statutory regulations governing the ring-fencing of the HRA require this to be an arm's length transaction. The transfer value of the properties was determined by an accredited external valuer, and has been externally audited as part of the Statement of Accounts.

Risk Implications

No risks arise from the recommendations in this report.

Corporate Objectives

Dacorum Delivers

The arm's length transaction benefits both the General Fund (through the increased revenue stream) and the HRA (through the capital injection to assist with delivery of the new build programme).

There are also efficiency benefits of aligning responsibility for all of the Council's Investment Properties within the same administrative function.

Advice

The Portfolio Holder for Finance and Resources said he wanted to check this was the correct designation for these assets. He was keen to ensure the housing fund was not being used incorrectly.

The Corporate Director (Housing and Regeneration) said it made sense for it to go with the commercial assets within the general fund. The proposal would achieve additional capital resources for the Housing Revenue Account new build programme. There would be a loss of revenue but the impact of new build would increase revenue over the long term.

The Portfolio Holder for Finance and Resources asked the Corporate Director (Housing and Regeneration), as the Director responsible, if this was fair on the Housing Revenue Account.

The Corporate Director (Housing and Regeneration) said this was a balance and concentration on core business and confirmed that the housing representatives were happy with the proposal.

The Portfolio Holder for Housing said the Council had a number of properties that were let out that were tied to commercial properties and this could lead to a situation where the commercial side was renting out accommodation and asked if this had been looked at.

The Corporate Director (Housing and Regeneration) said some of those properties were still let. Increasingly some were let to Housing Associations for housing purposes and some had been taken aside to assist with temporary accommodation and to help the homeless.

The Portfolio Holder for Housing said a review was needed on this if they were not being used. This was agreed.

The Corporate Director (Finance and Operations) suggested the recommendation in the report should be a recommendation to full Council. This was agreed.

The Corporate Director said the Asset Management Strategy was going to Cabinet in January and the commercial property letting issue would be in that report.

The Assistant Director (Finance and Resources) said this valuation was audited by Ernst and Young and no issues were raised.

Options and Why Options Rejected

No alternative options were considered.

Consultation

Consultation took place with:

Sector Treasury Advisors; and
Department for Communities and Local Government.

Voting

None.

8.4 CA/173/13 REVIEW OF COUNCIL TAX SUPPORT SCHEME

Decision

That Council be recommended to approve that the Council Tax Support Scheme for 2014 consists of the Scheme for 2013 with adjustments as required by the updated Prescribed Regulations, and uprating for working age people in line with that in the Housing Benefit regulations.

Reason for Decision

To recommend Council to accept the Council Tax Support Scheme for 2014 with adjustments as required by the updated Prescribed Regulations.

Implications

Financial

Funding for Council Tax Support is provided by means of a specific grant from Government. The amount for 2014 will not be separately identified, but Government has indicated that it will not be increased.

In general, the effect of uprating is cost neutral, as the same increases are applied to both state benefits (including retirement pension) and the allowances and premiums within the Council Tax Support calculation.

Risk Implications

The LGFA 1992 requires the Council to make a decision about its 2014 Council Tax Support scheme by 31 January 2014, and there is a risk of reputational damage if this is not met.

There are also financial risks in relation to the impact of applications for support exceeding the anticipated level of payments within the financial year. This is being addressed by ongoing monitoring of the amount of support as part of the collection fund monitoring process.

Corporate Objectives

Effective management of the Council's finances supports the Council's vision and all five of its corporate objectives.

Advice

The Portfolio Holder for Finance and Resources introduced the report and said the scheme was working well.

The Assistant Director (Finance and Resources) said some information would not be available until January and that was why the recommendation asked for approval in principle. It would go to Council for final approval.

In response to a question from the Leader of the Council, the Assistant Director (Finance and Resources) said no great changes were expected.

Options and Why Options Rejected

No alternative options were considered.

Consultation

There was no consultation.

Voting

None.