

## SUMMONS

### MEETING OF THE COUNCIL

WEDNESDAY, 15 APRIL 2015

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

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You are hereby summoned to a meeting of the Dacorum Borough Council in the County of Hertfordshire to be held in the Council Chamber, Dacorum Civic Centre, Hemel Hempstead on Wednesday, 15 April 2015 at 7.30 pm to transact the business set out below.

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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 25 February 2015 (Appendix A Pages 16-33)

### 2. DECLARATIONS OF INTEREST

To receive any declarations of interest.

### 3. PUBLIC PARTICIPATION

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

### 4. ANNOUNCEMENTS

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

4.1 By the Mayor:

4.2 By the Chief Executive:

4.3 By the Group Leaders: Any apologies for absence

4.4 Council Leader and Members of the Cabinet:

|                          |   |
|--------------------------|---|
| Councillor Williams      | Leader & Community Leadership           |
| Councillor Mrs Laws      | Environmental Services & Sustainability |
| Councillor Tiley         | Finance & Resources                     |
| Councillor Mrs Griffiths | Housing                                 |
| Councillor Harden        | Residents & Regulatory Services         |

### 5. QUESTIONS

To consider questions (if any) by members of the Council of which the appropriate notice has been given to the Head of Legal Services.

### 6. BUSINESS FROM THE LAST COUNCIL MEETING

To consider any business referred from the previous meeting.

### 7. CABINET REFERRALS

To consider the following referrals from Cabinet:

| Minute No.    | Date          | Title                                 | Yellow Pages |
|---------------|---------------|---------------------------------------|--------------|
| 7.1 CA/032/15 | 24 March 2015 | Affordable Housing Clarification Note | 34           |

|               |               |   |    |
|---------------|---------------|---|----|
| 7.2 CA/034/15 | 24 March 2015 | Shared Parental Leave Policy  | 36 |
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**Green Pages**

|               |               |                               |    |
|---------------|---------------|-------------------------------|----|
| 7.4 CA/040/15 | 24 March 2015 | Homelessness Review Procedure | 39 |
|---------------|---------------|-------------------------------|----|

## 8. OVERVIEW AND SCRUTINY REFERRALS

None.

## 9. OVERVIEW AND SCRUTINY COMMITTEES REVIEW 2014/2015

The Constitution requires that the Overview & Scrutiny Group make an Annual Report to the Council on the work of their committees.

### **FINANCE & RESOURCES OVERVIEW & SCRUTINY COMMITTEE REVIEW 2014-2015**

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During the Council Year 2014/15 the Finance & Resources Overview & Scrutiny Committee met on six occasions including two joint meetings with all Scrutiny Committees to discuss the 2015/16 Budget requirement.

As to be expected, with the wide variety of topics to discuss, we experienced several lengthy and in depth discussion ranging from:-

- Performance Reports
- Revenue Outturn Reports
- Risk Management Updates
- Community Infrastructure Levy
- Funding of Core Funder Community Groups
- Revenues and Benefits
- Etc.

Introduced new format - Action Points update from previous meetings as Item No 6 prior to the main content of the Meeting.

I thank members of the Committee for their full involvement in the discussions that took place and for their, at times, very searching questions. I should also thank all the officers who attended for the thorough way in which members questions were answered either at the time or in writing. I am sure that no stone has been left unturned in the scrutiny of the Borough's finances during this Council year.

As well as thanking Councillors Nick Tiley (Portfolio Holder for Finance and Resources) and Councillor Neil Harden (Portfolio Holder for Residents and Regulatory Services) for their regular attendance and input, I would also like to thank all the Council officers who have attended and all from the Member Support team who compiled the agendas and took, at times, difficult minutes and turned them in to "Plain English"

Councillor Bert Chapman,  
Chairman  
Finance & Resources Overview & Scrutiny Committee

## **HOUSING & COMMUNITY OVERVIEW & SCRUTINY COMMITTEE REVIEW 2014-2015**

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In common with the other Scrutiny Committees, the H&COSC received reports in December and February on the 2015/16 budget and very much appreciate the clarity and information provided. Again, as with the other Scrutiny Committees, H&COSC received a report during the year on the introduction of the Community Infrastructure Levy

The Committee also of course received the Quarterly Reports and, again, very much appreciate the clarity and information provided.

The Committee has also been debating during the year the revisions needed to the Council's Homelessness Review procedure.

In April, the Committee considered the Council's Volunteer Management Policy – a new policy to govern DBC's work with volunteers so that the management of, obligations and opportunities of working with volunteers are defined. In addition it considered key objectives to underpin an Energy Strategy for social housing.

The Committee received in June a report on DBC's strategy "Get, Set, Go Dacorum" which uses sport as a mechanism to improve the health and wellbeing of citizens, particularly for those who are less likely to take up such opportunities due to lack of income, rural exclusion and/or disability.

In July, the Committee received an update on the Housing Department's Get Involved Strategy concerning the housing department's work with DBC tenants and leaseholders and also received a report on the department's rent collection and its excellent performance

In September, the Committee considered a report on Neighbourhood Action to learn how well it is working and where, with the limited resources available, it should concentrate its focus in the future – further report is expected in the near future. The Committee also considered the Housing Department's excellent Vulnerable Persons Strategy, the principles of which the Committee recommended to the Cabinet should be taken forward in a council-wide Strategy.

In October, Dave Cove, the Chief Executive of Sportspace, again gave a very interesting presentation and the Committee was impressed with the increased use of and facilities provided by the organisation. Results of the STAR survey of tenants and leaseholders carried out early in 2014 were also considered.

The Committee received in November an update on the use of the Old Town Hall, which is steadily improving, and considered the new marketing strategy. The Committee also received reports on the changes to the Housing Team dealing with allocations and empty homes, to improve rent times, and on the management of the Elms Homeless Hostel.

The Council's Air Quality Action Plan was considered in December as was the Council's anti-social behaviour policy and procedures, revised in the light of the recent legislative changes which had been the subject of a report to the Committee in October.

The Housing Department's Mobility Scooter policy, revised in the light of experience, was considered at the January meeting as was the local lettings plans for Farm Place, Berkhamsted and St Peter's Court, Gadebridge. The Committee also received a report on the work of Osbornes and the management and maintenance of the Council's housing stock

Finally, in March, the Committee considered an amended Housing Allocations Policy which had been revised in the light of experience. It also considered the Council's Safeguarding Children & Young People policy & procedures.

The Committee, including the co-opted members from the Tenants & Leaseholders Committee (Mavis Cook and substitutes John Howard and Alan Horn), greatly appreciate the work and assistance of the officers.

Janice Marshall  
Chair  
Housing & Community Overview & Scrutiny Committee

## **HEALTH IN DACORUM COMMITTEE REVIEW 2014-2015**

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During the Council Year 2014/15 the Health in Dacorum Committee has met on four occasions and, in carrying out its function, continued to scrutinise the Health Service and associated services within Dacorum. I am pleased to report that we have, over the past twelve months, been delighted to receive presentations and reports from a number of external groups and providers. We have also been kept well informed on county issues by our representatives on the County Health Scrutiny Committee; I thank them most sincerely for their dedication and regular reports.

Subjects discussed during the year have been many and varied and include – **Herts Valley Clinical Commissioning Group (HVCCG)**, regular reports from Dr. Trevor Fernandes have provided clear and concise updates on how this important organisation works, I would like to thank Trevor for his time and, on occasions, for answering some very difficult and searching questions. **West Herts Hospital Trust Group**, senior health advisors and representative gave a clear and concise report on treatment, patient services and preventative initiatives as well as the **Cancer Review.. Health & Social Care Commissioning and the Joint Strategic Needs Assessment. The Health and Social Care Services. Patient Services**, which included a report on local health service provision and service concerns, including parking charges and patient transport etc. This represents only a small part of the work of the Committee. We also discussed several new initiatives including **Community Sports Activation Fund** which aims to provide sport for all, and **Health & Wellbeing Policy**. I wish to thank officers for their time and enthusiasm. All in all a very full programme and I am sure that those who have attended and took part in the debates are now much better informed.

