

MINUTES

FINANCE & RESOURCES OVERVIEW AND SCRUTINY COMMITTEE

03 JULY 2012

Present:

Adeleke	Sutton (Chairman)
Ayling	Taylor
Clark	Townsend (Vice – Chairman)
Doole	W Wyatt - Lowe
Organ	

Also in attendance:

Officers:

Mike Evans	Group Manager, Commercial Assets & Property Development
James Doe	Assistant Director (Planning, Development & Regeneration)
Louise Dolphin	Member Support Officer (Minutes)

The meeting started at 7.35pm.

OS/145/12 MINUTES

Part 2 minutes of the meetings held on 20 March 2012 and the Minutes from 12 June were confirmed by the members present and were then signed by the Chairman.

The Chairman informed the Committee that Councillor Tiley had suffered a sudden family bereavement and that their thoughts and prayers were with him and his family.

Councillor Doole referred to the Part 2 minutes for 20 March 2012 and asked if the following amendments could be recorded.

The Chair moved that the running order of the agenda items for the meeting be amended. He moved that Item 7, Community Infrastructure Levy become Item 6 and Item 6, Update on Hemel Hempstead Street Market with draft tender document become Item 7. All Members of the Committee agreed to the running order being amended.

OS/146/12 APOLOGIES FOR ABSENCE

1. Apologies for absence were received on behalf of Councillors Collins.
2. Councillor Elliot substituted for Councillor Marshall.
3. Councillor White was absent.

OS/147/12 DECLARATIONS OF INTEREST

None

OS/148/12 PUBLIC PARTICIPATION

None

OS/149 /12 CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE IN RELATION TO CALL-IN

None

OS/150/12 COMMUNITY INFRASTRUCTURE LEVY

James Doe introduced the report. He explained that The Community Infrastructure Levy (CIL) was a new way of collecting contributions from developers to promote growth. He said that there would be set charges applied per sq meter on developments and once set would be mandatory for developers to pay. The officer said that it was important to have these policies in place and that from April 2014 they would no longer have the ability to set charges for developers after this date.

The current position of the Council is that it has an Infrastructure Delivery Plan (InDp) which is required to justify how charges are set on CIL. The InDp will be kept under review to ensure that it meets local needs and the funding programmes.

The Chairman thanked the officer for his concise but thorough report.

Key points of discussion

Councillor Townsend asked the officer if he could explain what work would need to go into the Infrastructure Plan and asked if the committee could have a copy of the report. J Doe said that there had recently been a report produced and that he would circulate it to all members of the committee. J Doe mentioned that DBC is still in a position whereby they are collecting money for CIL. They will still need to address the appropriate level but County Councils are taking an active interest.

In response to Councillor Ayling's question regarding existing deficits in infrastructure provision the officer replied that the Council has had to take the decision as to whether they can support the development or not. He said that if planning permission was granted, we as the Council would have to show that the money was being spent wisely. As a result, the Council will be audited on its spend of CIL.

Councillor Ayling asked if a deficit would make matters worse. J Doe said that if the deficit was so bad, permission would not be granted as there would not be enough infrastructures to support it. However research carried out for the new Core Strategy shows there are no insurmountable infrastructure constraints to the developments proposed to 2021.

Councillor Ayling referred to Page 11 4.9, and asked whether the "meaningful proportion" of the funds received from developments in individual neighbourhoods would be spent on the neighbourhood or local items and if the officer could elaborate on what was meant in the report as "locally". J Doe said that the term "neighbourhood or local items" could be as local as they chose through the CIL governance structure.

CIL would give them more freedom but they would need to come up with a scheme that would highlight where the funds would be spent.

Councillor Adeleke referred to the parameters of typical rates from other authorities that varied from £60 - £100 for developers and asked if the rates were in any way flexible or set rates and whether they could be reviewed in the future. J Doe explained that when they set levels for rates they are fixed. They are set in line for the developers so that they cannot negotiate on the rates. He mentioned that if at any point a developer refused to pay the current rate tariff then in extreme circumstances, a custodial sentence could be put in force. J Doe said that the rates at which developers are charged could be reviewed.

Councillor Adeleke referred to Page 9 3.2 and 3.3, and asked if he could explain how the CIL working group was made up. J Doe said that it was vitally important for Members to be involved in the process of setting CIL rates and the setting up of governance arrangements for spending CIL monies. He explained that a Task and Finish Group would enable 6 – 10 Members to develop a thorough understanding of the evidence and key decisions and to advise Officers and other Members regarding the best approach.

Councillor W Wyatt – Lowe asked if a “bidding War” would emerge on developing the CIL charging schedule. J Doe said that there was one other authority in the country that had been trying to undercut other Councils to make a profit. However, the Council would not be able to make any profits from developers.

