



# **MEETING OF THE COUNCIL**

**18 NOVEMBER 2015**

# SUMMONS & AGENDA

## SUMMONS

### MEETING OF THE COUNCIL

WEDNESDAY, 18 NOVEMBER 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, 18 November 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 Council on 30 September 2015 (Appendix A Pages 9-22)

**2. DECLARATIONS OF INTEREST**

To receive any declarations of interest.

**3. PUBLIC PARTICIPATION**

To consider questions (if any) by members of the public of which the appropriate notice has been given to the Assistant Director (Chief 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 Harden	Residents & Corporate Services
Councillor G Sutton	Planning and Regeneration
Councillor Marshall	Environment, Sustainability and Regulatory
Councillor Elliot	Finance & Resources
Councillor Mrs Griffiths	Housing

**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. 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:

<b>Minute No.</b>	<b>Date</b>	<b>Title</b>	<b>Yellow Pages</b>
7.1 CA/087/15	20 October 2015	Alcohol Testing Policy	23
7.2 CA/089/15	20 October 2015	Apprenticeship Scheme 2016	24
<b><u>Part 2 Referral – See Agenda Item 13</u></b>			<b>Green pages</b>
7.3 CA/094/15	20 October 2015	Maylands Urban Realm Improvement Project	27

## 8. OVERVIEW AND SCRUTINY REFERRALS

None.

## 9. CHANGE TO COMMITTEE MEMBERSHIP

To consider any proposals for changes in membership – Any changes notified beforehand to Member Support will be tabled at the meeting.

## 10. CHANGE TO COMMITTEE DATES

To consider the following changes to the Committee Dates.

### 1. DCSP



- To change the meeting date from 6<sup>th</sup> April 2016 to 25 May 2016.

**2. The Call In Contingency**

- To move the meeting date of 25<sup>th</sup> May 2016 to 19<sup>th</sup> May 2016.

## AGENDA ITEM: 11

### SUMMARY

<b>Report for:</b>	<b>Council</b>
<b>Date of meeting:</b>	<b>18 November 2015</b>
<b>Part:</b>	<b>I</b>
If Part II, reason:	

<b>Title of report:</b>	<b>Review of licensing policies for alcohol, entertainment and gambling licences</b>
Contact:	<i>Referral from Licensing and Health &amp; Safety Enforcement Committee</i> Author/Responsible Officer: Ross Hill – Licensing Team Leader (Legal Governance) Steve Baker – Assistant Director (Chief Executive’s Unit)
Purpose of report:	To receive a report on a matter referred from the Licensing and Health and Safety Enforcement Committee, concerning the adoption of revised statutory licensing policy statements in respect of alcohol, entertainment and gambling licences.

Recommendations	<p>That Council adopts and publishes in accordance with statutory requirements:-</p> <p>(1) The attached draft Statement of Licensing Policy as the Council's 'Statement of Licensing Policy' under section 5 of the Licensing Act 2003 for the five-year period from 7 January 2016 to 6 January 2021, and</p> <p>(2) The attached draft Statement of Principles as the Council's 'Statement of Principles' under section 349 of the Gambling Act 2005 for the three-year period from 31 January 2016 to 30 January 2019,</p> <p>Both Policy and Statement of Principles can be viewed using the links shown at the end of this report.</p>
Corporate Objectives:	<p>Safe and Clean Environment</p> <ul style="list-style-type: none"> <li>• Maintain a clean and safe environment</li> </ul> <p>Dacorum Delivers</p> <ul style="list-style-type: none"> <li>• Performance excellence</li> <li>• Reputation and profile delivery</li> </ul>
Implications:	<u>Financial</u> None identified.
'Value For Money Implications'	<u>Value for Money</u> None identified.
Risk Implications	Adoption of revised policy statements is a statutory requirement, and failure to correctly fulfil that requirement may have adverse legal and reputational consequences. All pre-requisite actions to the adoption of policies have been fulfilled, and if adoption is agreed officers will ensure that necessary actions are taken to publish and disseminate the revised policies, in accordance with statutory requirements.
Community Impact Assessment	A Community Impact Assessment has been carried out and no adverse implications have been identified arising from this report.
Health And Safety Implications	None identified
Monitoring Officer/Deputy S.151 Officer Comments	<p><b>Monitoring Officer:</b></p> <p>This report has been prepared in conjunction with the Monitoring Officer.</p> <p><b>Deputy S.151 Officer</b></p> <p>There are no direct financial implications of these proposals.</p>
Consultees:	Public consultation was carried out over an 8-week period in August and September 2015; the results were reported to the Licensing and Health and Safety Enforcement Committee on the 27 October 2015 and the comments received were considered during the preparation of the final draft policy statements.

