
DACORUM BOROUGH COUNCIL

MEETING OF THE COUNCIL

15 NOVEMBER 2017

Present:

MEMBERS:

Councillor D Collins (Mayor) and Williams (Leader) Councillors, Gbola Adeleke, G Adshead, Anderson, Banks, Mrs Bassadone, Birnie, Brown, Clark, E Collins, Conway, Douris, Elliot, England, Fantham, Fethney, Fisher, Harden, P Hearn, Hicks, Howard, Link, Maddern, Mahmood, Marshall, Matthews, McLean, Mills, Peter, Ransley, Riddick, Ritchie, Silwal, G Sutton, R Sutton, Taylor, Timmis, Tindall, C Wyatt-Lowe and W Wyatt-Lowe.

OFFICERS:

The Chief Executive, Corporate Director (Finance and Operations), Corporate Director (Housing and Regeneration), Solicitor to the Council and Monitoring Officer, Group Manager (Democratic Services), K Norval (Communications) and T Angel (Minutes).

The meeting began at 7.30 pm

11 MINUTES

The minutes of the meeting held on 27 September 2017 were agreed by the Members present and then signed by the Mayor.

12 DECLARATIONS OF INTEREST

There were no declarations of interest.

13 PUBLIC PARTICIPATION

There was no public participation.

14 ANNOUNCEMENTS

1. By the Mayor:

There were no announcements from the Mayor.

2. By the Chief Executive:

There were no announcements from the Chief Executive.

3. By the Group Leaders:

Councillor Williams gave apologies on behalf of Councillors Bhinder, Griffiths, Guest, Imarni and S Hearn.

4. By the Leader and Members of the Cabinet:

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

Councillor Williams advised that the demolition of the Civic Centre was due to commence the week commencing 20 November.

Councillor Fethney arrived at 7.32 pm.

Questions

Councillor Tindall expressed his concern on the new Arriva mini-buses. He said they were tiny and inadequate and he asked the Leader if he would consider writing to Arriva and Hertfordshire County Council to pass on the complaints he had received. Councillor Williams said he was happy to write to Arriva and Hertfordshire County Council as he understood the concerns but expected limited success. He said he understood that the smaller vehicles would be used outside of peak hours and were much more efficient.

There were no further questions for the Leader.

Councillor Mahmood arrived at 7.34 pm.

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

- Thank you to the Mayor for officiating at this year's Clean Safe & Green Community Champion Awards. Individuals and residents' groups are given awards for working selflessly to keep their neighbourhoods clean, safe and green. Winners of the award were David Drew of Nash Mills and the Friends of Halsey Field. Halsey Field is a wildlife site that has been developed by the Friends over the last few years on part of the site of Halsey School in Gadebridge. Supporters of the Friends include the Chiltern Society, Hertfordshire Conservation Volunteers and the Osborne Property Group. Well worth a visit, well worth joining in activities. David Shaw is the Parish Warden for Nash Mills and, goes far beyond normal Warden duties, regularly working to improve the area in his spare time.
- Environmental Health are developing a festive education programme to advise the public and food businesses about the risks of Christmas related food

poisoning. This is intended to go out to the community through the Dacorum digital newsletter and with officers during food premises inspections.

- In October, the Dog Warden served three Community Protection warning letters to residents of a house in Tring, instructing them to clear up dog fouling outside the boundary of their property and prohibiting their dogs from straying, as it is causing fear and distress to local residents. The results to date are promising but, should the issue not be resolved, then the next steps could be to issue Community Protection Notices – and should those Notices not be complied with, then prosecution in the Magistrates Court is an option.
- Communications followed Sarah Lewis around for a day to cover some of the jobs she does – this was fed in to Twitter and other Social Media as a “Day in the Life of the Dog Warden” in order to raise the public’s perception of the Dog Warden service as a whole, to prevent a negative image being portrayed across social media.
- The Dog Warden took a case to court where a dog owner had failed to change a dog’s microchip details. For the 6th time, this dog was collected as a stray in March. Its microchip had still not been updated with the current owner’s details. The current owner was given 21 days to have the details updated – she failed, was prosecuted and found guilty of not having a tag on her dog and not updating the microchip database. She was fined £100 for no tag, £50 for not updating the microchip database, £405 costs and £30 victim surcharge.
- The new waste calendars for 2018 will be going out at the end of this month, giving details of collection days for the bins, including the garden waste. Garden waste finishes this season in the weeks commencing 27 November and 4 December. In 2018, the garden waste will restart in the weeks commencing 26 February and 5 March and finish 3 and 10 December 2018 – effectively householders will receive a further week’s garden waste collection during 2018 compared with 2017.

