

# COUNCIL AGENDA



**WEDNESDAY 26 SEPTEMBER 2018 AT 7.30 PM**  
**COUNCIL CHAMBER - CIVIC CENTRE**

## Membership

Councillor Gbola Adeleke	Councillor Mike Hicks
Councillor Graham Adshead	Councillor Tina Howard
Councillor Alan Anderson	Councillor Isy Imarni
Councillor Anthony Armytage	Councillor Brenda Link
Councillor Julie Banks	Councillor Jan Maddern
Councillor Hazel Bassadone	Councillor Suqlain Mahmood
Councillor Stephen Bateman	Councillor Janice Marshall
Councillor Alex Bhinder	Councillor Peter Matthews
Councillor John Birnie	Councillor Robert McLean
Councillor Christina Brown	Councillor Stan Mills
Councillor Herbert Chapman	Councillor Colin Peter
Councillor Michael Clark	Councillor Roxanne Ransley
Councillor David Collins	Councillor Stewart Riddick
Councillor Elaine Collins	Councillor Tom Ritchie
Councillor Olive Conway	Councillor Goverdhan Silwal
Councillor Terry Douris	Councillor Graham Sutton
Councillor Graeme Elliot	Councillor Rosie Sutton
Councillor Adrian England	Councillor Roger Taylor
Councillor Tony Fethney	Councillor Jane Timmis
Councillor Anne Fisher	Councillor Ron Tindall
Councillor Margaret Griffiths (Deputy Leader)	Councillor John Whitman
Councillor Fiona Guest	Councillor Andrew Williams (Leader)
Councillor Neil Harden	Councillor Colette Wyatt-Lowe
Councillor Penny Hearn	Councillor William Wyatt-Lowe
Councillor Stephen Hearn	

For further information, please contact [member.support@dacorum.gov.uk](mailto:member.support@dacorum.gov.uk)

## SUPPLEMENTARY AGENDA ITEMS

7a Cabinet referrals - September 2018 (Pages 3 - 8)

To consider the following referrals from September Cabinet:

7.5	CA/091/18	18 September 2018	Q1 Financial Report
7.6	CA/092/18	18 September 2018	Brownfield Land Register Update

The following referrals are **Part 2**;

7.7	CA/098/18	18 September 2018	Development Company Update
7.8	CA/099/18	18 September 2018	Additional Tenant to the Forum

- 10a Waiver of 6 Month Councillor Attendance Rule (Sec.85 Local Government Act 1972). (Pages 9 - 10)  
To consider a waiver of the six month non-attendance at meetings of the authority rule due to the ill health and recovery of a Councillor for a six month period up to 16 April 2019 pursuant to Section 85 (1) of the Local Government Act 1972.

**18 September 2018**

**CA/091/18 Q1 FINANCIAL REPORT**

**Decision**

**RESOLVED TO RECOMMEND;**

1. That the revised capital programme to move slippage identified at Quarter 1 into financial year 2019/20 as detailed in Appendix C be approved.
2. That the draw down of reserves previously agreed by Cabinet be approved. Details are set out below:
  - Draw down £165k from Capital Development reserve to fund Development Company (DevCo) phase 1 costs incurred.
  - Draw down £70k from On-Street Car Parking reserves to cover costs of ongoing parking zone consultation.
3. That the supplementary capital budgets be approved.
  - Capital budget of £15k for Gadebridge Park Walled Garden irrigation system
  - Capital budget of £34k for Warners End Community Centre heating and door improvement works
4. That the virements detailed in Appendix D be approved:
  - Virement to transfer the budget for the debt recovery function from Legal Services to Financial Services
  - Virement for the purpose of realigning capital budgets in order to deliver recycling facilities at flats
  - Virement for the purpose of realigning the car parking budget to reflect new cashless parking system

### **Corporate objectives**

Delivering an efficient and modern council.

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

No comments to add to the report

### **S.151 Officer:**

The comments were included within the body of the report.

### **Advice**

Councillor Elliot introduced the report. Currently, there was a forecast pressure of £719k which mainly came under three areas: waste recycling pressure of £500k, building control service pressure of £200k and garage income pressure of £160k. It is predicted that the waste income will improve over the financial year with a rise in commodity prices. The building control pressure comes from increased costs of agency staff but a reduced income. The garage income pressure is linked to a budgeting matter and steps are being taken to reduce this pressure.