Background papers:	Draft Statement of Licensing Policy 2016-2021 Draft Statement of Principles 2016-2019 <i>(both circulated separately)</i>
Glossary of acronyms and any other abbreviations used in this report:	

## Background

1. The Council has statutory duties in respect of the licensing of alcohol supplies, regulated entertainment and late night refreshment under the Licensing Act 2003; and of non-remote gambling activities such as betting, prize gaming (including bingo and poker), provision of gaming machines and promotion of lotteries under the Gambling Act 2005. Both these Acts require 'licensing authorities' to publish and periodically review their written policy statements, setting out how they intend to exercise the licensing and enforcement powers conferred on them by the Acts, the principles that they will follow, and their expectations of licensees.
2. Both Council policies must be reviewed and readopted by January 2016, to satisfy the relevant legislative review requirements. In addition, the policies must be 'published' by being made available for inspection on the Council's website and at its offices for a period prior to taking effect.
3. The Council's licensing officers, in conjunction with the Licensing and Health and Safety Enforcement Committee ('the Licensing Committee'), have reviewed the Council's current policy statements over the past few months, and prepared revised versions of both. In the course of this work, public consultation was carried out on the proposed revisions in August and September, with feedback in particular sought from the agencies and representatives stipulated in both Acts. The results of the public consultation were reported to the Licensing Committee on 27 October 2015.
4. At that meeting, the Licensing Committee resolved to endorse both draft policy statements and recommend them to Council for approval and adoption. The power to approve and adopt new or revised policies must be exercised by full Council, and cannot be delegated to a committee or officers.
5. The draft policy statements under both Acts have been comprehensively amended to reflect changes in recent years to both pieces of primary legislation, significant case law, and the experiences of the Council as licensing authority in carrying out its functions. The aim is to provide clear and concise documents summarising the aims and expectations of the Council as licensing authority, and to guide the exercise of delegated powers by both officers and members of the Licensing Sub-Committees when they determine actual licensing applications under both Acts.

## Recommendations

6. That Council adopts and publishes in accordance with statutory requirements:-
  - (1) The attached draft Statement of Licensing Policy as the Council's 'Statement of Licensing Policy' under section 5 of the Licensing Act 2003 for the five-year period from 7 January 2016 to 6 January 2021, and

- (2) The attached draft Statement of Principles as the Council's 'Statement of Principles' under section 349 of the Gambling Act 2005 for the three-year period from 31 January 2016 to 30 January 2019.

**Final Draft – Statement of Licensing Policy 2016-21**

<http://www.dacorum.gov.uk/docs/default-source/council-democracy/council-18-11-15-statementoflicensingpolicy2016-21.pdf?sfvrsn=2>

**Final Draft – Statement of Principles 2016-19**

<http://www.dacorum.gov.uk/docs/default-source/council-democracy/council-18-11-15-statementofprinciples2016-19.pdf?sfvrsn=2>

**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,

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



**APPENDIX A**

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***DACORUM BOROUGH COUNCIL***

***MEETING OF THE COUNCIL***

***30 SEPTEMBER 2015***

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Present -

**MEMBERS:**

Adeleke (Mayor), G Adshead, Anderson, Ashbourn, Banks, Barnes, Mrs Bassadone, Bhinder, Birnie, Brown, Chapman, Clark, D Collins, E Collins, Conway, Douris, Elliot, Fantham, Fethney, Fisher, Mrs Griffiths, Guest, Harden, P Hearn, S Hearn, Hicks, Howard, Imarni, Link, Maddern, Mahmood, Marshall, Matthews, McLean (Deputy Mayor), Mills, Peter, Riddick, Ritchie, Silwal, G Sutton, R Sutton, Taylor, Timmis, Tindall, Whitman, Williams and C Wyatt-Lowe (47)

**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), L Smith (Communications Officer), L Collins and K Mogan (Minutes).

The meeting began at 7.30pm.

**21. MINUTES**

Councillor G Sutton proposed an amendment to page 17 of the minutes of 15 July 2015. He confirmed that the planning application for Symbio House referred to 208 apartments and not 2018 apartments.

All Members agreed the amendment.

The amended minutes of the Council meeting held on 15 July 2015 were then confirmed by the Members present and then signed by the Mayor.

## **22. DECLARATIONS OF INTEREST**

None

## **23. 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 W Wyatt-Lowe and S Adshead.

Councillor Tindall gave apologies on behalf of Councillor Ransley.

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

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

The Leader of the Council made no announcements and invited any questions on his Portfolio.

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

##### **Finance**

The Finance Team are working closely with the Leadership Team on the 2016/17 budget. The Medium Term Financial Strategy highlighted a savings requirement for next year of £1.4 million.