Councillor Howard arrived at 7.38 pm.

There were no questions for the Portfolio Holder.

Councillor Elliot, Portfolio Holder for Finance and Resources

Finance

Work continues on scrutinising and challenging growth and savings proposals for the 2018/19 budget. The finance team have worked closely with service managers on their proposals and these have been presented for review and consideration by Budget Review Group prior to being submitted to joint Overview and Scrutiny Committee on 5th December.

Finance training on Local Government Finance and how the budget setting process works here at the Council was delivered to members and was well received by those that attended.

Revenue & Benefits

Following on from the decision made at the last Council meeting, the business rates team have now awarded:

- £49,000 rate relief to local pubs,
- £24,000 rate relief to small businesses and
- £170,000 rate relief to other local businesses particularly affected by the revaluation.

The team are continuing to make further awards as applications are received. This reflects the ongoing support by the Council to support small and medium sized local businesses.

Commercial Assets & Property Development

We have completed on the sale of 6 acres of land at Jarmans' Park to Kier who intend to develop a prime 72,000 sq ft retail warehouse scheme. The Council will benefit by £3.1m from this sale.

The contract for the demolition of the Civic Centre has been let with the contractor due to commence works the week commencing 20 November.

The demolition of the market square toilets and bus office has commenced, clearing the site for potential development.

Work is ongoing to dispose of garage sites in line with the approved policy and to generate capital receipts for the Council whilst providing additional much needed homes across the borough.

Commissioning, Procurement & Compliance

The team continue to support and provide compliance advice to officers with their commissioning & procurement activities.

There are a number of high profile tenders that are close to being awarded and the team have worked with managers to arrange clarification meetings and to consider responses, including Parking Enforcement, Leisure Management & Berkhamsted Multi Storey Car Park.

Questions

Councillor Adshead asked what action was being taken to help individuals before Bailiffs are required. Councillor Elliot felt it was a sad and worrying situation. He said he was happy to speak to his colleagues to find out more about the process.

Councillor Tindall referred to the market square demolition and queried what the potential development was. Councillor Elliot said there had been rumours but nothing was confirmed yet and they were open to offers; the priority was value for money for residents.

There were no more questions for the Portfolio Holder.

Councillor Griffiths, Portfolio Holder for Housing

TENANT & LEASEHOLDER SERVICES

- Our Supported Housing Service has been successful in retaining our 3 star 'Outstanding' rating in a recent accreditation from the Centre for Housing and Support (CHS). The assessor particularly highlighted how more included and

positive the staff were compared to his visit 3 years ago and was very impressed with our approach to safeguarding and tenant involvement.

- We have completed the tenant consultation about water rates and have served notice on the water companies. From April next year tenants will pay water charges directly to Affinity and Thames Water depending on the area in which they live. We will shortly be notifying tenants of the outcome of the consultation and the next steps to support them with the transition between now and April. This will include a number of sessions with staff and tenants alongside the water companies to help answer any questions.
- Our Income manager has carried out some rough calculations based on tenants who are currently receiving Universal Credit. This has shown a huge increase in the level of arrears and gives us an indication of what we might expect as tenants move onto UC over the coming 12 months. Additional research has demonstrated a number of internal changes we might need to make to support tenants through the process, with many examples of confusion and hardship that will have an impact on tenants and us. We have a project group to consider any changes we may need to respond to these challenges and are working closely with other departments across the council to build a joint approach.

