



# **MEETING OF THE COUNCIL**

**30 SEPTEMBER 2015**

# SUMMONS & AGENDA

## SUMMONS

### MEETING OF THE COUNCIL

WEDNESDAY, 30 SEPTEMBER 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, 30 September 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  
Louise Collins**

**ext 2222  
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## AGENDA

### 1. MINUTES

To confirm the minutes of the meeting of Council on 15 July 2015 (Appendix A Pages 6-19)

### 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 Executives Unit).

### 4. ANNOUNCEMENTS

To receive announcements and business brought forward by the Mayor, the Leader of the Council, Members of the Cabinet, Group Leaders 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 Leader of the Council and Members of the Cabinet:

Councillor Williams	Leader of the Council
Councillor Elliot	Finance & Resources
Councillor Mrs Griffiths	Housing
Councillor Harden	Residents & Corporate Services
Councillor G Sutton	Planning and Regeneration
Councillor Marshall	Environmental, Sustainability and Regulatory

### 5. 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).

### 6. NOTICE OF MOTION

To consider the following motion from Councillor Tindall given in accordance with Standing Orders:

1. That the Council recognises that the UN High Commissioner for refugees has stated that Syria “has become the greatest tragedy of this century –a disgraceful humanitarian calamity with suffering and displacement unparalleled in recent history”,

2. That the Council notes that over six million people have been displaced in Syria and over three million people have fled to nearby countries,
3. That the Council notes that thousands of displaced Syrian people have attempted to cross the Mediterranean to seek asylum and have died in the process,
4. That the Council, mindful of the tragic events in the Mediterranean and elsewhere and noting the comments of the Prime Minister for the United Kingdom to fulfil its moral responsibility and give sanctuary to refugees from war, instructs the Chief Executive to advise the Government that Dacorum will commit to receive and support its share of refugee families, in cooperation with the County Council and other local councils in Hertfordshire.
5. That the Chief Executive be requested to refer to the position of the Local Government Association in her communication to the Government, highlighting the already stretched resources of local government and the extra resources such assistance will require,
6. That the Cabinet together with the Chief Executive take the necessary action needed to implement the assistance outlined in paragraphs 4 and 5 of this motion.

## **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:

<b>Minute No.</b>	<b>Date</b>	<b>Title</b>	<b>Yellow Pages</b>
8.1 CA/061/15	21 July 2015	Medium Term Financial Strategy	<b>20</b>
8.2 CA/063/15	21 July 2015	Tourism Strategy	<b>22</b>
8.3 CA/073/15	15 September 2015	Budget Monitoring Quarter 1 2015/16	<b>23</b>
8.4 CA/074/15	15 September 2015	Treasury Management Outturn & Performance Indicators	<b>26</b>
8.5 CA/076/15	15 September 2015	Financial Regulations Review	<b>27</b>
8.6 CA/077/15	15 September 2015	Revocation Of The Affordable Housing Policy Clarification Note	<b>28</b>
8.7 CA/078/15	15 September 2015	THE FORUM: Category B Fit Out, Internal Layout And Strategies For Information Technology, Audio Visual Technology, Facilities Management And Customer Services	<b>31</b>

## **Part 2 Referrals**

			<b>Green pages</b>
8.8 CA/065 /15	21 July 2015	New Build Development Update	<b>34</b>
8.9 CA/079/15	15 September 2015	Homelessness Review Procedure	<b>37</b>

### **9. OVERVIEW AND SCRUTINY REFERRALS**

None.

### **10. CHANGE TO COMMITTEE MEMBERSHIP**

To appoint Councillor Imarni to be a substitute on JNC

### **11. CHANGE TO COMMITTEE DATES**

To consider any proposals for changes to committee dates

### **12. 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 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 the financial and business affairs of the Council or of any particular person, (Cabinet Minute CA/065/15 & CA/079/15)

Local Government Finance Act 1972, Part VA, Schedule 12A, Part 1 paragraph 3.

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**DACORUM BOROUGH COUNCIL**

**MEETING OF THE COUNCIL**

**15 JULY 2015**

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Present -

**MEMBERS:**

Adeleke (Mayor), Anderson, Ashbourn, Banks, Barnes, Mrs Bassadone, Bateman, Bhinder, Birnie, Chapman, Clark, D Collins, E Collins, Conway, Douris, Fantham, Fisher, Mrs Griffiths, Guest, Harden, P Hearn, S Hearn, Hicks, Howard, Imarni, Link, Maddern, Mahmood, Marshall, Matthews, McLean (Deputy Mayor), Peter, Ransley, Riddick, Ritchie, Silwal, G Sutton, R Sutton, Taylor, Timmis, Tindall, Whitman, Williams and C Wyatt-Lowe (44)

**OFFICERS:**

The Chief Executive, the Corporate Director (Housing and Regeneration), the Corporate Director (Finance and Operations), the Assistant Director (Chief Executive's Unit), the Group Manager (Democratic Services), K Soley (Communications and Consultation Team Leader) T Coston and K Johnston (Minutes).

The meeting began at 7.30pm.

The Mayor led a minute silence in respect for former Councillor Pam Gaddes who served as a Dacorum Borough Councillor during the period 1986-1991 and who has sadly passed away.

**10. MINUTES**

The minutes of the Annual Council meeting held on 20 May 2015 were confirmed by the Members present and then signed by the Mayor.

**11. DECLARATIONS OF INTEREST**

None

**12. ANNOUNCEMENTS**

**1. By the Mayor**

There were no announcements made by the Mayor.

**2. By the Chief Executive:**

There were no announcements made by the Chief Executive.

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

Councillor Williams gave apologies on behalf of Councillors G Adshead, S Adshead, Brown, Elliot, Mills and W Wyatt-Lowe.

Councillor Fisher submitted apologies on behalf of Councillor Fethney.

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

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

Councillor Williams had nothing to announce.

#### **Councillor Marshall, Portfolio Holder for Environmental, Sustainability and Regulatory Services**

##### **Environmental Services**

On Sunday 10 May 2015 we ran a compost awareness event where we gave away ten tons of free compost to keen gardeners as part of National Compost Week. Hundreds of residents headed to the giveaway event at Cupid Green Depot to pick up their two bags of compost made from the contents of the Borough's green wheeled bins. Last year residents helped to divert about 15,600 tons of food waste, cardboard and garden waste away from landfill and into the green wheeled bins. The compost was provided by D Williams and Co, the company responsible for turning the contents of the green wheeled bin into nutrient-rich compost. For more information: <http://www.dacorum.gov.uk/home/news/all-news/2015/05/12/free-compost-giveaway---ten-tonnes-given-to-residents>

In June we announced that we can accept plastic carrier bags for food waste disposal in the food caddy. This will make it easier for residents to continue to participate in recycling food waste even after the free compostable liners run out. After extensive trials at the composting facility (Anaerobic Digestion Facility in Chertsey), residents now have the option to dispose of food waste in plastic carrier bags, as well as compostable liners and newspapers.