Officers have been asked to suggest savings proposals for the next three years to ensure longer term savings can be delivered with an adequate lead in time. Meetings are being held this month, and options for efficiencies are being collated to be considered by the Budget Review Group in early October.

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

The Benefits team have been working with the local jobcentre to make sure that officers are ready to support residents who are affected by the introduction of Universal Credit to

Dacorum which started from 21 September. This new benefit will only impact on a small number of residents in the next few months as it is being phased in gradually by central government. Relevant training has been provided to staff in the housing, customer services, benefits and council tax teams, so that we can provide assistance to any residents who need it. We are also working in partnership with Dacorum Citizens Advice Bureau to ensure the range of support required is available.

As part of the work that has been done to look at how we can improve the service provided to residents and minimise costs then the team will be able to provide a more efficient way of delivering a quicker service to those claiming benefits following the approval of a Risk Based Verification Policy at Audit Committee on 23<sup>rd</sup> September.

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

The Demolition of the Old Court House is now complete and we are just awaiting the final stages of demolition of Unit B which requires Transco assistance. Parking has now been reinstated and when the works are completed additional parking will be provided. We are continuing to support and provide assistance by working with the project teams to deliver the Forum.

We are working to maximise capital receipts and as part of the ongoing asset management strategy the disposal of a number of garage sites has now commenced and we anticipate that this will start to realise income in this financial year.

Work on a number of significant leases is progressing and the lease for 39-41 Marlowes to Health has now been signed. Officers have also commenced reviewing the Asset Management Strategy and supporting documentation and will be bringing it forward in due course for consideration and approval.

### **Questions and answers:**

Councillor Tindall commented that given the success of the verge hardening program and other schemes to be completed this financial year, can more money be found for the programs to continue into 2016/17.

Councillor Elliot stated that this was certainly on top of the agenda as parking is a big problem, especially for residents, and he will contact Councillor Tindall to liaise on this issue.

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

#### **Tenant and Leaseholder Services**

**Rent Campaign: Don't get ripped off** - The Housing Income Team in conjunction with a host of voluntary sector organisations such as the Citizens Advice Bureau and Herts Savers Credit Union will be launching a campaign in October '*Don't Get Ripped Off*' to promote more cost effective ways of borrowing as opposed to pay day loans or weekly payment stores. Advice on budgeting and on purchasing cheaper household goods will also be included in the campaign.

An event to support the campaign will be held at the South Hill Centre on Tuesday 27<sup>th</sup> October where individuals can access financial advice and details of cheaper financial services.

**Animal Action Week** - The Housing Tenancy Team in conjunction with Environmental Health Services will be running a follow up to the normal July Animal Action Week to provide

additional animal health checks, to micro-chip dogs and to continue to promote responsible pet ownership.

This will be held from 25<sup>th</sup>- 30<sup>th</sup> October

**Northend Orchard** - On 17<sup>th</sup> October the Housing Tenant Involvement Team will be holding a tree planting day at the new Northend Community Orchard. This will be run between 11am – 3pm. At the event there will be a local folk band, a smoothie bike where residents can create their own smoothies, juice pressing run by the Sunnyside Rural Trust and a host of children's activities.

## **Strategic Housing**

In the last year the Team have reduced the overall time taken to re-let empty homes by 12 days. This obviously helps to generate more income for the Council and has been achieved through great partnership working between the Council, Osborne and other contractors. The New Build projects continue to progress. Aspen Court in Apsley is due for completion March/April and demolition work is due to start at both Able House in the Old Town and Martindale School in the next few weeks.

The formal opening of the ELMS was on Tuesday 29<sup>th</sup> September and HRH the Duchess of Gloucester was in attendance.

## **Property and Place**

**Longlands Refurbishment and Rooftop development** - The building is now water tight and the internal fit out works to the 6 new flats have started, with plasterboard in progress and acoustic floor to follow. The external wall insulation is progressing well and the colour and texture of the finish coat approved. The windows and door are now complete and the residents are very happy with the finish and there has been positive feedback on both the design and the site team.

New balconies will be installed and the scaffolding will gradually come down in October. The allocation of the new properties will commence in November, at which stage the external works to provide new refuse areas and parking will commence with the scheduled completion for the end of the month.

**Structural Upgrading of Walkways / Balconies** - Steel work has now been erected at several garage sites and single balconies including Little Road and Bennetts End. The residents are getting regular newsletters and have been very co-operative and patient. The project main contractor, Thomas Sinned, relocated from Able Road and now hold open mornings in their new site office at Wood Lane End. The contract is due to be completed early 2016.

**Osborne Total Asset Management Contract** - The audit for the first nine months of the contract has been concluded and there is a further £232,772.18 of shared savings, which will be returned to Dacorum for reinvestment in this year's programme of works.