STRATEGIC HOUSING

Strategic Housing Service have now completed full consultation in relation to the Allocations Policy and the new policy will be presented to Cabinet on 29 November, subject to approval implementation will commence thereafter. The TLC are currently working closely with the Homeless Prevention & Assessment team to review and score funding bids received from local partners for projects aimed at preventing homelessness, the outcomes of bids will be announced mid-November to successful organisations. Additionally the service has launched its smart clothing bank, aimed at enabling individuals without access to appropriate clothing for job interviews, to ensure that they are fully prepared.

HOUSING DEVELOPMENT

Able House – Practical Completion took place on 6th June and all units have been let. Cladding has been replaced with render post Grenfell concerns.

Wood House – Works are progressing on site and we are up to fifth floor with the concrete frame. The tenure mix will now be all affordable as opposed to some shared ownership. Successful topping out ceremony held last week.

Swing Gate Lane – On site undertaking construction of ground floor

Martindale School Site – The Planning application has been approved for this development. We have started the process to tender for a suitable Building Contractor.

Stationers Place – A delay to starting on site due to resolving issues with the Environment Agency and opening up a culvert that is at the rear of the site.

Northend and Westerdale Garage Sites – Planning applications have been submitted and we are preparing tender documentation.

PROPERTY & PLACE

Gas Contract Sun Realm

- The Q1 audit for this financial year has been concluded. The gain share has increased by £26K to £131K since the same period last year due to efficiencies within the site operation, which enabled the team to deliver more work with the same level of overhead.
- The compliance rates remain consistently high with all months since July achieving 100%, except October, where one service was overdue.

Osborne - Total Asset Management

The year-end review of performance in the financial year 2016-17 was concluded and reported to HCOSC. As Osborne had achieved compliance with the five strategic indicators during the period, it was agreed to grant the one year extension to the contract. The Strategic Indicators are being reviewed to ensure they still reflect the requirements of the contract and to ensure continuous improvement.

There were no questions for the Portfolio Holder.

Councillor Harden, Portfolio Holder for Residents and Corporate Services

Resident Services:

Youth Democracy events

Visit to the Forum by winners of the 'Coat of Arms' competition, Leverstock Green Junior School to have tea with the Mayor

Youth Democracy Challenge Day – John F Kennedy, Astley Coper, Cavendish and Hemel Hempstead Schools spent the day working with Trestle Theatre to design their political party and manifesto with a vote at the end of the day

Community Engagement

Making Dacorum Better Together meeting- 50 residents attended

Old Town Hall

The OTH supported Community Action Dacorum 70th anniversary.

Hosted a sell-out performance by comedy star Griff Rhys Jones.

DCSP

Mon 20.11.17 @ 7:30pm

Legal:

The legal team led on the negotiation and agreement of all legal documentation to facilitate the sale of land at Jarman Park, Hemel Hempstead to Kier Property. Kier have acquired the land to develop a retail warehouse scheme which will bring forward a site for development which has remained vacant for over 20 years.

The team have been leading on a consultation for a Public Spaces Protection Order aimed at preventing various forms of anti-social behaviour in the town centre. The consultation closed in October and over 800 responses were received. The responses are now being analysed and a report will be taken to Housing and Community overview and scrutiny committee and Cabinet to decide if members wish to proceed with the order.

The legal team have been very active representing the Council in various courts over the last few weeks and have successfully concluded 9 cases which were a mixture of anti-social behaviour injunctions and prosecutions, possession proceedings, a planning prosecution for breach of enforcement notice, and an animal welfare prosecution.

Democratic Services:

Annual Canvass of Electors

Door to door enquiries to contact all those households who have not yet responded to the initial Housing Enquiry Form (HEF) have now been completed; production of the Electoral Register for 2017-2018 is in its final phase; and we are on target to publish on 1 December 2017.