Residents can continue to wrap food waste in newspaper and use compostable liners, which are available to buy from the Civic Centres, online at [www.thebincompany.co.uk](http://www.thebincompany.co.uk) or from supermarkets. Residents have been urged not to place food in plastic trays or containers or in any other plastic wrapping in the kerbside caddy as it will not be collected.

The 'breaking' good news was announced on Facebook and it led to 80 likes, 92 shares and 29 comments (all positive).

For more information:

<http://www.dacorum.gov.uk/home/news/all-news/2015/06/03/food-waste-recycling-made-easy>

To celebrate National Recycle Week (22 - 28 June) we've been out and about encouraging people to expand their recycling routine to include items from every part of their home. Shoppers in the Sainsburys store in Woodhall Farm and Tesco store in Jarman Park took part in demonstrations and competitions to test what items can be placed in the mixed



recycling bin and the refuse bin from different rooms in the house. Those who gave the right answers won recycled merchandise, including bottle opener key rings, mini wheeled bins and reusable bags. Many residents and supermarket staff showed their enthusiasm for recycling, with the pledge "I'm recycling right for Herts".

For more information:

<http://www.dacorum.gov.uk/home/news/all-news/2015/06/23/you're-recycling-right>

The Clean Safe and Green (CSG) team had the official opening of Walled Garden summer flower display where the Mayor very kindly attended to cut the ribbon.

The CSG team did a great job preparing the Borough for the Aviva's Womens Tour cycle event and we received lots of good feedback on how the park and route looked.

We also completed a bedding display in Tring as part of the 700 years celebration being held in Tring. It generated loads of interest and has gone down very well with the residents of Tring.

Grass cutting is going well and teams are already on the fourth cuts on the rounds.

We also had three of our Green flag parks judged this year, we now await the outcome.

We also completed the harvesting of timber from Chipperfield Common and now have a stock of timber which we are using to make our own benches.

### **Regulatory Services**

**Food Hygiene Inspections** - The first Quarter target A-C category inspections are within Performance Indicator projections.

**Food Safety Enforcement** - Two cautions have been issued with respect to businesses failing to comply with food hygiene /safety requirements. These were for food hygiene contraventions and failure to implement an effective food safety management system

**Health & Safety Enforcement** - A Prohibition Notice was served for gas safety issues.

**Environment Action Days** - The first of the planned operations took place week commencing 6<sup>th</sup> July and this targeted dog fouling. Known hot spots were visited across the Borough which included Hemel Hempstead, Berkhamsted, Tring & Markyate. In summary all of the dog walkers spotted were acting responsibly and there were no fixed penalty notices issued or prosecutions taken. However, this exercise has helped to build up intelligence on certain activities which will need to be monitored. A press release will be going out shortly.

**Environmental Protection** - Statutory Nuisance: there are still ongoing issues at Bovingdon Airfield relating to noise nuisance from motor sport activities. The Council's decisions were upheld and the noise abatement measures are now included in the site management plans. Officers are still dealing with two pubs which have been causing noise nuisance to residents. Both were served with abatement notices and levels noise levels are being monitored.

**Fly tipping Prosecutions** - On the 6<sup>th</sup> July 2015 Mr Adrian Diculescu of Hemel Hempstead pleaded guilty to dumping household waste in Holtsmere End Lane on his way to work on 20<sup>th</sup> April 2015. He was prosecuted under the Environmental Protection Act 1990 and ordered to pay a total of £1820.

On 8<sup>th</sup> April 2015 Mr Daniel O'Connor and Mr Claude Tambwe, both of Lomond Road Hemel Hempstead, pleaded guilty to leaving waste at a recycling site, failing to comply with Sections 33 and 34 of the Environmental Protection Act 1990.

**Private Sector Housing** – The Council continues to manage two houses in multiple occupation which have Final Management Orders. The serious defects have been removed. The Council manage the property in terms of the tenancies and it is also maintaining the property and remedying any defects so it is fit for habitation. The landlord has been successfully prosecuted for breaching their duty of care to tenants following an extensive investigation and collation of evidence. In addition, officers served a housing act notice on another landlord for various 'category one' hazards.

**Air Quality** - Monitoring equipment is being updated to capture a broader spectrum of pollutants with the help from money from Public Health. The County Air Quality Strategy has been approved by the Health & Wellbeing Board and there is an air quality event on the 7<sup>th</sup> October which will be looking at measures to reduce poor air quality across the County. Members are invited.

**Corporate Health and Safety** - The key priorities include health and safety risk assessments, risk assessment training for staff, fire safety, fire evacuation plans, DSE assessments.

The majority of relevant staff have now had training on risk assessment, fire safety/evacuation and manual handling. We have delivered this using expertise in-house and plan to do training in further areas using 'train the trainer' principles. This will save money on employing expensive external consultants and promotes a sustainable way of delivering training in the long term.

Other longer term projects include:

- Review the organisation and arrangements for delivering Health and Safety
- Develop more detailed corporate Health and Safety plans
- Auditing
- Development of Health and Safety Coordinators

**Sustainability** - Annual Management review of ISO14001:2004 will be taking place in a couple of months.

Six key Environmental Objectives for 2015 were agreed and the aim is to reduce by 5% the overall energy usage.

- Reduce the Fuel Consumption of the Council's fleet
- Record the weekly Electricity Consumption at each site
- Record the weekly Gas Consumption at each site
- Record the weekly Water Consumption at each site
- Increase Recycling Rates at each site
- Develop guidance and protocols for Sustainable Procurement

**Enforcement Policy** - This has been taken to Overview and Scrutiny and will be taken to Cabinet later this year.

**Mobile Homes** - The licensing policy was taken to Overview and Scrutiny and will be taken to Cabinet on the 21<sup>st</sup> July.

We have inspected all mobile home sites to check compliance against site licenses which has resulted in action by officers to remedy defects. The main issues have been to do with fire safety.

**Clean Safe & Green** - Cllr Marshall thanked the Mayor for officially opening the Walled Garden Summer Display in Gadebridge Park and strongly recommended other Members to visit.

As part of the town's 700 year celebration, the Clean Safe & Green Department created a special bedding display in Tring.

The Clean Safe & Green Department did a huge amount of work for the Aviva's Women Tour cycle event, making everything nice and clean, with Gadebridge Park looking really good and undertaking the mammoth job of clearing up afterwards.

**Refuse collection** - Cllr Marshall reminded Members that ordinary plastic bags can now be used to wrap waste food for the Green Food Caddy, so residents no longer need use the "compostable liners" and can use ordinary plastic bags as well as newspaper.