As previously, there is the opportunity for Borough Councillors to raise issues that may be of particular concern to their wards. Several points have been raised and discussed.

I would like to take this opportunity to thank colleagues in the Health Service for their work with the committee and to thank co-opted members for their valuable contributions which have brought increased community representation on health scrutiny issues and an added dimension to the scrutiny process. Also, my thanks go to all Councillors on the Committee for their participation. Also to our Member Support team for taking full and complex minutes, arranging speakers etc., etc. Many thanks to all. Finally, it is my sad duty to advise that Zena Bullmore MBE, Hon Freeman of The Borough, hospital campaigner and long term member of this committee passed away on the 27<sup>th</sup> March 2015 aged 94. She attended almost every meeting of the committee until about four years ago when ill health got the better of her.

Councillor Graham Sutton  
Chairman  
Health In Dacorum Committee

## **STRATEGIC PLANNING & ENVIRONMENT OVERVIEW & SCRUTINY REVIEW 2014/2015**

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The Committee held nine meetings during the year, and considered the following matters.

### **June 2014**

Quarterly Performance Reports - 2013/14 Q4

Financial Outturn Report - 2013/14 Q4

Dacorum Look No Further - An Update on Efforts to Promote Dacorum

Environmental Management System - An Update on Improving the Council's Sustainability

### **July**

Community Environmental Engagement - An Update on Educational Initiatives

Section 106 Obligations (Developer Contributions) - 6 Monthly Review (& Progress on the Implementation of the Community Infrastructure Levy)

Address Management - Reviewing the Provision of Information Used to Identify Locations

### **September**

Quarterly Performance Reports - 2014/15 Q1

Financial Outturn Report - 2014/15 Q1

### **October**

Environmental Management System - A Further Update on Improving the Council's Sustainability

Maylands Masterplan - An Update on the Planning of Maylands & Assistance Given to

Businesses

Conservation Strategy 2014-19 - Presentation of New Strategy

### **November**

Community Infrastructure Levy - Governance Arrangements & Progress on Implementation

Hemel Hempstead Town Centre Management Strategy 2014-17 - Presentation of New Strategy

Quarterly Performance Reports - 2014/15 Q2

Financial Outturn Report - 2014/15 Q2

### **December**

Budget 2015/16 - Preparation (Analysis of Provisions under the Committee's Aegis)

### **January 2015**

Site Allocations Development Plan - Post Public Consultation Update

Hemel Hempstead Evolution Programme - An Update on the Seven Town Centre Zones

### **February**

Budget 2015/16 - Last Committee Draft (Further Analysis of Relevant Provisions)

### **March**

Dacorum Look No Further - A Further Update on Efforts to Promote Dacorum

Quarterly Performance Reports - 2014/15 Q3

Financial Outturn Report - 2014/15 Q3

Clean, Safe & Green Review - An Annual Report on the Council's Streetcare Service

Herts Waste Partnership Annual Report 2013-14 - A Report on Refuse Matters Countywide

New Waste Service - An Early Interim Report on the Implementation of the Service

If anybody requires any more detail, then the agenda reports and minutes of these matters/debates are freely available on the Council's website.

I am pleased members have taken a more active role in scrutinising the Council's services and finances when the Committee has considered the quarterly performance/outturn reports.

I would like to thank the Vice-Chairman, the Committee, and Management/Staff for their support.

I would also like specifically to thank Trudi Coston, Michelle Anderson, Catriona Lawson and

Pat Duff for taking the minutes of our meetings.

We haven't completed a full work programme for 2015-16 yet, but the Committee oversees/scrutinises the following council duties/matters:

- Strategic Planning (Local Development Framework)
- Development Control - Performance Only
- Building Control
- Economic Development
- Refuse Collection/Recycling
- Streetcare (Litter/Street Cleansing/Landscaping/Grounds Maintenance)
- Parking Management (Off-street Car Parks, On street Enforcement, Parking Zones)

- Environmental Strategy (Climate Change Mitigation)

and if anybody would like to participate in our meetings, then they would be most welcome.



Councillor Alan Anderson,  
Chairman, Strategic Planning & Environment Overview & Scrutiny Committee.

**10. CHANGE TO COMMITTEE MEMBERSHIP**

To consider any proposals for changes to committee membership.

**11. CHANGE TO COMMITTEE DATES**

To consider any proposals for changes to committee dates.





**AGENDA ITEM: 12**

**SUMMARY**

|                         |                      |
|-------------------------|----------------------|
| <b>Report for:</b>      | <b>Council</b>       |
| <b>Date of meeting:</b> | <b>15 April 2015</b> |
| <b>PART:</b>            | <b>I</b>             |
| If Part II, reason:     |                      |

|   |  |
|---|--|
| <b>Title of report:</b>                         | <b>Homelessness Review Procedure</b>   |
| Contact:  | Steven Baker, Assistant Director (Chief Executive's Unit)<br>Direct line: 01442 228229, internal extension: 2229<br>steve.baker@dacorum.gov.uk   |
| Purpose of report:                              | To submit to Council for adoption a revised procedure to be used by the Appeals and Reviews Committee when determining homelessness reviews under section 202 of the Housing Act 1996 ("section 202 reviews").                 |
| Recommendations                                 | That Council resolves to adopt the revised procedure as set out in Appendix 1 to this report, to be used by the Appeals and Reviews Committee when determining homelessness reviews under section 202 of the Housing Act 1996. |
| Corporate objectives:                           | No specific links.   |
| Implications:<br>'Value For Money Implications' | None arising from this report.   |
| Risk Implications                               | None arising from this report.   |
| Monitoring Officer                              | This is a report prepared by the Assistant Director (Chief Executive's Unit) in his capacity as Monitoring Officer.  |

|                    |   |
|--------------------|---|
| Consultees:        | Council   |
| Background papers: | Cabinet Reports: 16 December 2014 and 24 March 2015<br>Housing and Community Overview and Scrutiny Committee Report 18 March 2015 |

## BACKGROUND REPORT

1. At its meeting on 24 March 2015, the Cabinet considered a report on the Council's procedure for dealing with homelessness reviews under section 202 of the Housing Act 1996 ("section 202 reviews"). The Cabinet resolved that Council be recommended to reinstate responsibility for determining section 202 reviews to the Appeals Committee, and that the terms of reference of the Committee (to be renamed the 'Appeals and Reviews Committee') be amended as set out in that report.
  
2. The Cabinet also resolved –
 

**“That the Assistant Director (Chief Executive's Unit) be instructed to prepare a draft revised procedure to be used by the Appeals Committee when determining section 202 reviews as advised by counsel and arrange for the draft revised procedure to be reviewed by counsel before submitting it to Council for adoption”.**
  
3. A draft revised procedure was prepared in accordance with the decision of Cabinet and reviewed by counsel. Following discussion with counsel a final draft of the revised procedure has been prepared and is attached to this report as Appendix 1.
  
4. It is recommended that the revised procedure as set out in Appendix 1 be adopted by Council as the procedure to be followed when the Appeals and Reviews Committee is determining section 202 reviews.
  
5. It should be noted that the Cabinet also resolved that the Assistant Director Chief (Executive's Unit) be instructed to review the use of the revised procedure after one successful or two unsuccessful challenges, or within 12 months of operation, whichever is the sooner, and report back to Cabinet.

## Appendix 1

### SECTION 202 HOUSING ACT 1996 REVIEW PROCEDURE

The procedure of the Appeals and Reviews Committee (“the Committee”) will be as follows:

1. The Chairman will ask whether any Member has an interest to declare.
2. The Chairman will establish whether all Members of the Committee have read the papers before them. It is the practice and requirement of the Committee that its members shall have read all such papers prior to the review hearing.
3. The Chairman will open the review by:
  - (a) stating the nature of the review matter to be considered, (including a reference to the relevant section of the Housing Act 1996) and
  - (b) explaining whether the procedure to be followed is:
    - i. A review of those decisions referred to a section 202(1) of the Housing Act 1996, or
    - ii. A reconvened hearing following a Regulation 8 (*Allocation of Housing and Homelessness (Review Procedures) Regulations 1999*) ‘minded to’ decision letter.
4. The Committee will ensure that the requirements of the Allocation of Housing and Homelessness (Review Requirements) Regulations 1999 (“the Regulations”) have been complied with, in particular that the Applicant has been advised of their right to make written representations, of the procedure to be employed by the Council in determining the review following receipt of the review request and that the review decision will be made within the periods provided for at paragraph 9 of the Regulations unless the parties have agreed an extension in writing.