There have been improvements in a number of areas of the service, which have been reflected in the KPI's and the focus has been to ensure that appointments are kept and that customer satisfaction is high.

- In excess of 7,000 Planned jobs to date with 97% Customer Satisfaction
- Reduction in Empty Homes key to key times – 42.5 days to 29.5 days
- 70% of Supply Chain is local subcontractors

- Low level of complaints currently 0.46% of all jobs

Osborne is delivering a programme of external wall insulation at 22 properties in Runham Road which is nearing completion and will be followed by 16 properties in Bassil Road. The programme will be extended to other solid wall properties; including 8 in Deaconsfield Road, 9 in St Albans Road and 2 in Lawn Lane. The insulation will improve the thermal performance of these properties and reduce the fuel bills for the tenants.

**Gas Servicing** - The servicing and installation contract has been delivering consistently high levels of compliance, currently 99.98%, with two properties currently overdue and there continues to be high levels of customer satisfaction.

### **Questions and answers:**

There were no questions for the Portfolio Holder.

Councillor Guest arrived at 7:48pm

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

### **Resident Services**

#### **Verge Hardening project**

This quarter we have installed **44** new parking bays. This brings the total number of parking bays since the project started in April 2013 to **321**.

We still have areas to programme in for October/November.

#### **Love Your Neighbourhood (Tring)**

For this event we focussed on 'Love your Health' and 'Love your Future'. There were nineteen service providers that set up their stalls and gave out a variety of information from healthy weight management to general health concerns from the local doctor's surgery under Love your Health.

Love Your Future advice was given on how to save on your energy bills to volunteering to increase their skills.

We had **81** attendees on the day and really positive feedback.

#### **Youth Action Entertainers (Tring)**

This was the afternoon session of Love Your Neighbourhood (Tring). We had **37** elderly residents from Tring and rural Tring attend for lunch and an afternoon of entertainment and activities.

We had **13** 'Let's Dance' performers entertaining the residents; they must have been impressed because they have asked for a 'Let's Dance' class at Tring. This is under consultation with Tring residents at the moment.

A mixture of volunteers helped us on the day, 7 young people served tea and coffee to the residents along with 2 adult volunteers.

We had 2 young performers on the days, entertaining us with opera and flute playing.

### **Anti-Social Behaviour**

3 injunctions obtained from court for:

- racial abuse
- Neighbour nuisance
- Threat to harm

2 Community protections notice warning letters issued (new ASB powers)

- Harassment
- Garden clean up

### **Corporate Services**

#### **Research and Innovation**

##### **LGA & Design Council Pilot**

- We are half way through the joint project with the police to review and improve the way we manage and deal with anti-social behaviour. We will be looking to pilot some new approaches at the end of the year.

##### **Nudge Theory/Behavioural Insight**

- We are working with housing, HR, waste services and revenues and benefits to implement a series of 'nudge ideas' that will help residents to make positive choices and improve the services they receive.

##### **Innovation Lab**

- We are running some workshops to develop new ideas and help services to re-design their processes.

#### **Digital Services**

##### **DCLG Statutory Notices Pilot**

- Our Hertfordshire wide mobile app (Notice Herts) is live on both Apple and Android and the feedback has been really positive (it's already been downloaded 747 times). We have also developed some more simple designs for statutory notices and we will be looking to introduce those shortly.

##### **LGA Research Pilot**

- Research with Hull University on channel shift is moving forward – we have held a series of workshops with residents and we also ran a survey. We have had a draft report and we are expecting the final version in October.

##### **Digital Dacorum**

- Cyber-Media have been appointed as our website designer and they have begun to consult on some new designs. Members will get the opportunity to comment and the proposed designs will be presented at Overview and Scrutiny Committee. Proposed go-live is Feb 16

- We have started to re-design services. We are planning to introduce a new online process for council tax and benefits in October. We will then be moving onto licensing, taxi complaints and land charges before the end of the year. Early in 2016 we will look at waste, recycling and various housing services.
- We have developed a detailed plan for digital inclusion programme and we are currently working to map out the location of free Wi-Fi to make that available for residents.
- We have received proposals from Northgate for the next phase of CRM and we are currently considering their ideas.

## **People**

### **Communication and Consultation**

- **Digital Dacorum** – Managing website content approach in preparation for the new website in Feb 2016. Working with GMs to remove content and update information.
- **New SharePoint** – Internal communications platform. New improved look so easier for staff to see the important news / documents / updates. The comms team are currently working with managers to clean to data ready for the launch in Oct/Nov 2015.