National Recycle Week end of June - there were Council demonstrations & competitions in Sainsburys, Woodhall Farm & Tesco at Jarman Park to show what can be recycled.

**Environmental Health** - Regarding publicity on the Council's Community Awards seeking Clean Safe & Green Community Champion : 7<sup>th</sup> August 2015 is the closing date for nominations. The purpose of the award is to recognise publicly spirited individuals and groups volunteering their time and going the extra mile to make their community cleaner, safer and greener. This can be for one-off or regular events. The principle criteria is has the work benefited the environment and has the work achieved a sense of community spirit?

### **Questions and answers:**

Councillor Guest commented how good the two events were and asked if a list of recycled items could be given to Portfolio Holders.

Councillor Marshall explained that it was on the website and she would make a log of this to see if there was a better way of describing it.

Councillor Fisher said she was happy with the system but how did people with no transport recycle small household electrical goods.

Councillor Marshall explained that items like this need to be taken to the household waste recycling centre. She didn't have the answer to what people should do if they didn't have their own transport. However she would bear this in mind.

### **Councillor Williams gave an announcement on behalf of Councillor Elliot, Portfolio Holder for Finance and Resources**

#### **Finance:**

The Annual Statement of Accounts were delivered on time and approved at Audit Committee on 24 June. The team have continued to improve in year processes, controls and working

papers meaning the Auditors have already completed the majority of their work, and a report with their opinion of the Accounts will be presented to the Audit Committee on 29 July.

A new card payments portal went live on the Council's website on 16 June. This portal provides significant improvements to the previously outdated one. The Customer Focus Project identified that the previous portal was unclear and did not portray a modern Council. The new portal has been designed with the Council's corporate branding, provides large and clear buttons, improving the customer's experience. The portal now allows customers to make payments via tablets and mobiles. The portal will continue to be developed over the coming year to incorporate additional services that do not currently accept payments online.

#### **Revenue & Benefits:**

Paperless Direct Debits have started to be accepted for Council Tax. This means that customers can now set up a direct debit over the phone or face to face, without the need for paper based bank mandates. Overall this makes it easier for the customer and gives them a much more positive experience increasing customer satisfaction, reduces the time taken to set up direct debits, reduces paper based activities and speeds up the recovery of any arrears. This is the first stage of a larger project seeking firstly to roll out paperless direct debits for all key services, and then make online direct debit facilities available to increase the overall efficiency and effectiveness of the service.

#### **Commercial Assets & Property Development:**

We are continuing to press for commercial increases in retail rents in shopping parades. We are looking to change leases to shorter terms and tie rental increases to inflation (RPI) to improve the commercial performance of the portfolio. Currently voids remain low at approx. 2% of the retail stock. Rental arrears are in general low at 7.6%.

We are continuing to press forward with the Berkhamsted Multi Storey Car Park where a pre-application was submitted on June 15<sup>th</sup>. Investigations on the Environment Agency Zoning of the site are continuing to determine impact, archaeological investigation, engineering drawings and site investigation have been commissioned. A party wall surveyor is being appointed. A formal planning application is expected in the autumn.

Demolition of Unit B is nearly complete. Following this, the area will be returned to parking. The contractors will then follow on to the Court House where the soft strip is already under way. We are continuing to support the work of the teams regarding the Forum Project.

#### **Questions and Answers:**

Councillor Tindall asked if a briefing would be supplied to all councillors.  
Councillor Williams confirmed yes.

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

##### **Tenant & Leaseholder Services.**

**Fun Day** - This is a reminder that the Housing Service is holding a fun day on 3<sup>rd</sup> August 2015. The fun day is to be held on the first day of the National Play Week.

A fun day is a slightly different approach to engaging with our tenants. It has become normal for us to hold a Tenant and Leaseholder Day in the autumn. Holding a fun day is a conscious attempt to engage with families with children during the school holidays.

The fun day will be held at Hemel Hempstead School from 11am.

**Key Amnesty** - You may be aware that the Housing Service held a 'key amnesty' in June 2015. This is part of the approach the service is taking to tackle social housing fraud.

The service was successful in receiving a central government grant to pilot an approach to tackling fraud. Within the grant application was a commitment to holding a key amnesty to give tenants the opportunity to give up their tenancy rather than incur costs for the service to pursue a conviction for fraud.

During the amnesty 7 keys were received enabling much needed homes to be let to those most in need.

Now that this amnesty is over concerted action will be taken to seek convictions for those found to be committing social housing fraud.

**Recharges** - The Housing Service is doing a lot of work to strengthen the approach it is taking to identify and recover rechargeable repair work. We have been talking to involved tenants about this approach and they support the new more robust approach that we are taking, there will also be an article about this new approach in the summer edition of 'News and Views'.

It is estimated that thousands of pounds worth of additional income can be recovered as a result of strengthening identification and recovery procedures.

It is anticipated that this new approach will commence in August 2015. This may elicit comments from tenants who are not happy to pay for the work (even if this is spread over a lengthy period) which has obviously been caused by their acts or neglect.

**Garden Competition** - We will be running the usual gardening competition for sheltered housing schemes. The winners' presentation will be taking place on Tuesday 28th July in the afternoon.

Presentations will be undertaken by the Mayor.

### **Strategic Housing**

**Farm Place** - Council officials and residents came together at Farm Place in Berkhamsted to celebrate the first new Council homes to be built in the Borough in over 25 years. These new homes form part of the Council's ambitious social housing development programme which will see £50m invested in building 400 new homes across the Borough by 2020. Farm Place is a development of 26 homes, meeting Level 4 for Sustainable Homes and built to Lifetime Homes Standard. This means the properties will be suitable to meet the needs of the family for a lifetime and will be easily adaptable for residents with disabilities. The Council has also completed on two other developments in Hemel Hempstead namely; St Peters Court, a nine 2-bedroom flat Passivhaus (built to a high energy efficient standard) and The Elms a 41 bed homeless hostel.

### **Property & Place**

**Summer Court** - The work to upgrade the blocks of flats at Summer Court has been completed and the residents are benefitting from the following improvement measures:

- Installation of a BIO Mass district heating system to reduce heating bills and the carbon footprint of the flats, which also brings in Renewable Heat Incentives income to the Council

- Solar PV panels to provide electricity to the communal lighting and income to the Council from the feed in tariff.
- External Wall Insulation to the block to reduce heating bills and make the flats warmer.
- New double glazed energy efficient windows.
- External LED street lighting and landscaping of the central gardens
- Refurbishment of the bin and drying areas, including extra security

**Structural Upgrading of Walkways / Balconies** - The project is progressing well and the supporting steel work has been erected at several garage sites and single balconies. At Fletcher Way the removal of balconies and replacement with Juliette balconies, went very well and the residents have been very co-operative. The residents are getting regular newsletters and advisory letters, as there have been changes to the programme due to unknown ground conditions, and the presence of some services, which has required the design to be altered. Open mornings continue to be held every Wednesday at Able House.