#### **Review of those decisions referred to in section 202(1) of the Housing Act 1996**

*The section 184 Housing Act 1996 decision (inquiry into cases of homelessness or threatened homelessness)*

5. The Committee will consider the following:

- (a) The relevant decision as referred to at paragraph 3(b)(i) above (“the relevant decision”);
  - (b) The Applicant’s written submissions and documentary evidence (including those prepared on behalf of the Applicant), if any;
  - (c) The results of any investigations carried out by the Council and the homelessness file in relation to the particular case; and
  - (d) All relevant statutory and regulatory provisions and relevant parts of the Homelessness Code of Guidance for Local Authorities.
6. Having considered those matters referred to at paragraph 5 above the Committee shall make one of the following unanimous/majority decisions:
- (a) uphold the relevant decision; or
  - (b) reject the relevant decision as being incorrect in law, incorrect on the facts, or both and thereby find in favour of the Applicant; or
  - (c) adjourn the hearing in order for the Committee to obtain further information from the Applicant or others (bearing in mind the time limits to reach a decision as referred to at paragraph 4 above). All new information shall be made known to the Applicant and they will be invited to comment in writing prior to the reconvened hearing; or
  - (d) decide that although there is a deficiency or irregularity in the relevant decision, or the manner in which it was made, the Committee is nevertheless ‘minded to’ make a decision that is against the Applicant’s interests on one or more issues (Regulation 8 of the Regulations). In such circumstances the review will be adjourned and the Applicant will be so advised with proper reasons provided of the ‘minded to’ decision and given a reasonable opportunity to make written and/or oral submissions in response. A reconvened hearing will thereafter be held in accordance with paragraph 3(b)(ii) above.
7. In the circumstances mentioned in paragraph 6 (a) above, the Committee will inform the Applicant of its reasons in writing in accordance with section 203(4) (5) and (8) of the Housing Act 1996 (i.e. the decision shall be in writing, with reasons and giving notice of the Applicant’s right to appeal to the county court).
8. In the circumstances mentioned in paragraph 6 (b) above, the Committee will inform the Applicant in writing that their application for review has been

successful and the repercussions of such a decision as regards Part VII of the Housing Act 1996.

9. In reaching a decision under paragraph 6 (a) above the Committee shall provide substantive and full reasons for inclusion in the decision letter.

*The Section 210 Housing Act 1996 decision (suitability of accommodation)*

10. The Committee may consider the following:
  - (a) The section 210 Housing Act 1996 offer of accommodation; and
  - (b) The Applicant's written submissions, if any.
11. When considering the section 210 Housing Act 1996 offer of accommodation and the Applicant's submissions the Committee will do the following:
  - (a) uphold the section 210 Housing Act offer of accommodation as suitable; or
  - (b) reject the section 210 Housing Act offer of accommodation as being unsuitable.
12. In the circumstances mentioned in paragraph 11 (a) above, the Committee will inform the Applicant of its reasons in writing in accordance with section 203(4), (5) and (8) of the Housing Act 1996 (i.e. the decision shall be in writing, with reasons and giving notice of the Applicant's right to appeal to the county court).
13. In the circumstances mentioned in paragraph 11 (b) above, the Committee will inform the Applicant in writing that their application for review has been successful and the repercussions of such a decision as regards Part VII of the Housing Act 1996.

**Reconvened review following an adjournment**

14. The Committee will consider the following:
  - (a) All those matters referred to at paragraph 5 above;
  - (b) The Applicant's further written submissions, if any;
  - (c) Any further information provided by the Applicant, if any; and

(d) The results of any further investigations carried out by the Council since the adjournment and any response by the Applicant to the same.

15. Having considered those matters referred to at paragraphs 5 and 10 above the Committee shall make one of the unanimous/majority decisions referred to at paragraph 6(a) (b) and (d) above (paragraphs 7, 8 and 9 above thereafter applying if and as appropriate).

### **Reconvened review following a Regulation 8 'Minded to' decision letter**

16. The Committee will consider the following:
- (a) The Regulation 8 'minded to' decision;
  - (b) The Applicant's written and/or oral submissions, if any;
  - (c) Any other relevant information.
17. When considering the Regulation 8 'minded to' decision and the Applicant's submissions the Committee may do the following:
- (a) Uphold and confirm the 'minded to' decision; or
  - (b) reject the section 184 Housing Act decision as being incorrect in law, incorrect on the facts, or both;
18. In the circumstances mentioned in paragraph 17 (a) above, the Committee will inform the Applicant of its reasons in writing in accordance with section 203(4), (5) and (8) of the Housing Act 1996 (i.e. the decision shall be in writing, with reasons and giving notice of the Applicant's right to appeal to the county court).
19. In the circumstances mentioned in paragraph 17 (b) above, the Committee will inform the Applicant in writing that their application for review has been successful and the repercussions of such a decision as regards Part VII of the Housing Act 1996.

### **Right to Appeal**

20. An Applicant has a right to appeal against any final decision of the Committee as provided for at section 204(1) of the Housing Act 1996 (details of which will be provided in the decision letter).

**13. 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 because The report contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. (Agenda item 14)

Local Government Finance Act 1972, Part VA, Schedule 12A. paragraph 3.

## APPENDIX A

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### **DACORUM BOROUGH COUNCIL**

### **MEETING OF THE COUNCIL**

**25 FEBRUARY 2015**

\*\*\*\*\*

Present -

#### **MEMBERS:**

Councillor Lawson (Mayor); Councillors, Adeleke, Adshead, Anderson, Ayling, Mrs Bassadone, Bateman, Bhinder, B Chapman, Collins, Doole, Douris, Elliot, Fantham, Mrs Green, Griffiths, Guest, Harden, Harris, Hearn, N Hollinghurst, R Hollinghurst, Killen, Laws, Link, Mahmood, Marshall, McKay, Peter, Mrs Rance, Reay, Ryan, G Sutton, R Sutton, Taylor, Tiley, Tindall, 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 (Legal Democratic & Regulatory), The Group Manager (Democratic Services), L Collins, Pauline Bowles and Kayley Johnston (Minutes).

The meeting began at 7.30pm.

#### **53. MINUTES**

The minutes of the meeting held on 14 January 2015 amended by Alan Fantham were agreed by the Members present and then signed by the Mayor.

#### **54. DECLARATIONS OF INTEREST**

The following Councillors submitted a Declaration of Interest form relating to agenda item 7.6 Budget 2015/16.

1. Councillor Adshead declared a personal interest in agenda Item 7.6 Budget 2015/16. He is a Trustee of the Dacorum Sports Trust.
2. Councillor Anderson declared a personal interest in agenda Item 7.6 Budget 2015/16. He is a Trustee of Hemel Hempstead Day Centre.
3. Councillor Collins declared a personal interest in agenda item 7.6 Budget 2015/16. He is a Member of the Chiltern Conservation Board (Dacorum nominated).



4. Councillor Doole declared an interest in agenda item 7.6 Budget 2015/16.as a Parish Councillor for Nash Mills.
5. Councillor Guest declared a personal interest in agenda item, 7.6 Budget 2015/16. She is a Member of Warners End Neighbourhood Association Management Committee and Trustee of Warners End Neighbourhood Association.
6. Councillor Hearn declared a personal interest in agenda item 7.6 Budget 2015/16. She is a Trustee of Community Action Dacorum.
7. Councillor Marshall declared a personal interest in agenda item 7.6 Budget 2015/16. She is a Trustee of Hemel Hempstead Day Centre for the Elderly T/A Centre in the park – A Core Funded Charity.
8. Councillor Taylor declared a personal interest in agenda item 7.6 Budget 2015/16. He is the Trustee and Treasurer of the Gadebridge Community Association. Director and Honorary Treasurer.