### **Community Partnerships**

- **Strategic Partners Commissioning** – Consultation stage (8 weeks) with all strategic partners commenced on the proposed service outcomes. Next stages – consultation with scrutiny committees and Cabinet in October

## **Legal**

- The Legal team completed a 15 year lease to the Health Trust for 39/41 Marlowes and a contract to purchase the existing health centre site which will complete on 31<sup>st</sup> October 2015.
- Successfully prosecuted for breach of Advertising control –unlawful display of estate agents boards – £700 fine and recovered costs in full.
- Obtained an anti-social behaviour injunction preventing domestic violence and an order excluding the perpetrator from the local area.

### **Stoptober – Stop smoking campaign**

During Stoptober last year 600 Dacorum residents quit smoking. If you would like help or want to promote Stoptober through your neighbourhoods contact either Public Health Hertfordshire or DBCs Partnerships team. Also from 01Oct if you didn't know already smoking in cars with an 18 year old or under present will be illegal with a potential £50 fine for smoker and driver.

### **Questions and answers:**

Councillor C Wyatt-Lowe commented that she was delighted about Stoptober and asked whether it was being promoted from within the Council and the Councillors.

Councillor Harden replied that posters and leaflets have been distributed and Community Partnerships works closely with Public Health England to promote the campaign and last year, 600 people in the borough quit smoking.

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

**Hemel Hempstead Town Centre** – This Saturday the Council hosted its Live At New Town Square event. The weather was kind to us and the turnout was one of the highest ever as children enjoyed the Disney film Frozen on our new big screen, were entertained by face painting and all were able to enjoy our first live act on the new rainbow stage.

Feedback has been very positive and I am pleased to say that the works are well on their way to completion. We now look forward to the Christmas lights switch on 29th November.

With works in the Marlowes, Bank Court and the new bus interchange approaching completion before Christmas, the restoration of the water gardens will become the main focus of attention in the town centre. Members will know that the works are well underway now with the process of silt removal from the bed of the river progressing well.

**Enterprise Zone** – I am pleased to announce to members that on Friday 18 September the Hertfordshire LEP submitted to the department of communities and local government proposals to seek enterprise zone status for land at the Maylands gateway and east Hemel Hempstead, including two other sites in the St. Albans district - BRE at Garston and Rothamsted Research.

If confirmed by government, the EZ would offer a 5 year business rate holiday to new firms establishing within it as an incentive to locate there. Importantly though, the business rates uplift would be retained by the LEP to deliver much needed new road and other infrastructure in the Maylands area. DBC, with SADC have fully supported the bid which is based on work initiated originally by our own officer team, and by St. Albans.

We await news on the outcome following the Chancellor's comprehensive spending review in November.

**Place Manager** – Recruitment for the new Place Manager has been completed. Gary Stringer will join us mid-October to lead the Ambassador programme. A breakfast event will be held on December 11<sup>th</sup> to showcase Maylands and the economy ten years on from the Buncefield explosion, and to launch this new scheme which will encourage businesses to become ambassadors for the area to help secure more investment into the future and drive the profile and reputation of Hemel Hempstead to a much wider business audience.

### **Questions and answers:**

Councillor D Collins said that the Dacorum endorsement of the Chiltern Conservation Board AONB Management Plan helped protect areas of outstanding natural beauty and could Councillor G Sutton pass on his thanks.

Councillor G Sutton noted the comments and will pass on Councillor D Collins comment to the Conservation board.

Councillor Tindall referred to the 21<sup>st</sup> July 2015 Cabinet minutes and asked about the minor change on the map with regards to withdrawing the boundary to LA5 may raise significant issues as this will impose on Green Belt land which is highly valued in that area.

Councillor G Sutton said he will be discussing this with officers in the future.

Councillor Fisher mentioned a problem with refuse collection in Figtree Hill as they have had no collection for a few weeks. The communal bins have not been collected when they should be emptied twice a week and therefore residents have just been dumping their rubbish.



Councillor Marshall took this question as it fell under her portfolio. Councillor Marshall said she would be grateful if Councillor Fisher could provide details of this incident. Missed bin collections are recorded by the refuse crews as they do their rounds. Councillor Marshall stated her concern that these were communal bins and again, would be grateful for further details.

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

### **Clean Safe & Green (Landscaping and Cleaning)**

Thank you Mayor for officiating at the Clean, Safe and Green Community Champion Awards ceremony, where the winner for the individual category was John Savage from Tring and, for the group category was Friends of Chipperfield Common.

John Savage is secretary for the Chiltern Society Rights of Way Group who regularly patrols footpaths and single-handedly collects over 1000 sacks of litter on his countryside walks each year. The Friends of Chipperfield Common are a dedicated group of approximately 40 members who, for example, carry out hedge laying, path cutting and pond clearance and engage with the public over management of the Common. Helped to ensure that the Chipperfield Common retained the Green Flag Award.

Chipperfield Common, Tring Memorial Garden and Canal Fields, Berkhamsted retained their Green Flags and Bunkers Park in Nash Mills has been awarded a Green Flag for the first time.