Since the start of the Canvass in August, 63,896 Household Enquiry Forms (HEF) have been sent to all properties across Dacorum. Reminder forms were then sent to around 26,000 properties during October and in accordance with the legislation, any occupied properties where no form had been returned were 'knocked on' twice to complete the contact phase.

The number of HEF's processed (as at 9/11/17) is:

53,968 properties responded of which 51,477 properties processed to date.

5965 properties with changes to date

45,512 properties with no changes

31,413 Imported Individual Voter Registration records (people who have responded via internet (18,930), text (4,245) or telephone (8,238))

2,500 new Invitations to Register, plus a further 600 first reminders sent out as a result of the canvass.

The canvass has now been completed with 84.15% of the properties contacted responding. Once all details have been compiled it is anticipated the final return will be in the early 90% range.

Town & Parish Conference – 24 November 2017

The annual Town & Parish Conference is scheduled for 24 November 2017. A full agenda has been prepared for the day including items on Community Grants, Data Protection, Emergency Planning, etc. In addition, there will be a Market Place setting out various services the Borough Council provides for and with the towns & Parishes – this is an opportunity for the participants to ask questions of Dacorum Borough Council Staff and Partners.

People:

Communications and Consultation

Local Plan Consultation – Heavily involved with marketing and supporting the exhibitions

Staff Conference – Leading on the content and supporting the event on 15 November.

Community Partnerships

Shopmobility Service – CAD Awarded contract

CAB Move – Finalising move in details such as snagging, parking arrangements, badges etc. Move in date confirmed WC 18 December 2017.

Armed Forces Day 2018 – Finalising paper on the plan for the day.

Innovation & Improvement

Digitalisation Plan 2017 – Now received requests for all GMs and next steps is to agree a corporate implementation plan with current development resources and what future resources are needed to speed up implementation.

Human Resources

T&Cs Review – Received consultative ballot results and the Chief Executive has responded to the TUs confirming that the Council’s position has not changed. We shall wait for written confirmation whether they will formally ballot their Members.

Customer Services

Service Review completed following return to inhouse.

ICT:

The contract for the desktop replacement project will be awarded November/December.

A major upgrade of the Finance System (Agresso) is in planning

A tender for the replacement of the current planning system, Acolaid, is currently being prepared

Questions

Councillor England asked if the Portfolio Holder agreed that Youth Democracy week was an excellent opportunity for young people to understand and get involved with democracy. He also thanked the Mayor for attending the Hemel Hempstead Beavers and Cubs event. Councillor Harden agreed that it was very beneficial and had been running for a number of years. He said he was very grateful to the Council for the resources they provide each year.

Councillor Douris asked, as Chair of the Hertfordshire Armed Forces board, if an event date for next year had been confirmed yet. Councillor Harden advised it would be the last Saturday of June 2018. He said to look out for information after the New Year and advised they have been booking acts already.

There were no further questions for the Portfolio Holder.

Councillor G Sutton, Portfolio Holder for Planning and Regeneration

Strategic Planning and Regeneration:

1. The consultations on the Issues and Options for consideration of growth to 2036 will be happening this week and next week:

13 November - Kings Langley
14 November - Tring
17 November - Berkhamsted
20 November - Hemel Hempstead
22 November - Markyate
24 November - Bovingdon (2pm-9pm)

The consultation is open until 13 December 2017.

2. The Bury project received approval at October Cabinet to move the project forward with an Expression of Interest to the Heritage Lottery Fund to help fund the Bury Museum project and to prepare the work required for Stage 1 submission next Summer. This work will also include external help to upskill Dacorum Heritage Trust appropriately to enable them to run a museum.
3. The annual Halloween event was held on 29th October and many thousands of people enjoyed the spooky fairground and the fantastic fireworks. The Christmas lights switch-on event will take place on 26 November and will be another fantastic family event.

There were no questions for the Portfolio Holder.

15 QUESTIONS

None.

16 BUSINESS FROM THE LAST COUNCIL MEETING

None.