## **55. ANNOUNCEMENTS**

### **1. By the Mayor**

The Mayor announced RAF Halton will exercise their right to Freedom of Entry to the Borough on 17 May 2015. Further details to follow.

### **2. By the Chief Executive:**

The Chief Executive announced the appointment of James Dean to the post of Corporate Director of Finance and Operations and congratulated him, wishing him well for the future.

Following her marriage last Friday, the Chief Executive announced that she will continue to be known as Sally Marshall professionally but personally she will be known as Sally Marshall-Mills.

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

Councillor Williams gave apologies for absence on behalf of Councillors G Chapman, Clark, Conway, Flint, MacDonald, and McLean.

Councillors Organ, Wixted and Wood were absent.

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

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

The Leader of the Council congratulated the Chief Executive on her marriage to Peter Mills.

He informed Members that he attended the opening of the £800k “Ice Rink” project last Friday and said that there was over 150 people at the skating Ice Rink. He thanked the Officers for all of their hard work and the success of the project.

The refurbishment of the new gym has now been completed and the leader of the Council said that he was pleased with all of the hard work that had gone into making it look excellent. The Odeon cinema will also be refurbished increasing it from 8-17 screens.

Questions and answers:

Councillor Hearn made reference to the Dacorum Digest and said that it was of a very high standard. She asked The Leader of the Council to congratulate all of those concerned in making it such a success.

The Leader of the Council agreed with Councillor Hear that the Dacorum Digest is an excellent publication for residents receiving information about the Council.

Councillor Tindall made reference to page 16 item 7.3 The Hemel Evolution: Bus Interchange and Market Square. He expressed his concern over the financial control and where the 1.4 million would be spent.

The Leader of the Council replied that the budget was originally set higher. There is now a £500k acquisition in place for the Town Centre.

Councillor McKay said that he was delighted to see the Ice Rink re-open as it’s the only Ice Rink in the whole of Hertfordshire.

The Leader of the Council said that it was crucial to save the Ice Rink for the community.

There were no more questions for the Leader of the Council.

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

Councillor Harden informed Members that the trial of the new I pads was now taking place with 6 Members participating in the trial. He mentioned that the remaining Members would receive their I-pads after the election in May.

Questions and answers:

Councillor N Hollinghurst asked a question regarding the use of the I Pads and expressed his concerns over using them and their security.

Councillor Harden said that the Council was only responsible for the security within the Council and it was the Members responsibility to make sure that their home broadband was secure. He added that the security on the I Pads was the same that was currently been used on the laptops that Members already have.

Councillor Adshead referred to the major sporting events taking place in Dacorum and said that it was vital that as a Council we push for these events to take place.

Councillor Harden mentioned that all of the sporting events that have taken place so far have proved a great success.

Councillor Bassadone expressed her opinion on the trial of the I Pads and said that she was very pleased with the technology and found e mails much easier to manage.

Councillor Harris referred to the women's Cycling event and asked the Portfolio Holder if the route would be the same as the men's or if new roads would be added.

Councillor Harden confirmed that the route would be different as the ladies have more miles to cycle on. The Portfolio Holder said that he was pleased to have Hertfordshire County Council on board as they are a great support network.

Councillor C Wyatt-Lowe said that she was pleased to hear of a women's cycling event taking in the borough. She asked the Portfolio Holder how these events would be monitored and public health improved.

Councillor Harden explained that decorum is now on the map due to hosting these events. The Community are engaged in healthy activities therefore reducing the risk of obesity and helping to promote health and well-being.

There were no more questions for the Portfolio Holder.

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

### Environmental Services

1. Garden waste collection calendars have been delivered and the first collections after break took place week commencing 16 February on the same week as the blue lidded bins across the Borough.
2. Winter bulbs have been planted for spring displays which we hope will be as impressive as the summer flowers.

### Sustainability

External BSI audits for the continuation of our ISO14001:2004 Environmental Management System Certificate has been undertaken at the Civic Centre, Berkhamsted Civic Centre, Cupid Green Depot and Cemeteries.

A number of additional water meters have been installed across the Council's assets which will help to identify leaks and monitor usage. As a result of these installations water leakage at Gadebridge Park has been identified, work is currently underway to stop these leaks and save the Council money in the long term.

### Questions and answers:

Councillor Rance referred to the 2 litter picks on the A41 and the mess that residents look at on a daily basis. She said that this road was used regularly and needed to create a good impression for Dacorum. She suggested that it may be helpful to

promote litter picking days in the Dacorum Digest to help widen the help required. Dog fouling was another issue that was raised. Councillor Rance asked if there was anywhere on the Council's website to report this.

Councillor Laws agreed that the A41 needed a tidy up. She informed Members that there would be a litter picking day being held on 9<sup>th</sup> March to improve the way the A41 looked. She added that there would be 2 extra litter picking days provided per year along with £40k in extra funding to help look at ways in helping the community. With regards to the dog fouling, Councillor Laws mentioned that any dog fouling can be reported on the Council's website.

Councillor Tindall referred to the dumping situation and asked if there was any way that we could catch the culprits as the cost implication to remove the waste is draining on the system.

Councillor Laws said that the Enforcement Team are in place to try and catch those that dump waste.

There were no more questions for the Portfolio Holder.

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

Councillor Tindall raised a question at the last meeting regarding Council Tax. The Portfolio Holder said that he believed this had been thoroughly dealt with by James Dean. He also highlighted to Members that he was delighted with James Dean's new position within DBC.

#### Questions and answers:

Cllr Townsend made reference to the litter on the A41. He asked the Portfolio Holder for clarity as he had received information that Herts Highways did not communicate with DBC when they were closing the A41. He asked if we could pursue Herts County Council for the extra costs.

Councillor Tiley confirmed that this information was incorrect.

Councillor Tindall referred to the 1% increase in zero hours contracts within the Council and asked for an update regarding this.

Councillor Tiley said that the statistics showed that in the last year there was a further 1% increase on zero hour contracts. That's a 2.3 increase across the country. This in effect leads to more unemployment. The Portfolio Holder pointed out that these contracts are not acceptable methods of unemployment and DBC should discourage if possible.

Councillor Elliot asked if Councillor Tiley agreed with him that the prudent handling of financing which has allowed Dacorum to be the place to come and work, with unemployment at 1.4% against a national average of 5.7% which is full employment. Demonstrating that the Conservative Party provide the environment for businesses to grow and families to work in a thriving town.

Councillor Tiley agreed with Councillor Elliott and said that he couldn't have put it better himself.

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

### **Tenants and Leasehold Service**

**Rent Increase notification** - This year's rent increase notification will be slightly different than in previous years. The formal notification of an increase to a tenant's rent (send out at the end of February) will include both the total rent chargeable and the amount of housing benefit that the tenant is entitled to.

This change will reduce the number of letters set out to tenants during the year end process and is also anticipated to reduce the number of enquiries received regarding the benefit entitlement of individual tenants during March.

**Text messaging** - In March (as part of the rent increase notification) we will also be informing tenants that if we recognise their mobile telephone they can now text message us BAL and they will receive an automated response from us with their rent balance.

We are also working to provide a rent balance to tenants who speak to the automated telephone system when they ring the Council and ask for Housing Rents.

**Implementation of the Council new Rent Policy** - 2015/16 will see an amendment to the Council's Housing Rents and Other Charges Policy. In practice it means that

- Rents charges where tenants are charged below the 'target rent' level will not be increased by more than Retail Prices Index (in September of the preceding year) plus 0.5% plus £2.00
- Once target rents have been reached rents will not be increased by more than Consumer Prices Index (in September of the proceeding) year plus 1% each year.