Regarding Garden Refuse, in response to public criticism last year that the collection finished too early, it has been extended this year to end on 11 December and will restart 29 Feb 2016

### **Regulatory Services**

Further flytipping case – in Highfield, a formal caution issued and the costs of the investigation & clearance recovered from the offender.

DBC successfully prosecuted Mrs Bunker at Watford Magistrates Court on the 11<sup>th</sup> May 2015 for a breach of the Housing Act 2004 for operating an illegal HMO. She appealed and lost.

### **Finally, pleased to advise:**

The 'Recycle for Dacorum' Project Team have been shortlisted for Best Team of the Year at the fifth annual LARAC (Local Authority Recycling Advisory Committee) Celebration Awards to be held in October

Environmental Health Officer Mary Mullan won Environmental Health Graduate of the Year.

Joanne Lee-Dade (Environmental Health Officer) was asked to give a presentation on Human Placenta as a food substance to Chartered Institute of Environmental Health Wales at their annual conference.

### **Questions and answers**

Councillor Tindall thanked Councillor Marshall for the extension of the green bin collection. However, with a mild winter last year, residents were still disposing of green waste and asked if it would be possible for a further look at collections for the whole of winter.

Councillor Marshall stated that she understood Councillor Tindall's point but said it was difficult to make plans for the future when the weather is unknown. Garden refuse significantly decreases throughout winter and the plan is to see how the extended collections go and then look again for the 2016 schedule.

Councillor Chapman commented that last week, Hertfordshire Highways resurfaced his residential street on the day of the refuse collection. The refuse team collected the green bins but the team had to come back as the road was wet. Councillor Chapman would like to thank the Cupid Green team for coming back the next day to collect the other bins.

Councillor Marshall thanked Councillor Chapman and will pass on his comments.

Councillor Ritchie asked that with the new bin scheme, would it be possible for the members to be advised on recycling rates. This is a good new scheme and the aim was to increase recycling rates.

Councillor Marshall stated that it was difficult to give comparative figures as the recycling material was now mixed whereas before it was separated. Councillor Marshall advised that regular reports go to SPAE OSC regarding recycling rates and recycling has increased and residual waste has decreased.

Councillor Anderson explained that the scrutiny committee has been advised that the recycling rates are just hitting 60% which is an improvement up from 48%.

Councillor Marshall said she was grateful for the question.

Councillor Ritchie asked if it was possible to have a reduction in landfill waste rate and said he will be happy to receive it in due course.

### **NOTICE OF MOTION**

Councillor Tindall introduced the motion and stated that the refugee crisis is a constantly moving picture.

Councillor Guest described family members fleeing from the Soviet Union invasion in Hungary in 1956. Councillor Guest supported the government's policy of taking in refugees and the UK's long history of doing so, for example, the refugees from the Soviet Union invasions and the civil war in Bosnia and Herzegovina.

Councillor Mahmood said that the whole country had been moved by the current humanitarian crisis. He also said that this issue has generated more calls and emails to him from his constituents than anything else in his eight years as a borough councillor. Councillor Mahmood stated that whilst he supports the motion, policy needs to be sensitive to the

needs of the refugees but also those of the borough's residents and therefore believes a balanced policy is the key.

Councillor Marshall supported the motion and said she was proud to live in a country that has enshrined in law that 0.7% of GDP is spent on overseas aid. Councillor Marshall stated that after the USA, the UK is the largest bilateral donor of aid and the money channelled into the refugee camps in Jordan and the Lebanon shows the government's commitment to everyone affected, not just the refugees migrating into Europe.

Councillor C Wyatt-Lowe stated that the crisis had brought home how lucky we are to live in a country that is free of persecution. The crisis has proved controversial and the government's policy of accepting refugees in the camps will help to stop ISIS infiltrating the UK. Councillor C Wyatt-Lowe pledged her support to the motion and said the country should be proud of the long tradition of taking refugees and has helped to enrich society and made it what it is today.

Councillor Williams said that this motion was drafted some weeks ago and obviously, the situation is continually changing. In relation to paragraph 4 and 5, the Council is working with the LGA and has said it will support government policy and has indicated the Council will play a full part in rehousing refugees. Councillor Williams reiterated Councillor Mahmood's point that councillors have received several emails with kind offers of support and collections. However, the government have advised against people housing refugees in their own properties as they would prefer to house them in independent units suitable for families. Councillor Williams was happy to support the motion and with regards to paragraph 6, he felt it would not be a good idea to take the motion to Cabinet as this would make the process more bureaucratic than it needs to be.

Councillor Tindall thanked the members who spoke and was pleased that all the councillors seemed united on the issue. He stated he was happy with Councillor Williams suggested in relation to paragraph 6 as events regularly outpace the system.