17 NOTICE OF MOTION

The following motion was proposed by Councillor Tindall and seconded by Councillor England:

Proposed Public Space Protection Order

1. This Council notes that the Cabinet is concerned about the level of anti-social behaviour and it is clear from the number of responses to public consultation (which ended 13th October) that residents of Dacorum have been engaged both with the subject and the proposed remedy.
2. The members of Dacorum Council, having debated the issue of anti-social behaviour and the proposed remedy, request that before the Cabinet makes its decision on the introduction of a Public Space Protection Order (PSPO) in Dacorum they :-
 - a. have regard to the opinions and comments of council members expressed in the debate on 15th November, and
 - b. take note that :-
 - i. the proposed PSPO addresses some behaviours which are already covered by existing criminal legislation and as such fall under the proper remit of the police,
 - ii. the PSPO plans would need to be evaluated based upon actual implementation plans for enforcement, including who will do the enforcement and what training will be given and what powers would be used,
 - iii. In addition to enforcement of the PSPO, the practicality of using fines or court summonses to individuals with no means and no fixed abode, and the times of day when enforcement will take place
 - iv. a PSPO should not be used when there are alternative steps that could be taken to address the behaviours disapproved of, some of which are clearly the result of seven years of austerity
3. The PSPO, when drafted, would need to identify the issues that it was aiming

to restrict. There is a general principle that where an Act criminalises an activity the scope of the activity must be clearly defined. The proposals cannot therefore actually be judged on their proportionality and practicality until the draft PSPO is available.

4. Therefore, this council requests that a further consultation process is carried out once the draft PSPO is publicly available and that the outcomes of that consultation and the proposal to adopt the draft PSPO is brought to full Council for approval or otherwise.

R Tindall made the following statement to support the Motion:

We have brought this motion before Council in order to allow Councillors to fully debate what is a new approach to Community cohesion that I am not particularly in favour of. Although we have not seen the 'Order' in all its glory, we have heard enough to understand that the Administration is proposing to turn our council officials into enforcement officers and send them on to the streets to do what police officers should do. Indeed, is this proposal coming before us simply because the police cannot cope – that they have too much to do – or is it about plugging the gaps left after the Police Commissioner's cuts.

It is my understanding that there has been over 800 contributions to the Consultation and I am very interested to find out where the concerns of our community lie. Indeed, I expect that there will be some, like Liberal Democrats, who see no reason for this heavy hand when there are other measures that can be taken to curb the low-level of anti-social behaviour that exists. But, perhaps there will be others who will welcome this approach to Community Contact, and will be pressing for that heavy hand to be used. Perhaps, the administration intends to start with a few half-trained council officials handing out warning notices, but to work towards the Enfield Model of a fully blown private police force, or even the Mayor of Newham's notorious team.

But there is a serious side to this suggestion – is our staff ready and capable of facing down young thugs misbehaving or are we putting them in harm's way. We have an example from the recent past when our officers tried to deal with youths misbehaving on bicycles in the centre of town, got into difficulties, and had to phone the police. With the constant cuts to our police service – will the police be available again to rescue our staff.

I believe that the Council has better things to do with its time, and if the administration believes that council officials will have time on their hands to patrol the streets, then may I respectfully point them to the anti-social behaviour which concerns and upsets our residents on a daily basis – PARKING. If you want a target to aim at - get to grips with the parking problems in this Borough.

This motion sets out a number of points which the council should consider before going down this road, and I ask they be considered, and then any thoughts of a PSPO discarded.

I move the motion.

Councillor England seconded the Motion and made the following statement:

First I would like to make it clear that at Housing OSC last week we were told that the result of the Consultation would be going straight to Cabinet in January. I asked for the Consultation analysis to be reported to Scrutiny before a Cabinet decision.

There are SIX quite different behaviours identified – pretty loosely in the Consultation - to be addressed by the PSPO. This PSPO is mixing its metaphors.