**Tendering the Community Alarm Upgrade and Maintenance contract** - The contract to maintain and upgrade the alarm call systems within our 35 sheltered housing schemes is currently out to tender.

The successful awarding of this contract will see implementation of a programme to replace many of the old alarm call system within many of our sheltered schemes. Details of the upgrade programme can be found at the Supply Hertfordshire Portal [www.supplyhertfordshire.uk](http://www.supplyhertfordshire.uk)

### **Strategic Housing**

The development programme is still on track, with St Peters Court, Farm Place and The Elms all due for completion end of March 2015.

Dens are working on the plans for the management of The Elms, with first occupation currently planned for early May.

Work has begun on the development at London Road with estimated completion early 2016.

## **Property and Place**

**Summer Court** - Works continue to progress well on site with the render currently being applied. Some of the residents are already starting to experience the thermal benefits of the increased wall insulation. The district biomass heating system will be commissioned towards the end of February.

**Structural Upgrading of Walkways /Balconies** - The project is progressing well with three additional sites completed since the last report to Cabinet. The surgery day on Wednesday morning continues and a respite area at Able House is being maintained in case residents would like to get away from the noise.

**Longlands** - The project to upgrade the block of flats at Longlands, to provide external wall insulation and 6 new build properties on the roof is currently being mobilised with the site office being set up.

The project programme is 44 weeks due to finish early November 2015 and there has been ongoing consultation with the residents on the final designs. A dedicated resident liaison officer will be based on site to address any issues and support the residents.

**Mechanical and Electrical Contract Tenders** - The tenders for the Mechanical and Electrical contracts are in the process of being evaluated, with the exception of the Fire Alarm contract, which has been granted an extension of the tender period. Interviews will take place over the next two weeks and the outcome will be reported to Cabinet in March.

**Osborne Total Asset Management Contract** - There have been a number of void properties returned in one day, which is benefitting the overall performance of the voids figures.

Additional resources have been recruited to the call centre to reduce call wait times which had been rising since the beginning of January. Two new resident liaison officers have joined the team to support the planned programmes of work and a short presentation, which can be shown to tenants so they know what to expect when having a kitchen and bathroom replaced, produced.

The initial audit was completed and during the next few weeks further work will be done to align Osborne's, accounting systems with the budgets for next year, and complete the details of the Open Book protocol. This work will enable a more efficient method for reviewing the costs, so that any shared savings generated can be reinvested in next year's programmes.

## **Questions and answers:**

Cllr Adshead said he had been to see Summer Court and was pleased with the works carried out. He asked if there were going to be more works carried out in other areas.

Councillor Griffith's replied that there are future plans but currently is not in a position to confirm their locations or when these will take place.

Councillor Elliot said that it was fantastic news that for the first time in 20 years the Council was building houses in the borough.

Cllr Hollinghurst asked a question regarding the new technology being used in Housing and asked if it would be useful in speeding up the process for benefits claims and help process resident's claims quicker.

Councillor Griffiths said the technology that she was referring to would be for the tenants to find out their balance of their accounts.

Councillor Taylor said that the new council flats in Gadebridge known as St Peters Court are a fine example of new council homes. He pointed out that they are the first to be built in the borough for 27 years. He pointed out to Members the extremely low costs and said that the electricity bill will be estimated to be no more than £100 per annum.

Councillor Griffith said that she was delighted to acknowledge this. Under the present government, the Council now has the opportunity to be able to buy houses and spend the tenant's money on the tenant's properties.

There were no more questions for the Portfolio Holder.

## **56. CABINET REFERRALS**

The referrals from Cabinet on 20 January and 10 February 2015 were submitted. It was moved by Councillor Williams, duly seconded and

Resolved:

That the following be approved:

### **20 January 2015**

#### **1. ADOPTION OF ANTI-SOCIAL BEHAVIOUR POLICIES AND PROCEDURES (CA/008/15)**

- (a) The adoption of the Council's revised 'Anti-social Behaviour Policy', the 'Policy for Dealing with Anti-Social Behaviour Affecting Tenants and Leaseholders' and the 'Anti-social Behaviour Procedures' as attached to the report.
- (b) The revised scheme of delegation to officers as set out in paragraph 11 of the report.

### **10 February 2015**

#### **2. SENIOR OFFICER PAY POLICY (CA/018/15)**

The adoption of the Pay Policy for 2015/16 as set out in appendix 1 to the report.

**3. HEMEL EVOLUTION: BUS INTERCHANGE AND MARKET SQUARE (CA/019/15)**

£1million additional capital budget for expenditure during 2015/16 for the delivery of the Bus Interchange project.

**4. COMMUNITY INFRASTRUCTURE LEVY (CIL) – ADOPTION OF THE CHARGING SCHEDULE AND ASSOCIATED DOCUMENTS (CA/021/15)**

a) The CIL Charging Schedule is adopted in accordance with Regulation 25 of the CIL Regulations 2010 (as amended).

b) The Regulation 123 list is adopted alongside the Charging Schedule as the basis for allocating CIL funding and as set out in Appendix 2 of the report.

c) The CIL policies on Exceptional Circumstances Relief, Discretionary Charitable Relief, Instalments and Payments in Kind are adopted.

d) The Planning Obligations SPD is un-adopted by the Council on the 1<sup>st</sup> July 2015.

e) Progress towards the implementation of CIL is noted.

f) The implementation date for CIL is delayed until the 1<sup>st</sup> July 2015.

g) Decisions over the spending of CIL receipts are taken by Council based on recommendations of an Infrastructure Advisory Group comprising officers and members.

h) Authority is delegated to the Assistant Director Chief Executives Unit to amend the Constitution to allocate specific operational functions required to facilitate the day to day operation of CIL.

**5. NAMING THE PUBLIC SERVICE QUARTER (CA/023/15)**

The Public Service Quarter is officially named 'The Forum'.

**6. BUDGET 2015/16 (CA/024/15)**

**General Fund Revenue Estimate**

a) **Set a Dacorum Borough Council General Fund Council Tax requirement of £9.826m, and of £10.467m for the combined Borough Council and Parish Councils' requirement for 2015/16;**

b) **An increase of 1.8% in Council Tax for Dacorum Borough Council;**



- c) **The base estimates for 2015/16, as shown in Appendix A of the agenda report, and the indicative budget forecasts for 2016/17 – 2018/19, as shown in Appendix J of the agenda report;**
- d) **The forecast balances of Revenue Reserves as shown in Appendix H of the agenda report, and approve paragraphs 14 – 31 of the agenda report as the updated Reserves Strategy;**
- e) **Increase in Fees and Charges for 2015/16 as set out in Appendix I of the agenda report;**
- f) **The Treasury Management Strategy be adopted for 2015/16, as attached at Appendix K of the agenda report;**
- g) **The Treasury Management Principles and Practices for 2015/16 be adopted as attached at Appendix L of the agenda report;**
- h) **This budget paper, when approved by Council, will form part of the Medium Term Financial Strategy.**

#### **Capital Programme**

- i) **The revised Capital Programme for 2014/15, and for 2015/16 to 2019/20, as detailed in Appendix G of the agenda report;**
- j) **The financing proposals in Appendix G of the report, be authorised subject to an annual review of the financing options by the Corporate Director Finance and Operations, in consultation with the Portfolio Holder for Finance and Resources, during the preparation of the Statement of Accounts.**

#### **Housing Revenue Account (HRA)**

- k) **Set dwelling rent increases in accordance with the proposed policy to retain existing rent policy for those tenants below Target Rent, but to implement CPI-linked rental increases for those tenants who are at Target Rent. This results in an average increase of 3.71% which makes the average rent £106.02 per week (based on 52 weeks);**
- l) **The HRA estimate for 2015/16 be approved as shown in Appendix F of the agenda report.**

#### **Terms and Conditions**

- m) **The continued application of a living wage supplement for all affected employees be approved in accordance with the Living Wage, for 2015/16; to be reviewed annually thereafter.**

#### **Statement by Chief Finance Officer**

- n) **The statement by the Chief Finance Officer regarding the robustness of the budget estimates and level of reserves as set out in Appendix M of the agenda report be approved**

Key points of discussion:

Councillor Williams introduced the report and moved the motion to debate.