Councillor Taylor referred to Page 12 6.2, and further information for Members. He pointed out that a Member briefing was delivered as part of the Member Development Programme on 31st May 2012 and said that if Councillor’s requested further information to liaise with him for copies of the presentations that were given out at the meeting. He pointed out that the concept of CIL was simple.

The Chairman said that this was an important topic that appeared to affect everyone. He asked for a regular update on Committee Membership changes and asked if it was the intention that the S106 would be phased out. J Doe confirmed to the Committee that it would not be phased out; however it would be used substantially less in the future.

Councillor Doole highlighted the point that there was a real benefit to the CIL. He asked what the benefit was to the community as this was not shown in the diagram on Appendix 1. J Doe said that there will be some negotiations on developments that will take place however; the Task and Finish Groups will need to be flexible in their approach to CIL.

The Chairman referred to Page 9 3.3, and asked if they would need volunteers for the Member Involvement. J Doe said pointed out he has discussed this with the Portfolio Holder for Planning and Regeneration and the Task and Finish groups can nominate its own Members.

Actions:

1. J Doe to provide committee with the link to the Dacorum Infrastructure Delivery Plan.
2. Member Support to provide the Members of the Committee with any Committee Membership changes in the near future.
3. J Doe to update the Committee on how CIL will affect the Borough.

Outcome:

The report was noted.

OS/151/12 UPDATE ON HEMEL HEMPSTEAD STREET MARKET WITH DRAFT TENDER DOCUMENT

Mike Evans introduced the report. He explained that the legal agreement with the operator will expire in approximately 4-6 weeks. The Council would then need to seek proposals from any prospective operators in July/August and therefore complete a new agreement before the agreement expired. He mentioned that the Market Square and the Marlowe's may be redeveloped along with possible changes to the Old Town Street Market and possible future road closures at certain times of the year.

He concluded that over the next coming weeks would be very important in the delivery of how the street market is run. At present the market is solely reliable on The Council. All results of the tender document will be reported to the Portfolio Holder as soon as they are ready, August being the earliest date.

Key points of discussion

In response to Councillor Ayling's question regarding the Hemel Hempstead Market Layouts – summer and winter, the Chairman replied that the layout had already been discussed at Development Control. The overall outcome was good with regards to all of the changes that had taken place.

Councillor Adeleke asked if the Council was making any profit on charging rent to traders. M Evans confirmed that no profit would be made. He said that it was not the traders that were making the investment but it was the operators.

Councillor Adeleke asked the Officer what kind of investment would take place. The Officer said that an investment of £10 - £20k could possibly be invested in the town centre. This would be governed by Town Centre Partnership.

Further to Councillor Adeleke's question on the investment of the town centre he asked if there was a comprehensive plan in place as the initial investment amount was so small. The Officer mentioned that there was an investment strategy set up. This would give potential partners the opportunity to invest in general improvement areas such as street lighting, landscaping etc.

James Doe informed the Committee that there would be a meeting taking place on 25th July 2012 for Members to discuss the physical changes that are to take place in the town centre. All actions from this meeting will be prioritised.

Councillor Elliott mentioned that most street markets have the ability to create a lot of mess for residents. He asked if there was an ideal look for this particular market. M Evans replied to his question pointing out that £80k will be invested on the regeneration and it would improve all areas of the town market. He said that the money will be used to buy stalls which will be given to the operators to hand out to the traders. The officer said that they were aiming for a uniform look to the town centre markets and all stalls will have a unique colour scheme.

The Chairman said that he was delighted at the diversity that the town market would offer to residents. He mentioned that he had been to several farmers markets and that it was a shame that there was not one in Hemel Hempstead. The Chairman said that

he welcomed the forthcoming changes to the street markets as it will bring more people into Hemel Hempstead which would boost trade.

Outcome:

The report was noted.

OS/152/12 EXCLUSION OF PUBLIC

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the item in Part II 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: Update on Hemel Hempstead Street Market with draft tender document – Additional Information (Minute OS/153/12).

OS/153/12 UPDATE ON HEMEL HEMPSTEAD STREET MARKET WITH DRAFT TENDER DOCUMENT – ADDITIONAL INFORMATION

Full details can be found in the Part II minutes.

Resolved:

The report was noted.

OS/154/12 WORK PROGRAMME 2012/13

Councillor Taylor moved that an agenda item called “Shared & Outsourced Service Updates” became a permanent item on future agendas.

Outcome:

The Committee agreed that this item should be added to future agendas permanently.

The meeting ended at 9.05pm