### Questions and answers:

There were no questions for the Portfolio Holder.

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

### Resident Services.

#### **Anti-social Behaviour**

There have been three injunctions obtained in court, all have a power of arrest attached, one for racially motivated anti-social behaviour, one for threats against a Council employee and one for storing a motorcycle in a communal area and threats to staff.

The Anti-social Behaviour Team are working with the Local Government Association and the Design Council on a project related to the use of the new legislation contained in the Anti-social Behaviour, Crime and Police Act 2014.

#### **The Old Town Hall**

The Old Town Hall has teamed up with Get Set, Go Dacorum to increase the offer of the very popular 'Let's Dance' sessions for residents aged 55. They will be running from July 27<sup>th</sup> to 21<sup>st</sup> September and are bookable through the Old Town Hall. The Look Out Pop Out children's theatre in Gadebridge Park will run on 1<sup>st</sup> and 15<sup>th</sup> August.

#### **Women's Tour**

The 21<sup>st</sup> June saw the National Women's Tour of Britain finish in Hemel Hempstead at Gadebridge Park. The Race Organisers were very happy with the route, Dacorum's planning and the attendance (which should not be compared to the men's tour). The racers also loved the route and spent some time signing autographs and talking to spectators. A real success for Dacorum, which again puts us on the map. We are currently reviewing the footage to get attendance numbers but early estimates are around 5,000 people.

Feedback from all the community groups involved in the fair were very pleased and many stalls reported 'selling out' and a really positive day. An example of this is reflected in the feedback from Friends of Gadebridge Park who reported 79 new members signing up!

## **Neighbourhood Action**

A Love your Neighbourhood event will take place in Tring on 25<sup>th</sup> August for a whole day concentrated in the Silk Mill Community Centre and focusing on Children and Young People, Health and Wellbeing and isolated older people.

## **Adventure Playgrounds**

The adventure playgrounds are preparing for the summer holidays and the National Play Days which are week commencing 3<sup>rd</sup> August. The days run from 11am to 4.00pm and are as follows: -

- Tuesday 4<sup>th</sup> August – Bennetts End
- Wednesday 5<sup>th</sup> August – Chaulden
- Thursday 6<sup>th</sup> August – Adeyfield
- Friday 7<sup>th</sup> August – Grovehill

## **Questions and answers:**

There were no questions for the Portfolio Holder.

## **Councillor G Sutton, Portfolio Holder for Planning and Regeneration**

### **Hemel Hempstead Town Centre.**

The town centre is currently a hive of activity for all to see, and I am pleased to give Council the following update.

#### **The Forum.**

Members will know that work is well underway now on site, with the demolition of the old library building completed recently.

This new facility will provide a hub of services for the town with a new library on the ground floor, together with our customer services. There will be space for voluntary sector partners and County Council's registry service, as well as the Police Safer Neighbourhoods Team. The Council's administrative offices will be on the first and second floors.

An energy efficient building, to be constructed to BREEAM 'very good' standard, the Council will save in excess of £300,000 in running costs each year.

The development is due to complete in late 2016 with occupation anticipated early 2017.

As you know, we are holding a ceremony on the 30<sup>th</sup> July to launch the construction of the Forum with the Mayor cutting the first turf. I would urge all to attend as, for most, it will be a once in a lifetime experience.

#### **Marlowes.**

Work is continuing apace and many of the new features and facilities in our improved shopping zone are now open, including play areas and the remodelled food court.

A key feature of the improvement works is creation of a new town square opposite to Stephyn's Chambers. The new giant LED screen is in, and framework for the new events

space is up with its rainbow coloured glass roof being installed over the next couple of weeks.

Between the two features is our new water play fountain with jets being installed in the ground, and set within a circular pattern of new paving blocks. Over the next few weeks the new paving will be laid out to cover the full width of the Marlowes. Together with our contractors, Greenford, we will be working closely with adjacent businesses to minimise disruption to trade and access for pedestrians generally.

Once done, this should be a striking new feature to the town centre. The new water play jets will be illuminated and will be choreographed to music; it also has a special water misting feature for added effect. Use will be made of the new giant screen to provide information and screen films, national sporting events and live TV. The new events canopy will provide a state of the art facility for live performances.

### **Bank Court.**

Moving from the new town square under Stephyn's Chambers towards the Water Gardens, the remodelling of Bank Court into a public piazza is well underway. The disabled parking bays from bank court have already been moved to Waterhouse Street. When complete the new Bank Court will feature new planting, seating and lighting and will be a pleasant open square which will form an important link between the Marlowes Shopping Zone and the Jellicoe Water Gardens.

### **Water Gardens.**

Members will be aware that the Council has prepared an exciting restoration scheme for Jellicoe Water Gardens – the jewel in the crown of Hemel Hempstead town centre – with having secured funding from the Heritage Lottery Fund.

I am pleased to announce to Council that following the recent tendering process, we have appointed contractors T Casey Ltd. They will be on site from Monday 27<sup>th</sup> July with initial preparation work and mobilisation of staffing and equipment.

The works, which will run through to the end of May 2016, will be carried out progressively in three phases, with the first commencing in the northern area of the Gardens between Combe Street and Bridge Street.

Work will begin in earnest on the first phase on 19 August, and during the period of the works there will be no vehicular access to the Water Gardens North Car Park (however, access to the Water Gardens North Car Park is still Possible via Bridge Street) These works will include Bridge refurbishment and fish pass construction and in early 2016, construction of the Community Facility building which will be located on site of the current play area.

The second phase will be from Bridge Street as far as the southern lake; with the third phase being the Lake itself. Both these phases are due to start in December.

The second phase will involve the restoration of the flower garden opposite Bank Court and the construction of the new play area in addition to bridge pass construction.

The third phase will involve restoration of the lake including removal of the island. This being a later addition to the Water Gardens and not part of Jellicoe's original concept. There will also be a small landing stage constructed for the launching of Model Boats. This was an innovation put forward by one of my predecessors, Councillor Terry Douris, who wanted a



facility for youngsters and others interested in model boating to come and float your boat at the Water Gardens.

Overall Members, I hope you will agree with me that this is a highly significant project for Hemel Hempstead and the plans will give you the renowned and much-loved Water Gardens a much needed new lease of life. On this point, I would like to reassure Council that our plans are supported by a commitment to the ongoing maintenance of the Water Gardens. I would like to pay Tribute to Friends of the Water Gardens who were instrumental in supporting the funding bid and have already carried out much valuable work. We will be employing an experienced Gardener who will be supported by apprentices and will work with the Friends of the Water Gardens to keep the restored Water Gardens maintained to the high standards they deserve.