**LIBERAL DEMOCRAT AMENDMENT**

An amendment with additions to the expenditure budget (to be funded from the Dacorum Development Reserve) was moved by Cllr Harris.

- £30k for the supply and installation of 51 extra dual litter and recycling bins.

Councillor Tindall seconded the amendment and reserved his right to speak.

Councillor Harris said that whilst canvassing, the Liberal Democrat group have heard many concerns about the state of the Borough and in particular the amount of litter. The proposal will involve residents in the solution by providing recycling receptacles which will help the Council in separating the waste. He said it would involve no extra costs to administer the scheme because it could be incorporated within the existing waste collection service. He said that the proposal would involve all 51 Members nominating the sites for the bins, thus empowering Councillors and giving Back Bench Councillors a reason to be here and give something back to their areas. It will help keep the Borough clean, safe and green and he asked Members to support the motion.

The Leader of the Council said the amendment was not circulated before the meeting and he asked the Mayor for a few minutes to discuss it with his colleagues.

Councillor Mrs Green said it was a shame that the Lib/Dem Group had chosen the very last moment to provide the amendment and she took exception to the comment that it would give Councillors something to do. She said that the Lib/Dem group could not be doing their job as a Councillor properly if they have that much spare time.

The Leader of the Council said that after a brief discussion with his colleagues the amendment would not be accepted. He said, If out of a £75m budget this is the best considered suggestion; to enable each Member to place a recycling bin in their area, with no context to the 2000-3000 existing bins, then his recommendation is that this amendment is not accepted.

The Mayor referred to the Rules of Debate 13.9.(b) on 'Right to Reply' (If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it)

The Leader of the Council said it was not his intention to stop any debate but to notify the Council of his decision about the amendment before the debate.

Councillor Anderson proposed that with the agreement of the Council, this rule be temporarily waved in order for the debate to continue on the amendment. Councillor Marshall seconded the proposal, it was agreed by Members and the Mayor allowed the debate on the amendment to continue.

Councillor Douris said he thought this was a shoddy amendment. He said that the Lib/Dem group had got their sums wrong yet again. £30,000 was needed for the

supply and instillation of recycling/litter bins, but the proposals did not include any costs for emptying and cleaning the bins because it was suggested that the costs can be absorbed into the current plan. However emptying and cleaning 51 extra bins takes time and has a cost.

Councillor Marshall said she was disappointed with the amendment. This suggestion was not raised during the OSC process and was only now put forward at the last minute. She said the proposal smacked of political tactics and put the Lib/Dem group in a bad light.

Councillor Rance responded to Councillor Douris's comments on costings and referred him to the second paragraph of the Section 151 Officer Comments: "The emptying of the bins, once installed, could be absorbed into the Council's existing collection rounds and would not therefore require a further increase in the base revenue budget"

Councillor Anderson said he could not support the amendment; there was a lack of evidence to support the claim that these bins are needed and that there is not such a chronic problem that would require such measures.

Councillor Elliot asked if the Lib/Dem group had changed colour and become the new green party.

Councillor N Hollinghurst said the Lib/Dems had always been a green party. He said it was a modest, well-formed amendment and it could be looked on as an interesting experiment to get feedback on the practical use of dual litter bins. He said he was encouraged at the suggestion that this issue could be discussed at an OSC meeting.

Councillor C Wyatt-Lowe said she was offended at the suggestion made by Councillor Harris that backbench Councillors have nothing else to do. She added that this ill-advised, poorly thought out, uncosted proposal is an insult to the integrity of this Council. Clearly there was nothing else to attack if the only amendment to the budget is a request for 51 more litter bins.

Councillor R Hollinghurst said she couldn't believe that other Councillors did not have a litter problem within their ward. She said that within a day of being elected as a Ward Councillor she was contacted about a litter issue. The complaints have continued and it is one of the biggest problems voiced by residents. This very week Wigginton villagers have carried out an organised litter pick. She said she was sorry if other Councillors felt they could not contribute to the tidiness of the Borough.

Councillor McKay asked if constituents would compare and contrast: this Conservative administration who look at the objective requirement of need and workout how to wisely spend tax payer's money or take the Lib/Dem approach to experiment with £30,000 of tax payer's money.

Councillor Harden said he could only presume that in all the 4 years of being the opposition party, the Lib/Dem group were completely supportive of each budget because they only ever bring up small amendments. Last year one of the two amendments were agreed, but Councillor Harden said he would love to see an alternative budget submitted by the Lib/Dem Group believing there was a chance they could run the administration.

Councillor B Chapman said the amendment was a complete waste of Council time and asked if the amendment was delivered late because the Lib/Dems had to find

locations for the 51 bins. He said he would like evidence of where the bins would be located and suggested they let the Portfolio Holder know, so that this could be considered in the budget for next year.

Councillor Binder agreed that all Councillors have problems with litter but he did all he could to work with his community in Grovehill to improve the situation. He said he was constantly vigilant and litter problems had been declining since he started a community group to put the responsibility on the residents rather than reliance on the Council. He said that there had been particular problems over the last nine months with fly-tipping at the Grovehill shopping area and he praised the Council for actioning prosecutions. He finished by saying he did not need a bin.

Councillor Taylor said he was trying to balance the two sides of the argument. He said he had worked with groups such as Neighbourhood Action and Enforcement Officers to look at litter and dog fouling and this work had already been built into the current budget. He said an enormous amount of time, energy and effort by Officers and Members from both parties had gone into the budget but the Lib/Dem amendment proposal had caused aggravation. A lot of time had also been spent by Members debating the budget, providing lots of opportunities for people to input into the budget.

Councillor Tindall exercised his right to reply and thanked Councillor Taylor for his reasoned approach to the debate. He agreed with Councillor Harden that his group had over the years worked on the basis of presenting one or two items so as not to waste Officers time. He felt that the Chamber was being used to score political points; most of the contributions made by the Conservative group were praise for various projects and could have been delivered at the Group meeting. He said exercising democracy was never a waste of time and commended the amendment to a vote.

The Mayor put the amendment to the meeting and declared it to be lost:

- £30k for the supply and installation of 51 extra dual litter and recycling bins and declared it to be lost;

7 Voting For, 34 Against and 1 Abstention.

In line with legal requirements, the names of the Members voting for and against the amendment were recorded as follows:

For: Councillor Harris N Hollinghurst, R Hollinghurst, Link, Mrs Rance, Tindall and Townsend (7).

Against: The Mayor, Councillors, Adeleke, Adshead, Anderson, Ayling, Mrs Bassadone, Bateman, Bhinder, H Chapman, Collins, Douris, Doole, Elliot, Fantham, Mrs Green, Griffiths, Guest, Harden, Hearn, Killen, Laws, Mahmood, Marshall, McKay, Peter, Reay, Ryan, G Sutton, R Sutton, Taylor, Tiley, Whitman, Williams, C Wyatt-Lowe and W Wyatt-Lowe (34)

Abstention: The Mayor (1)

### **Substantive Motion**

The Council reverted back to the debate on the substantive motion.

Councillor Hearn said she was pleased to support the budget and delighted that the Borough Council has allocated the sum of £100,000 for the Tring Town Plan. This money will enable Tring Town Council to enhance the town centre at a time when it is endeavouring to encourage business. It will also provide funding for many of the other objectives set out in the Town Plan.

Councillor Collins said he too would be supporting the budget. It enables us to continue with the Hemel Hempstead rejuvenation. He said it was a budget for the long-term future for Dacorum. In Berkhamsted there is a successful town centre with high occupancy rates and a balanced range of shops, services and restaurants. He said this budget supports the biggest need; additional car parking space to sustain this growth. He also thanked the Borough for their element of funding for the refurbishment of the canal tow paths through the town. As regards to the multi storey carpark, he was sure that a sensitive design would be achieved in this conservation area location. He asked if the Lib/Dem Members would speak to the two Lib/Dem members of Berkhamsted Town Council and encourage them both to support the new carpark. He finished by thanking the Portfolio Holder for the speedy way that the Borough had passed on the full Council Tax Support Grant to the Town/Parish Councils.