Agreed: 44  
Abstained: 3

The motion was carried.

## **24. CABINET REFERRALS**

The referrals from Cabinet on 21 July and 15 September 2015 were submitted. It was moved by Councillor Williams, duly seconded by Councillor Griffiths and.

Resolved

That the following be approved:

### **21 July 2015**

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

**Resolved:**

That the revised Medium Term Financial Strategy for the period 2015/16 – 2019/20 be approved.

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

### **Resolved:**

1. That this report be noted and the future direction of work be endorsed
- 2. That the Tourism Strategy be adopted.**

**15 September 2015**

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

### **Resolved:**

1. That the budget monitoring position for each of the detailed accounts be approved; and,
- 2. That the supplementary budgets set out below be approved. 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

## **8.4 CA/074/15 TREASURY MANAGEMENT OUTTURN & PERFORMANCE INDICATORS**

### **Resolved:**

That Council accept the report on Treasury Management performance in 2014/15 and the Prudential Indicators for 2014/15 actuals.

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

**Resolved:**

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

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

**Resolved:**

That to the following be approved:

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

**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**

**Resolved:**

- 1 That the Category A elements as set out in the report to Cabinet be noted.
- 2 That the Category B elements as set out in the report to the Cabinet 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 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 be approved.**
- 4 That the proposed strategies for Information Communication Technology (ICT), Audio/Visual equipment and capability, Facilities Management and Customer services be noted.

**25. OVERVIEW AND SCRUTINY REFERRALS**

None.

**26. CHANGES TO COMMITTEE MEMBERSHIP**

Resolved:

That Councillors Imarni and G Adshead are appointed as substitutes for the Joint Negotiating Committee.

**27. CHANGES TO COMMITTEE DATES**

There were no changes.

**28. 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.

**29. PART 2 CABINET REFERRALS**

**21 JULY 2015 - CA/065/15 NEW BUILD DEVELOPMENT**

**15 SEPTEMBER 2015 - CA/079/15 HOMELESSNESS REVIEW PROCEDURE**

Full details are in the Part II Minutes.

The meeting ended at 8.35pm

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

**20 OCTOBER 2015**

### **7.1 CA/087/15 ALCOHOL TESTING POLICY**

#### **Decision**

**That Cabinet recommend Council to approve the Alcohol Testing Policy as set out in the report to Cabinet which is intended to supplement the Council's existing Alcohol, Drugs and Substance Misuse Policy.**

#### **Reason for Decision**

To seek approval to an Alcohol Testing Policy.

#### **Implications**

##### Financial

There are costs associated with procurement of monitoring equipment as detailed in the report.

#### **Risk Implications**

Currently there is a risk that action could be taken against the Council for unfair dismissal as there is no objective testing/screening to test employees for alcohol limits whilst at work. To ensure that the final process is objective an independent accredited organisation would be employed to conduct the final alcohol test using home office approved breathalyser. Any risks are offset by the consequences of any incident or accidents caused by personnel that have excess alcohol whilst engaged in work activities or driving.

The key risks:

- Statutory non compliance
- Risk of serious accidents/fatalities
- Legal action taken against the Council (both criminal & civil)
- Reputational damage to Council

##### Community Impact Assessment

A Community Impact Assessment is not applicable as the drink/drive used for the purposes of this policy are set out in legislation and do not discriminate between individuals, culture, gender, disability or age etc. This policy relates to employees only.

It is proposed this policy applies to all staff across the Council. This addresses concerns from the unions that operational staff at the depot could be targeted unfairly as many of the depot staff drive or operate machinery.

##### Health and Safety Implications

None. Implementation of the policy will enable DBC to demonstrate they are complying with Health & Safety requirements and best practice.

## **Corporate Objectives**

Resources and Value For Money;  
Optimise Resources and Implement Best Practice.

## **Advice**

The Portfolio Holder for Environmental, Sustainability & Regulatory Services introduced the report and explained that currently there were no objective methods of testing, so this policy would change that. It was highlighted that the Union fully supported the proposals. The Portfolio Holder stressed that this policy would cover all staff regardless of grade, department or role.

The process would involve two stages for testing and could be carried out if there was suspicion that a member of staff was drunk, following an accident or as part of random testing. Environmental Health staff would carry out the initial test and then if one was positive it would be passed to external testers.

The Group Manager for People added that as part of the initial random testing, fifty names would be selected from a staff database, which would be reviewed to ensure the process remained fair and consistent across the organisation.

## **Consultation**

Consultation took place with:

- Unions
- Cupid Green Health & Safety Group
- Health & Safety Committee
- CMT

## **Voting**

None.