Councillor Harden said the portfolio holder seemed quite positive that the £500k pressure would improve. He asked if there was any indication of the figures at the end of year?

N Howcutt said there has been some modelling projection that shows a £200k drop in pressure

### **Voting**

None.

## **CA/092/18 BROWNFIELD LAND REGISTER UPDATE**

### **Decision**

#### **RESOLVED TO RECOMMEND;**

- 1. That the sites listed in Parts 1 and 2 of the Brownfield Land Register (BLR) as drafted in Appendix 1 be approved and;**
- 2. Delegate authority to the Assistant Director (Planning, Development and Regeneration) to finalise the site specific information before publication.**

### **Corporate objectives**

*A clean, safe and enjoyable environment, Building strong and vibrant communities; Ensuring economic growth and prosperity; Providing good quality affordable homes; Delivering an efficient and modern council;*

The Brownfield Register will assist in more housing led sites becoming available for development This will provide more local housing, improved communities and economic growth.

### **Monitoring Officer:**

The Council is required to review the entries in the Brownfield Land Register at least once within each year from first publication and therefore agreement of this report will enable the Council to achieve that deadline for 2018.

Statutory guidance for the matters which must be included in the BLR, including all consultation requirements, is set out in The Town and Country Planning (Brownfield Land Register) Regulations 2017 and officers must ensure that they follow these regulations when publishing future registers.

**S.151 Officer:**

No further comments to add to this report.

**Advice**

Councillor Sutton introduced the item and said it was a legal requirement to produce a brownfield land register. He thanked the team for producing a good register.

J Doe said the register had been around for a year and this was the latest update.

**Voting**

None.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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## **WAIVER OF 6 MONTH COUNCILLOR ATTENDANCE RULE (SEC.85 LOCAL GOVERNMENT ACT 1972).**

Section 85 (1) of the Local Government Act 1972 requires a member of a Local Authority to attend at least one meeting of that Authority within a six month consecutive period, in order to avoid being disqualified as a Councillor. This requirement can be waived and the time limit extended if any failure to attend was due to a reason approved by the Authority, in advance of the six month period expiring.

Unfortunately, due to illness and ongoing recovery Councillor Michael Clark, Apsley and Corner Hall Ward, has not been able to attend any Council or Committee meetings since the Development Management Committee meeting on 16 November 2017. A formal request has therefore been made for a further extension to the six month rule to be approved in his respect.

Section 85 (1) of the Local Government Act 1972 states that “if a member of a Local Authority fails, throughout a period of six consecutive months from the date of their last attendance, to attend any meeting of the Authority they will, unless the failure was due to some good reason approved by the Authority before the expiry of that period, cease to be a member of the Authority.” Attendance can be at any committee or sub-committee, or any joint committee, joint board or other body where the functions of the Authority are discharged or who were appointed to advise the Authority on any matter relating to the discharge of their functions.

Councillor Clark has not been able to attend any Council or Committee meetings since the Development Management Committee meeting on 16 November 2017, due to his to illness and ongoing recovery. The Monitoring Officer has received a request for the Council to consider approving an extension to the usual six month attendance rule enabling him to remain in office until he is able to resume normal duties.

Council can only consider approval of any reasons for non-attendance before the end of the relevant six month period, which will be 16 October 2018. Councillor Clark has confirmed that he will not be able to attend Council meetings for the foreseeable future and so this request has been submitted to approve an extension of the usual six month rule.

Councillor Clark was elected to the Council in May 2003 and represents the Apsley and Corner Hall Ward. In addition to full Council he also serves as a member of the Development Management Committee.

Section 85 (1) of the Local Government Act 1972 enables a Local Authority to approve the reason(s) for non-attendance of a Member at any meeting of the Authority throughout a period of six consecutive months, provided that approval is given by the Authority before the expiry of the six month period.

Once any councillor loses office, through failure to attend for the six month period, the disqualification cannot be overcome by the councillor subsequently resuming attendance nor can retrospective approval of the Council be sought for an extension in time.

The Council is asked to approve Councillor Clark's non-attendance at meetings of the authority due to ill health for a six month period up to 16 April 2019 pursuant to Section 85 (1) of the Local Government Act 1972.