Councillor Harris said he would not be able to support the budget. There is a 1.8% Council Tax increase which he thought excessive in the current times. Watford and Tree Rivers – which are both Lib/Dem run councils, have both put through a 0% increase. He said the reason that it was difficult to put forward amendments was because of the lack of detail in the budget; split by department rather than by item. A breakdown could be requested, but he did not want to waste Officer time.

Councillor Adshead said that the Council was being asked to approve a budget that will secure the future of Dacorum in the form of a new town centre for Hemel Hempstead, more homes for families in the Borough, cleaner streets and public spaces, more facilities in community centres, sport and leisure facilities, a new bus interchange, more recycling, improvements to Maylands Business Park and the new Forum building. The Council Tax increase equates to less than £1 per month per household and was well worth it for all the benefits listed. He concluded by saying that he would be supporting the budget and encouraged all members to do the same.

Councillor Elliot referred to the 1.8% increase which he said was an increase of just 1p per day, whilst delivering fantastic services to residents. The Conservative administration does not cut services and that is why the Lib/Dems have never been in power in this council and never will be.

N Hollinghurst referred to the tow path improvements through Berkhamsted and said that this was in fact one of the 45 projects of the Tring, Northchurch and Berkhamsted Urban Transport Plan. If the Borough Council are contributing to this County Council project, which is mainly funded by S.106 agreements (and will be funded by CIL in future) he asked, why the Council was not also contributing to another socially important matter of supporting bus routes to the villages and suburbs of the towns.

Councillor Reay said that the canal side improvements were put together by the Canal and River Trust. The Borough did agree to commit to a contribution because Berkhamsted Town Council itself made a significant contribution of £20,000.

Councillor Douris said that Councillor Harris referred to the Lib/Dem run Watford

Council. He said that Watford pay a significantly higher amount Band D Council Tax than we pay in Dacorum. He said that he was delighted to see that the Lib/Dem group must support the 1.8% Council Tax increase because if they didn't agree they would have taken the opportunity to propose a 0% increase.

Councillor Griffiths said that this budget has been through the OSC process at least twice and all Members had the opportunity to speak to Officers to find out any details, even line by line; Officers would have been legally required to do so. That would have also been the opportunity to come up with the dual litter bin proposal so that it could have been discussed in an open forum. She said she would suggest that if the Lib/Dem group are serious about delivering a 0% Council Tax increase, then a practical budget would need to be delivered by them, not just for this year, but for the future with forward planning. She added that this is a very good budget, it was a shame that the Council Tax has had to go up by 1.8% but she was delighted that the Council was able to continue with the application for the living wage for staff for the coming year.

Councillor Williams said that he was pleased to produce a budget of £70-80m with only minor adjustments. He said in some ways this is a slightly boring budget, but it was a rolling programme of a prudent sensible Conservative Administration who had run this Council for the last 14 years and which had continuing aspirations to run this Council for another 14 years. It knows that it had to balance its books and while raising the Council Tax was a tough decision there is no doubt that whatever happens on 7<sup>th</sup> May nationally, Local Government will not have more money over the next 5, 10 or even maybe 15 years and we need to raise the money locally to provide local services. The electorate accepts that you cannot have good services without paying for them. The modest increase is £3.40 per year; under 1p a day on Dacorum's precept will still leave us some 40% below Watford's precept. This budget rolls forward the aspirations of which this Council has been working on over many years. It continues to invest in Hemel Hempstead's evolution, in the Watergardens and Town Centre, in Maylands to attract business to the area and investments in public car parking as well as £295k in resident parking/verge hardening and £100k in carpark refurbishment. Councillor Williams continued by saying that carparks are an asset to this authority and it would not be appropriate to take money from the long-term refurbishment programme to put it into resident parking because the maintenance of the Council's assets is a long-term planned programme to insure they do not deteriorate and continue to meet the needs of the public. £14m in this budget has been allocated for new housing projects to roll forward the Council's aspirations to deliver at least 300 more homes. He added that he would like to be even more ambitious with this programme and over the next year will be working with Member and Officer Colleagues to see if this can be achieved. This budget seeks to invest in services, maintain existing services, invest in our assets, and deliver a better economy and to support the aspirations of our residents. He recommended the budget to Council.

The Mayor put the substantive motion to the meeting and declared it to be carried:

34 Voting For, 0 Against and 8 Abstentions

For: The Mayor, Councillors, Adeleke, Adshead, Anderson, Ayling, Mrs Bassadone, Bateman, Bhinder, H Chapman, Collins, Douris, Doole, Elliot, Fantham, Mrs Green, Griffiths, Guest, Harden, Hearn, Killen, Laws, Mahmood, Marshall, McKay, Peter, Reay, Ryan, G Sutton, R Sutton, Taylor, Tiley, Whitman, Williams, C Wyatt-Lowe and W Wyatt-Lowe (34)

Abstentions: Councillor Harris N Hollinghurst, R Hollinghurst, Lawson, Link, Mrs Rance, Tindall, Townsend and The Mayor (8).

### **Council Tax Declaration 2014/15**

It was moved by Councillor Williams, duly seconded and

Resolved:

That the following be approved:

1. Cabinet, at its meeting on 16 December 2014, calculated the following amounts for the year 2015/16 in accordance with regulations made under Section 31B (3) of the Local Government Finance Act 1992 (as amended), as inserted by Section 74 of the Localism Act 2011:-
  - (a) 54,637.7 being the figure calculated by the Council in accordance with regulation 3 of The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 as its Council Tax base for the year;
  - (b) the amounts in Table 1 of this report (Tax Base for each part of the Council's area to which one or more special items relate) being the amounts calculated by the Cabinet in accordance with regulation 6 The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 as the amounts of its Council Tax base for the year for dwellings in such parts;
- 2) the following amounts be now calculated by the Council for the year 2015/16 in accordance with Sections 31A and 31B and Sections 34 and 36 of the Local Government Finance Act 1992 (as amended) (referred to as "the Act"):
  - (a) £148,770,444.44 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act, taking account of all precepts, and including the amount which the Council estimates as Council Tax deficit which will be transferred in the year from its General Fund to its Collection Fund;
  - (b) £138,303,485.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act, including the aggregate of the sums which the Council estimates will be payable for the year into its General Fund in respect of redistributed Non-Domestic Rates and Revenue Support Grant ;
  - (c) £10,466,959.44 Being the amount by which the aggregate at 2) (a) above exceeds the aggregate at 2) (b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its **Council Tax requirement** for the year;
  - (d) £191.57 being the amount at 2) (c) above, divided by 1) (a) above, calculated by the Council in accordance with

Section 31B (1) of the Act as the basic amount of its Council Tax for the year;

(e) £641,461.85 being the aggregate amount of all special items referred to in Section 34(1) of the Act;

(f) £179.83 being the amount at 2) (d) above, less the result given by dividing the amount at 2) (e) above by the amount at 1) (a) above, calculated by the Council, in accordance with Section 34(2) of the Act as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates;

| <b>(g) Part of the Council's Area</b> | <b>Band D<br/>Equivalent<br/>Combined<br/>£</b> |
|---------------------------------------|---|
| Hemel Hempstead                       | 179.83  |
| Aldbury                               | 192.36  |
| Berkhamsted                           | 199.01  |
| Bovingdon                             | 205.74  |
| Chipperfield                          | 214.88  |
| Flamstead                             | 231.82  |
| Flaunden                              | 209.77  |
| Great Gaddesden                       | 198.60  |
| Kings Langley                         | 220.54  |
| Little Gaddesden                      | 205.44  |
| Markyate                              | 216.57  |
| Nash Mills                            | 203.67  |
| Nettleden                             | 204.69  |
| Northchurch                           | 191.05  |
| Tring Rural                           | 200.62  |
| Tring Town                            | 204.50  |
| Wigginton                             | 193.32  |

(Band D charge for Parish and District combined), being the amounts given by adding to the amount at 2)(f) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1)(b) above, calculated by the Council in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in parts of its area to which special items relate;

3) it be noted that for the year 2015/16 Hertfordshire County Council have stated the amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings as set out in table 3(a);

4) That it be noted that for the year 2015/16 Hertfordshire Police and Crime Commissioner have stated the amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings as set out in table 3(a);



- 5) That having calculated the aggregate in each case of the amounts at 2) (g), 3) and 4) above the Council in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby set the amounts set out in Table 3b of the report as the amounts of Council Tax for the year 2015/16 for each part of the area and for each of the categories of dwellings shown;
- 6) It be noted that in setting the Council Tax for 2015/16 the Council is required to have taken account of the report of the Chief Financial Officer on the robustness of the budget.