### **Bus Interchange.**

Finally in the town centre, Members will note that work is well underway on the new bus interchange in Bridge Street and the northern part of Marlowes. These works are due to complete in December and once brought into operation the service at the current bus station will relocate to this new, more central and convenient location for passengers. A new ticket and information office for Arriva, the main provider of bus services, is being installed just to the south of the roundhouse in the Marlowes and will include new public convenience facilities.

As of the first of this month, the way we collect financial contributions from developers for infrastructure and public facilities through the planning system changed.

The Council's Community Infrastructure Levy on some new developments – principally new housing and larger scale retail schemes – became operational on 1 July.

For these types of developments, developers will pay a predetermined levy to the Council relative to the size of the building being carried out. For example, the levy on a new home in Hemel Hempstead is charged at £100 per square metre. For a typical 3 bedroom house this would mean a total levy payable of around £10,000.

CIL is only chargeable from when the building works start, so although developments are now liable to CIL, the Council is unlikely to start collecting such revenues for some months yet.

Draft governance arrangements have already been approved by Cabinet and our officers are refining these for further consideration by Members.

In essence, the Council, in liaison with key service providers, will prepare an Infrastructure Business Plan from which infrastructure schemes will be prioritised.

A 'meaningful proportion' of CIL will be directed to Town and Parish Councils, and in the unparished areas of our Borough – Hemel Hempstead and Bourne End – to Ward Members. Typically this will be 15% of CIL receipts from developments.

Within the area in question though this can rise to 25% where a Neighbourhood Plan is in place.

Our officers have and will continue to provide briefing sessions to Members and the Town and Parish Councils on the operation of the new CIL system.

## **Planning Decisions**

Finally Members, I would like to highlight the work of the planning service in dealing with some very significant planning applications in recent months which, when built out, will deliver much needed new housing – including affordable housing – to the Borough. These include:

**Gade Zone Redevelopment:** There is an outline consent for 207 apartments on the sites of the Marlowes Health Centre, former Magistrates Court and Hemel Hempstead Police Station, wrapping around the site of the new Forum development. The first two phases of this scheme are likely to be marketed later in the year to house builders, by the Council's selected development partner, Endurance Estates.

**Symbio House, Two Waters:** A new and striking 16 story tower with four floors of offices and 2018 apartments which may act as a catalyst to the regeneration of this part of Hemel Hempstead. I intend to bring a new planning and development framework for the Two Waters area later in the year for Members' consideration.

**Spencer's Park Phase 1, Three Cherry Trees Lane, Hemel Hempstead:** Following resolution of site drainage details between the developers Barratts and Thames Water, the Council has now granted consent for the details of the scheme. This is a development of 357 new homes, 40% of which will be affordable.

Since taking on this role I have attended a number of meetings both locally and county-wide, a full update now is not possible due to time constraints but it is refreshing to witness that many agencies are talking to one another to ensure that all potential growth and development fits local needs.

Mr Mayor there are many more other schemes that our planning service has dealt with in recent months but time does not permit me to list them now. The service experienced some significant staffing changes in the early part of the year at a time when there was a significant rise in the volume of applications being received. Recruitment has taken place and it is up to full strength now. I would like to extend my thanks to Officers in the service for their diligence and commitment in dealing with a demanding workload at this time.

### **Questions and answers:**

Councillor Birnie asked if they were aware when the fencing around Health Park would be completed.

Councillor Sutton replied saying he would circulate a written response.

## **13. CABINET REFERRALS**

The referrals from Cabinet on 26 May and 29 June 2015 were submitted. It was moved by Councillor Williams, duly seconded by Councillor Griffiths and agreed by Members.

### **Resolved**

That the following be approved:

**26 May 2015**

**7.1 CA/039/15 HOUSING ALLOCATIONS POLICY REVIEW**

**Decision**

1. That the amendments to the Housing Allocations Policy as set out in paragraph 3 of the report to Cabinet be approved.
2. That the proposed communications strategy regarding the Housing Allocations Policy be approved.

**29 June 2015**

**7.2 CA/048/15 AMENDMENT OF STANDING ORDERS REGARDING DISCIPLINARY ACTION**

**Decision**

That Council approve the amendment to Part 4 of the Constitution 'Officer Employment Procedure Rules' as set out in the Appendix to the report to Cabinet pursuant to the provisions of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

**7.3 CA/050/15 HEMEL HEMPSTEAD AMBASSADORS – START- UP FUNDING**

**Decision**

That a supplementary estimate of £140,000, funded from the Dacorum Development Reserve, in order to finance the Ambassadors programme for two years be approved.

**14. OVERVIEW AND SCRUTINY REFERRALS**

None.

**15. APPOINTMENT OF INDEPENDENT MEMBERS TO THE STANDARDS COMMITTEE**

That John Ebdon and Brendan Henry be appointed as Co-opted Independent Members of the Standards Committee until Annual Council 2019.

**16. CHANGES TO COMMITTEE MEMBERSHIP**

That Councillors Mrs Bassadone and Mills be appointed as substitutes for the Development Control Committee.

That Councillor Tindall be appointed to the Standards Committee.

**17. CHANGES TO COMMITTEE DATES**

There were no changes but an additional meeting of the Development Control Committee has been scheduled for Thursday 30 July 2015.

## **18. REPRESENTATIVES ON OUTSIDE ORGANISATIONS**

Some representatives on outside organisations were still to be confirmed and an updated list would be circulated to members.

## **19. EXCLUSION OF THE PUBLIC**

That, under section 100A(4) of the Local Government Act 1972, 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 the financial and business affairs of the Council or of any particular person, (Cabinet Minute CA/041/15)

Local Government Finance Act 1972, Part VA, Schedule 12A, Part 1 paragraph 3.

## **20. PART 2 CABINET REFERRAL – DEVELOPMENT UPDATE (CA/041/15)**

Full details are in the Part II Minutes.

The meeting ended at 8.15 pm

## **ITEM 8 – REFERRALS FROM CABINET**

**21 July 2015**

### **8.1 CA/061/15 MEDIUM TERM FINANCIAL STRATEGY**

#### **Decision**

**That Council be recommended to approve the revised Medium Term Financial Strategy for the period 2015/16 – 2019/20**

#### **Reason for Decision**

To present to Cabinet the revised Medium Term Financial Strategy for approval.

#### **Implications**

##### **Financial**

Contained within the body of the report.

##### **Risk Implications**

The updated strategy reduces the risk of forward projections becoming out of date.

##### **Equalities Implications**

There are no equality implications.

##### **Health And Safety Implications**

There are no health and safety implications.