## **7.2 CA/089/15 APPRENTICESHIP SCHEME 2016**

### **Decision**

1. To approve the establishment of an Apprenticeship Scheme for 2016; and,
2. **That Cabinet recommend to Council the release of £41,522 from the Management of Change reserve in order to deliver the scheme.**

### **Reason for Decision**

To recommend to Cabinet the establishment of a new Apprenticeship Scheme Framework to support the Council's workforce development needs and contribute to the economic regeneration of Dacorum.



## **Implications**

### Financial

The cost of establishing this scheme from January 2016 is £41,522 which will create two apprenticeship opportunities at Dacorum.

### Value for Money

There will be a competitive salary package and development plan in place to ensure staff are supported and productive.

## **Risk Implications**

If the Council decided not implement this programme the following risks have been identified:

- Risk of increasing skill gaps for the local area, which would impact on the local economy.
- Reduced employment opportunities for people in the local community.
- Not supporting the delivery of economic well-being in the local community.
- Workforce issues will remain in some services

### Community Impact Assessment

A Community Impact Assessment has been completed

### Health And Safety Implications

All posts would be supported by the Council's Health and Safety policies.

## **Corporate Objectives**

### Regeneration and Economy

Working with those offering skills, training and apprenticeships needed for local jobs.

## **Advice**

The Portfolio Holder for Residents & Corporate Services reported that in May 2012, Cabinet agreed to support and fund an Apprenticeships Scheme Framework, to support and enable the employment of local people, and contribute to the economic regeneration of Dacorum.

The council had supported 19 apprentices since 2012 and a quarter of those had found employment with Dacorum Borough Council.

The Portfolio Holder for Finance and Resources felt this was a very worthwhile scheme and fully supported the recommendations.

The Leader of the Council asked when the apprentices would be with the council.

The Team Leader for Human Resources explained that the process would begin as soon as possible with the aim for them to start in January 2016.

The Portfolio Holder for Planning and Regeneration asked if they had looked at specific areas for their employment.

The Team Leader for Human Resources said they would look at areas where it was difficult to recruit to.

## **Consultation**

Consultation took place with:

- Cllr Neil Harden
- Assistant Director – (Chief Executive's Unit)
- Corporate Management Team – workforce planning paper

**Voting**

None.

## Part II

### NOT FOR PUBLICATION

#### **12. EXCLUSION OF THE PUBLIC**

##### **Part II Reasons:**

That the report contains information relating to the financial and business affairs of the Council and third party company/organisation.

(LGA 1972, Part V, Schedule 12A Part 1, Paragraph 3)

#### **13. REFERRAL FROM CABINET – PART II**

**20 OCTOBER 2015**

##### **7.3 CA/094/15 MAYLANDS URBAN REALM IMPROVEMENTS PROJECT**

That the following be approved:

1. That Cabinet note progress on the designs for the Maylands Urban Realm Improvements.
2. **That Council be recommended to approve an additional £330k contribution from this Council to fund the increased costs of the project since it was last presented to Cabinet in October 2013.**
3. **That Council be recommended to approve (in addition to the increased contribution of £330k by this Council), a further £272k contribution to this project to be funded by grant contributions from Hertfordshire County Council.**
4. **That Council be recommended to approve that the Capital Programme is amended to remove the previously approved project 'Heart of Maylands' scheduled for delivery in 2015/16.**
5. That Cabinet approve the appointment of the successful tenderer T. Loughman & Co Ltd. as the main contractor to undertake the construction of the project.
6. That delegated authority is given to the Assistant Director for Planning (Development and Regeneration) in consultation with Portfolio Holder for Planning and Regeneration to approve further design and implementation decisions.

## Appendix B

### NOT FOR PUBLICATION

#### PART II MINUTES

#### COUNCIL MEETING

30 SEPTEMBER 2015

### 28. 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.

### 29. PART 2 CABINET REFERRALS

21 JULY 2015

#### 8.8 CA/065/15 NEW BUILD DEVELOPMENT

##### Resolved:

1. That approval be given to increase the build cost budget for Able House by £800k and the consultant budget by £60k
2. That a demolition budget of £160k and consultancy budget of £150k be approved for the Martindale School site.
3. That approval be given to increase the site acquisition budget for the Martindale School site by £164k.
4. That a consultancy budget of £60k be approved for Swing Gate lane.

15 SEPTEMBER 2015

#### 8.9 CA/079/15 HOMELESSNESS REVIEW PROCEDURE

1. That authority be delegated to the Assistant Director (Housing), or the Group Manager (Strategic Housing), or the Strategic Housing Team Leader (Property) to determine section 202 reviews, and

- 2. That authority be delegated to the Assistant Director (Chief Executive's Unit) to make the necessary amendment to the Constitution to reflect the agreed delegation in recommendation 1.**

The meeting ended at 8.35pm.