#### **57. OVERVIEW AND SCRUTINY REFERRALS**

None.

#### **58. CHANGES TO COMMITTEE DATES**

Resolved:

1. That the Group Meeting date be changed from 18 May 2016 to 17 May 2016.
2. That the Annual Council Meeting date be changed from 19 May 2016 to 18 May 2016

#### **59. CHANGES TO COMMITTEE MEMBERSHIP**

None.

The meeting ended at 9.20pm

## **ITEM 7 – REFERRALS FROM CABINET**

**24 MARCH 2015**

### **7.1 AFFORDABLE HOUSING CLARIFICATION NOTE (CA/032/15)**

#### **Decision**

**That Council be recommended to approve:**

- 1. That the Affordable Housing Clarification Note be adopted as a material planning consideration in relevant planning decisions and for use in the preparation of future planning documents; and**
- 2. That authority be delegated to the Assistant Director, Planning, Development and Regeneration to make minor editorial changes to the Clarification Note, prior to its final publication.**

#### **Reason for Decision**

To agree the content of a clarification note setting out how the Council will apply the changes to national affordable housing policy set out in the recent Ministerial Statement and accompanying changes to the national Planning Practice Guidance (PPG).

#### **Implications**

##### Financial

There are no direct financial implications for the Council in relation to this guidance note, although there will be a limited number of cases where the revised approach to affordable housing may reduce the ability to secure either on-site provision or commuted payments.

The application of the Clarification Note will however assist in the efficient determination of planning applications within the statutory decision periods, which will assist with the overall financial efficiency of the planning service. It will also reduce the risk of the Council having to defend appeals which may have occurred should measures not have been taken to bring the Council's approach in-line with revised national planning policies.

##### Value for Money

Up-to-date guidance on affordable housing will ensure the Council secures contributions from development where appropriate, but does not spend unnecessary time and money fighting appeals where there is a mis-match between the policies within the adopted Core Strategy and revised national guidance.

#### **Risk Implications**

There are no direct risk implications related to this guidance note. The note provides detailed guidance to support the application of policies within the adopted Core Strategy and Affordable Housing SPD. A separate Risk Assessment has been prepared for the Local Planning Framework (of which the Core Strategy is part). This is updated monthly as part of CORVU monitoring processes.

## **Corporate Objectives**

The Affordable Housing Clarification Note supports the 'Dacorum Delivers' and 'Affordable Housing' objectives. It will improve efficiency and effectiveness of services by enabling planning decisions to be approved within agreed time scales and through the provision of upfront and clear advice on the provision of affordable housing within new development. It also demonstrates that the Council is able to respond to changes in national policy in a prompt and effective manner.

## **Advice**

The Assistant Director Planning, Development and Regeneration said the Clarification Note was necessary because of a recent Government announcement regarding the Local Planning Authority taking financial contributions for small developments. Page 5 of the report referred to the main towns. They will no longer be able to secure affordable housing or financial contributions for 10 units or less.

There was recognition from Government about incentivising developers and the Clarification Note sets out how the Council would define the newly introduced 'Vacant Building Credit.' This was a holding position and the Council wanted to get the Core Strategy in place by 2018.

The Portfolio Holder for Finance and Resources said that whilst the Council would not be able to require those infill developments to have affordable developments, the Council was still in a position to negotiate affordable housing if a willing seller could be found.

The Assistant Director Planning, Development and Regeneration said rural exception sites were not governed by this. It would be fine if there was a developer willing to part with the land at a low price. The Council's negotiating position was not particularly strong now. There was a legal challenge taking place currently and this would be reported back.

The Portfolio Holder for Finance and Resources said there was a local land owner who might be willing to sell land at a reasonable price which could be used for affordable homes and commercial use. Potten End needed between 6 – 8 affordable homes and that scheme might supply that.

The Leader of the Council said that, given the ministerial comments, the Council needed to accept the revised guidance.

## **Options and Why Options Rejected**

No alternative options were considered.

## **Consultation**

Consultation took place with:

- Development Management (Alex Chrusciak, Paul Newton, Fiona Bogle)
- Strategic Housing (Julia Hedger, Sarah Pickering)
- Strategic Planning and regeneration (Francis Whittaker, Heather Overhead, Rob Freeman)
- Legal Governance (Neil Weeks).

## **Voting**

None.

## **7.2 SHARED PARENTAL LEAVE POLICY (CA/034/15)**

### **Decision**

**That Council be recommended to approve the Shared Parental Leave Policy.**

### **Reason for Decision**

To recommend Council to approve the Shared Parental Leave Policy.

### **Implications**

#### Financial

It is difficult to predict the take up of shared parental leave and pay. The present paternity policy allows the father to take additional leave and statutory pay at present; to date nobody has taken this up.

We are planning to pay statutory pay to the father under the shared parental leave policy, and do not expect the take up to be high, therefore the costs will be minimal

#### Value for Money

There is no value for money implications as we are legally required to make this change to our employment policies.

### **Risk Implications**

The risks are that if more employees take up the policy than expected, we will have to pay statutory pay to them.

The risk of not implementing the policy is that we would be open to legal challenge.

### **Corporate Objectives**

To comply with legislation and therefore avoid the risk of non-compliance.

### **Advice**

The Portfolio Holder for Residents and Regulatory Services introduced the report and said the policy would ensure the Council complied legally with national policy.

The Portfolio Holder for Environment and Sustainability asked if the Council would be paying statutory or enhanced pay as referred to in paragraph 4 of the report.

The Group Manager People advised that it was proposed to pay the statutory amount of pay which was written in the policy. This was similar to other organisations, although some in Hertfordshire were paying the enhanced rate.

## **Options and Why Options Rejected**

No alternative options were considered.

## **Consultation**

Consultation took place with:

- Corporate Management Team
- Unison and Unite
- Human Resources

## **Voting**

None.

## **7.3 REVIEW OF CHILDREN AND YOUNG PEOPLE SAFEGUARDING POLICY AND PROCEDURES (CA/035/15)**

### **Decision**

**That Council be recommended to approve the revised Safeguarding Children and Young People Policy and Procedures.**

### **Reason for Decision**

To recommend Council to the revised Safeguarding Children and Young People Policy and Procedures.

### **Implications**

#### Financial

Within existing budgets.

#### Value for Money

None relating to this report.

### **Risk Implications**

The intention of this report is to comply with legislation and to ensure therefore that children and young people are safeguarded and protected from abuse when they are engaged in services organised and provided by, or on behalf of, the Council.

### **Corporate Objectives**

- Clean and safe environment
- Community capacity
- Dacorum delivers.

## **Advice**

The Portfolio Holder for Residents and Regulatory Services said the Council was not a Children's Services Authority but did have a statutory duty to work with Hertfordshire County Council and Hertfordshire Safeguarding Children's Board under section 11 of the Children Act 2004.

The Leader of the Council said this seemed to come up for review very often.

The Assistant Director Neighbourhood Delivery said this should be reviewed annually. Only the headline statements would be reviewed. The policy would be reviewed again in early 2016 and then annually.

## **Options and Why Options Rejected**

No alternative options were considered.

## **Consultation**

None.

## **Voting**

None.