##### **Monitoring Officer/S.151 Officer Comments**

**Monitoring Officer:** No comments to add to the report.

**S.151 Officer:** This is a Section 151 Officer report.

##### **Advice**

Corporate Director of Finance and Operations introduced the report advising it was for the period 2015/16 – 2019/20. He advised that it had been updated to reflect the summer budget of 2015, and that it had also been updated to include the audited out-turn position for 2014/15. Once those figures had been factored in to the model there is a savings target emerging for the next four year of £3 million. He advised that it is substantially front loaded, with £1.4million next year and £1.2million in 2017/18 and that these are driven by continued reductions in government grants. He advised that at this stage they were forecast figures and in terms of the government grants, there were two big risks coming up; one of which was the spending review which is currently underway and that government departments are being asked to model two different scenarios, looking at reductions of one at 25% and one at 40% and that this is in line with the assumptions that we have within the model, however we will not know for sure what the reductions will be until November and that in turn we will not

find out the actual impact this will have on Dacorum until the Local Government Finance Settlement in December.

With regards to the HRA an updated business plan will be presented to Cabinet in October. There are likely to be some significant changes as a result of the summer budget, in particular the 1% reduction year on year for the next four years, however that is being modelled through at present. He further added that they are working with the Chartered Institute of Housing to look at Local Government responses and once that is in place it will be brought to Cabinet in October.

Councillor Mrs Griffiths enquired that other than tenants on Housing Benefit, how do we know what the income is from our tenants, and how can you work out if it is 1% across the board or if it is just 1% to a certain level.

Corporate Director of Finance and Operations advised that at the present time we do not currently know our tenants income, however there has been some mention of legislation being passed to enable us to get that information. In terms of the effect it will have on the Dacorum business plan, he suspects that those tenants with an income in excess of £30,000 will get the increase but the amount that Dacorum will get will be reduced by 1% on what we are currently getting this year.

Councillor Marshall noted that the report indicates that we have to look for economies and enquired as to what the position was regarding income maximisation, where we are able to increase our income or explore areas where the Council is able to provide services.

Corporate Director of Finance and Operations advised that to deal with the funding deficit, either reduce spending or increase your income, but that a blend of both would be so much the better. He went on to advise that the next steps are that the budget review group meetings have now been scheduled and begin in August, and that they will meet monthly throughout the budget setting process, within that forum options will be looked at to potentially generate more income and then with advise from members we can start working on some of those proposals.

Councillor Williams commented that one of the most significant changes is the reduction in the Revenue Support Grant where it has gone from £2.07million to £1.4million and enquired as to whether this was a known fact or an assumption.

Corporate Director of Finance and Operations advised it was an assumption based on work carried out by Local Government Futures who do a large proportion of the sectors logging, so it is based on a large number of previous government statements, the direction in which it is going and they have been fairly accurate, in terms of their predictions in the past. In terms of potential optimism, this was modelled after the original budget, where the government were implying that there would be £42million worth of cuts next year, however in reality that has been reduced to less than half of that and it may be evened out more over the next three years or so.

Councillor Williams clarified that that figure will not be firmed up until the December announcement.

Corporate Director of Finance and Operations confirmed this was the case but that we would get an indication when the spending review figures are released as that will set what the Department for Communities and Local Government have got to spend over the next few years, so you will be able to extrapolate more effectively from that.

Councillor Mrs Griffiths suggested that by doing the national living wage we have put ourselves ahead of the game as it is already in the core budget.

Corporate Director of Finance and Operations confirmed that was correct.

The committee agreed to recommend the report to Council.

### **Consultation**

Consultation took place with:

Corporate Management Team

### **Voting**

None.

## **8.2 CA/063/15 TOURISM STRATEGY**

### **Decision**

**That the Tourism Strategy be adopted by Council.**

### **Reason for Decision**

To introduce the Tourism Strategy and associated action plans.

### **Implications**

#### **Financial**

Previously Dacorum Borough Council (DBC) allocated a total of £200,000 across two years towards this work through the Dacorum Look No Further funding. Funding has now been agreed for a further 2 years. This post will seek to self-fund after this period.

#### **Value for Money**

This work aims to increase footfall and therefore spend within the borough into the tourism economy. Ultimately this will allow these businesses to grow and expand, creating local employment opportunities.

### **Risk Implications**

Risk Assessment completed as part of the Dacorum Look no further (DLNF) Project Initiation Document (PID).

### **Equalities Implications**

Equality impact assessment carried out as part of DNLF PID

### **Health And Safety Implications**

None identified.

## **Monitoring Officer/S.151 Officer Comments**

**Monitoring Officer:** No comments to add to the report.

**Deputy S.151 Officer:** The costs for the activity are contained within the revenue budget and any carry forward of surplus externally generated funding will be through the usual year end processes.

This is the second time funds have been approved to pump prime the project. In order to provide assurance that the project will be self-financing within the required two years careful monitoring against the assumptions set out in section 5.5 in the annex will be required and key milestones set if required.

## **Advice**

Councillor Sutton congratulated Sue Lea on the Tourism Strategy launch event stating that it was a well put together and well received event. He advised it is about taking on board partners who want to be a part of the Tourism Strategy. He went on to advise that this is an important strategy as the way that the town will generate in the coming years there will be a need for more hotels and restaurants and that Sue Lea had laid the foundation for that.

Councillor Williams stated that he had been at the launch and was pleasantly surprised by the number of people who had attended but enquired as to how successful sign up had been.

Sue Lea advised that 19 companies had signed up so far with more coming in.

The committee agreed to recommend the report to Council.

## **Consultation**

Consultation took place with:

Local Enterprise Partnership (LEP), HCC, Tourism Partnership, Local Businesses

## **Voting**

None.

**21 September 2015**

## **8.3 CA/073/15 BUDGET MONITORING QUARTER 1 2015/16**

## **Decision**

1. That the budget monitoring position for each of the detailed accounts be approved; and,



**2. That Council be recommended to approve: the supplementary budgets set out below. Details for these supplementary budgets are set out in the body of the Cabinet report and have a net nil impact on the General Fund Working Balance:**

- Increase Revenues and Benefits Agency Budget by £70k
- Increase Other Government Grants Budget by £70k
- Decrease the Performance and Projects Employees Budget by £10k
- Decrease use of the Technology Reserve by £10k
- Increase Office Accommodation Budget by £52,500
- Increase use of The Forum Reserve by £52,500
- Decrease the LDF Consultancy budget by £50k
- Decrease use of the LDF reserve by £50k

**Reason for Decision**

To provide details of the projected outturn for 2015/16 as at Quarter 1 for the:

- General Fund
- Housing Revenue Account
- Capital Programme

**Implications**

Financial

Financial and Value for Money implications are included within the body of the report.

**Risk Implications**

Risk implications are included within the body of the report

Equalities Implications

None identified.

Health And Safety Implications

None identified.

**Corporate Objectives**

Dacorum Delivers

**Monitoring Officer/S.151 Officer Comments**

**Deputy Monitoring Officer:** No further comments to add.

**Deputy S.151 Officer:** This is a Section 151 Officer report.

## **Advice**

The Portfolio Holder for Finance and Resources was disappointed about the performance for quarter 1. He noted that there had been an underspend in previous years. He hoped that the overspend forecast would focus managers minds and help them meet targets.

The Assistant Director for Finance and Resources recognised that there were significant variances but the intention is to produce clear action plans to improve this.

He highlighted that there was slippage on the capital spend for the waste fleet replacement, however there was no good reason against procuring these vehicles at present.

The Portfolio Holder for Environmental, Sustainability & Regulatory Services referred to the overspend in Waste Services. She explained that this was work in progress which should improve in the near future; a garden refuse round had already been deleted due to a reorganisation.

It was confirmed that the third party overspend for facilities, set out in paragraph 3.3, page 5 of the agenda did relate to the contract with Serco.

The Portfolio Holder for Environmental, Sustainability & Regulatory Services asked if it was, in part, because Serco would make a repair and then the council would have to pay them the costs. She asked if any checks were made on the charges, to ensure they were reasonable.

The Corporate Director for Finance and Operations confirmed the charges were checked and scrutinised.

The Portfolio Holder for Environmental, Sustainability & Regulatory Services referred to paragraph 7.3 on page 10 of the agenda and asked if the council budgeted for s106 agreements for other more recent new builds.,.

The Corporate Director Housing and Regeneration confirmed this was the case, but he was unsure as to why it had not been included. He added that the council would take account of predicted s106 agreements in the budget.

The Portfolio Holder for Housing asked if the council had taken this planning permission over from another body.

The Corporate Director Housing and Regeneration confirmed this was the case and reiterated that the s106 agreements will be included the within the budget.

## **Consultation**

Consultation took place with:

- Budget Managers

## **Voting**

None.

**8.4 CA/074/15      TREASURY MANAGEMENT OUTTURN AND PERFORMANCE INDICATORS**

**Decision**

**That Council be recommended to approve the acceptance of the report on Treasury Management performance in 2014/15 and the Prudential Indicators for 2014/15 actuals.**

**Reason for Decision**

To report upon the performance outturn for treasury management in 2014/15

**Financial Implications**

In accordance with Central Government Guidance on Local Government Investments, and the CIPFA Treasury Management Code of Practice, the order of the Council's investment priorities is 1. Security; 2. Liquidity; and, 3. Return. This may result in the Council achieving a lower rate of return than an organisation operating a more aggressive investment strategy in a less regulated sector.

**Risk Implications**

Good corporate governance encompasses risk management and making sure that the Council makes decisions with the full knowledge of the associated risks and opportunities. The risk of not reviewing and updating our corporate governance arrangements have been addressed by this report

Equalities Implications

None identified.

Health And Safety Implications

None identified.

**Corporate Objectives**

Dacorum Delivers - Optimising investment income for General Fund and Housing Revenue budgets whilst managing investment risk is fundamental to achieving the corporate objectives.

**Monitoring Officer/S.151 Officer Comments**

**Deputy Monitoring Officer:** No comments to add to the report.

**Deputy Section 151 officer:** This is a S151 Officer report

## **Advice**

The Portfolio Holder for Finance and Resources explained there were no rates increases until the summer of 2016. It was therefore difficult to see investment returns based on a 0% increase.

The Assistant Director for Finance and Resources added that there was a statutory return, and therefore included in the cycle of reports.

## **Consultation**

Consultation took place with:

- Capita Treasury Advisors

## **Voting**

None.

## **8.5 CA/076/15 FINANCIAL REGULATIONS REVIEW**

### **Decision**

**That the amendments detailed in paragraphs 4 and 9 of the report to the Cabinet be endorsed, and that Council be recommended to approve the revised Financial Regulations.**

### **Reason for Decision**

To seek Cabinet approval of the recommended changes to the Financial Regulations 2015.

### **Implications**

#### Financial

Contained within the body of the report.

#### Value for Money

Contained within the body of the report.

### **Risk Implications**

#### Equalities Implications

None identified.

#### Health And Safety Implications

None identified.

## **Corporate Objectives**

The efficacy of the Financial Regulations supports all of the Council's objectives

### **Monitoring Officer/S.151 Officer Comments**

**S151 Officer:** This is a S151 Officer report.

**Deputy Monitoring Officer:** No comments to add to the report.

### **Advice**

The Portfolio Holder for Finance & Resources explained that this report tidied - up the financial regulations, therefore making the council more efficient.

### **Consultation**

Consultation took place with:

- Finance & Resources Overview & Scrutiny Committee, June 2015
- Audit Committee (July 2015)

### **Voting**

None.

## **8.6 CA/077/15 REVOCATION OF THE AFFORDABLE HOUSING POLICY CLARIFICATION NOTE**

### **Decision**

**That Council be recommended to approve:**

- (a) Revocation of the Affordable Housing Clarification Note (March 2015) and cease to apply it as a material planning consideration in relevant planning decisions and for use in the preparation of future planning documents; and**
- (b) The publication on the Council's website of the statement attached as Appendix 1 of the report to Cabinet to explain the reasons for this decision.**

### **Reason for Decision**

To seek Cabinet's approval to revoke the Affordable Housing Clarification Note (March 2015) and revert to the adopted policy position set out in the Core Strategy and associated Affordable Housing Supplementary Planning Document (SPD).

### **Implications**

#### Financial

Reverting to our adopted policy (as set out in the Core Strategy and associated Affordable Housing Supplementary Planning document) will allow higher levels of contributions towards affordable housing to be sought and therefore help deliver a key corporate objective.

### Value for Money

Providing clarity on the Council's affordable housing policies will ensure that contributions are successfully secured from appropriate developments and there are no undue delays to the processing of planning applications. It will also minimise the risk of applicants appealing planning decisions.

### **Risk Implications**

The Government has stated that they intend to appeal the judgement. There is therefore a risk that the previous approach could be reinstated. If this does occur, then Cabinet and Council will be asked to reinstate the Clarification Note for use in Development Management decisions from the date of the appeal decision. Officers consider that it would be a much greater risk to continue to implement an approach to calculating affordable housing contributions based on a Ministerial Statement which a High Court Judge has clearly stated should not be referred to as a material planning consideration, and to sections of the Planning Practice Guidance that have been deleted by Government.

A full 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.

### Equalities Implications

None identified.

### Health And Safety Implications

There are no health and safety implications relating to this decision.

### **Corporate Objectives**

The Council's affordable housing policies support the 'Dacorum Delivers' and 'Affordable Housing' objectives. They 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. The Affordable Housing Clarification Note was prepared to update the Council's approach to the provision of affordable housing in the light of changes to Government policy. Following a High Court decision this policy change has been reversed and the Clarification Note is no longer applicable. Higher levels of affordable housing (both on-site and via commuted sums) will be delivered through the reversion to the Council's adopted policy position.

### **Monitoring Officer/S.151 Officer Comments**

**Deputy Monitoring Officer:** Following the High Court decision and the subsequent changes to planning policy guidance, the Council has no choice but to revoke the Affordable Housing Clarification Note to ensure that it is applying the most up to date planning policy. The decision to revoke should be kept under review if the government appeal the High Court decision.

**Deputy S.151 Officer:** There are no direct financial consequences of this decision.

### **Advice**

The Team Leader for Strategic Planning & Regeneration introduced the report by saying that the Council's affordable housing policy was set out in the adopted Core Strategy, with further guidance in an associated supplementary planning document.

In November last year a ministerial Statement was issued which set out a number of changes the Government were introducing to national affordable housing policy. These were set out in its Planning Practice Guidance document.

In simple terms, the impact of these changes was to reduce what Councils could collect in terms of both the on-site provision of affordable units and financial contributions, with the aim of stimulating the house building industry.

As a result of this announcement, the Council adopted an 'Affordable Housing Clarification Note' which set out how this revised approach would operate in the Borough. This was agreed by Cabinet in March.

However, the Ministerial Statement and changes to the PPG have recently been challenged in the High Court by two Councils.

The judge found in favour of these Councils and his judgement states that the Governments revised approach should not be applied as it was not lawful.

Cabinet are therefore asked to agree the recommendations set out in the report.

The decision would allow the Council to revert back to using its original adopted policies, which gives the ability to collect both higher numbers and levels of affordable housing contributions.

The Leader of the Council asked at what point the legal figure applied. He said when this was introduced by the government there was a committee decision, but had not yet been implemented. He felt that there must be some applications in the pipeline where this may now apply.

The Team Leader for Strategic Planning & Regeneration said the cut off was the date when the high court notice was issued. Any planning decision from that date would be incorporated. The council had applied a degree of concession for those applications made prior to the cut-off date.

It was confirmed that applications already submitted but not yet had a decision could be asked for a contribution.

## **Consultation**

Consultation took place with:

- Director of Housing and Regeneration
- Assistant Director – Planning, Development and Regeneration
- Group Manager – Legal Governance
- Group Manager – Strategic Planning and Regeneration
- Group Manager – Strategic Housing
- Officers from Strategic Planning and Regeneration, Strategic Housing and Development Management teams.

## **Voting**

None.

## **8.7 CA/078/15 THE FORUM: Category B fit out, internal layout and strategies for Information Technology, Audio Visual technology, Facilities Management and Customer services**

### **Decision**

- 1 That the Category A elements as set out in the report to Cabinet are noted.
- 2 That the Category B elements as set out in the report to the Cabinet are agreed, with the decision on the final colour schemes for laminates and glazing delegated to the Corporate Director Housing and Regeneration in consultation with the Leader of the Council
- 3 **That Council be recommended to approve an additional budget of £400,000, to be drawn down from The Forum Reserve, in order to fund the final Category B elements identified in the Cabinet report**
- 4 That the proposed strategies for Information Communication Technology (ICT), Audio/Visual equipment and capability, Facilities Management and Customer services be noted.

### **Reason for Decision**

This report is to seek approval for the Category B fit out of the Forum, to note the internal layouts and to consider the strategies for those elements which will be crucial to the operation of the building, specifically Information Technology, Audio Visual technology, Facilities Management and Customer services

### **Implications**

Financial

The running costs of the Forum are estimated to be at least £300,000 per annum less than they were for the Civic Centre. These arise from the energy efficiency of the building, its smaller scale and economies of scale through sharing costs with partners.

The development agreement was tendered through the Official Journal of the European Union (OJEU) process and the build price for the Forum is now largely fixed. The outstanding elements are utilities and Category B. The Category B assumptions were based on a formula of £35 per square foot which could only be fully tested once the operation and requirements of the building were better developed. Following a process of challenge, value engineering and ensuring that the building will work in the way desired the final costs are £400,000 above this position. The contractor has tendered for the prices in Category B to ensure good value for money.

### Value for Money

As indicated above

### **Risk Implications**

A risk register has been developed as an integral part of the project management arrangements.



## Equalities Implications

None identified.

## Health And Safety Implications

Health and Safety requirements are built into the construction process of the Forum and the design and fit out will ensure a safe working environment.

## **Corporate Objectives**

### **Regeneration.**

The overall Gade Zone Regeneration project is aimed primarily to deliver significant regeneration in the town centre. The Forum element facilitates the creation of a new community focused building housing public sector and voluntary sector partners. A new commercial leisure facility will develop more family friendly and evening attractions into the town centre. Much needed new homes will be delivered on the former Health Centre, Magistrates Court and Police Stations sites. Subsequent development of the Civic Centre and college sites will bring further new investment into the town centre, most likely for new housing. The new college campus has planning permission and construction will start soon.

**Affordable Housing.** New housing created will include affordable housing at 35%.

## **Monitoring Officer/S.151 Officer Comments**

**Deputy Monitoring Officer:** No further comments to add to this report.

**S.151 Officer:** There are sufficient funds available within The Forum Reserve to meet this recommended budget increase, and the proposed usage is consistent with the approved rationale behind the reserve.

This draw down will reduce the amount of approved budget available within the reserve for the Category C fit out and other costs associated with the move to The Forum. Although yet to be finalised, early indications are that the remaining balance will be sufficient to fund all further costs. It should be noted that any costs over and above the remaining balance would need to be funded through borrowing and would therefore place additional strain on the Council's revenue budgets.

## **Advice**

The Corporate Director for Housing and Regeneration explained that the report was seeking approval for the Category B fit out of the Forum, to note the internal layouts and to consider the strategies for those elements which would be crucial to the operation of the building, specifically Information Technology, Audio Visual technology, Facilities Management and Customer services.

He added that there had been quite a degree of consultation with those involved and therefore there should not be anything unexpected in the report.

The Portfolio Holder for Planning & Regeneration said they had been through an interesting process recently. He felt that the finished forum will be something to be proud of and he was glad to have been part of the process.

## **Consultation**

Consultation took place with:

- Monitoring Officer
- S 151 Officer
- James Doe, Assistant Director Planning and Regeneration
- James Deane, Corporate Director (Finance & Operations)
- Nick Brown, Group Manager Commercial Assets and Property Development
- Mark Brookes, Group Manager, Legal Governance

## **Voting**

None.