Only two (and a half) are actually ASB, and in these instances they clearly merit Public Order policing by The Police, under section 4 or 5 of the Public Order Act – which covers behaviour which is experienced as harassment, alarm or causing distress.

Policing has been cut especially so in Hemel Hempstead and is now not well configured to deal with Public Order unless it escalates to 999.

In two more of the six (Rough sleeping and Begging), society (we ourselves included) must take some responsibility for the growth of such symptoms and growing problems, the consequences of cuts to public services which affect vulnerable people the most.

The last two are either impractical (cycling) or absurd (ducks); Of the two and a half that ARE ASB the prospects of being able to enforce with practical evidence and opportunity are slight – so slight that the complaints the Council says it has received from the public are not addressed.

Prevention of problems is better than cure – and yet prevention of poverty seems to be about Universal Credit and little else for the current Austerity Government, which is cutting police and underfunding Mental Health and Social Care – and causing these problems.

Are DBC saying that driving annoying people and behaviour elsewhere is more cost-effective than insisting on proper policing patrols and social work support?

This PSPO plan simply shrugs at alternative measures like providing public toilets, cycle-routes, arguing for Public Order policing and perhaps even some signs and a “feed-the-ducks zone” for those who wish to do so.

LGA Advice not followed

LGA Guidance clearly requires that PSPOs are tightly drafted and focus on the precise harmful behaviour identified. Proposals should clearly define which specific behaviours are not permitted or are required, and any exemptions that might apply.

Careful wording will help people to understand whether or not they are in breach once the Order has been implemented and give them an opportunity to modify their behaviour. It will also help to avoid unintended consequences.”

(from LGA “Public Space Protection Orders – Guidance for Councils”, pages 6-7)

There is clearly a need for the PSPO to be reviewed and brought back for decision by Full Council.

Drinking is only a problem if it gets out of hand, in which case it will have become a public order policing issue.

Spitting, urinating etc – what is the likelihood of this being witnessed? If it were witnessed it would come under Section 4 Public Order policing.

Rough sleeping is not a harming behaviour! It may be uncomfortable for people to witness the effects of austerity, a severe housing shortage and in some cases

untreated mental health issues but it is not appropriate to target the victim of these factors and paint them as the problem.

We should be helping individuals who have to sleep rough. If a Court Order is needed to get a person to co-operate then why delay or worse abort the help by creating the option of an FPN, which could scare someone away instead of achieving help?

Begging - No person shall (passively) sit on the ground (apparently aggressively) begging - really? Should the person be standing or moving about the PSPO would be unenforceable under the terms, so this does not even address the circumstances in which begging can become threatening to vulnerable people – ie standing, approaching. At which point it becomes a Police Public Order issue.

This get to a central "discretionary" problem of this PSPO – eg who defines what is busking (which can enhance a visit to the Marlowes) and what is "begging" issuable with an FPN? Under section 59 of the ASB Crime and Policing Act 2014 this does not meet the criteria for a PSPO. The legislation requires that the anti-social activities be properly defined.

My wife has recently become a Special Constable; having followed her training this year I am clear that enforcement of a PSPO does actually require the Police training.

This six-purpose PSPO is far too loose with too much discretion for someone with too little training and who does not have the Police's tactical communications expertise.

Finally: In Ealing the Labour Council is using a PSPO. The Conservative Opposition is arguing that it is harassment and intimidation and should be a Police matter.

Let's take PROPER pride in our town by building a better sense of place and calling for Public Order behaviour to be handled by Police – not "framed by The Forum".

Discussion

Councillor Williams replied to each of points raised by Councillor Tindall:

There were 870 responses. The responses are currently being analysed and a consultation report is being prepared by external consultants. This report will be annexed to the Scrutiny and Cabinet Report and I am happy to share it earlier as soon as I have it. It is expected the week after next.

Point noted – the report and proposed draft PSPO will also be reported to Housing and Community Overview and Scrutiny Committee before it goes to Cabinet for a decision.

It is correct that some of proposed prohibited behaviours are also criminal offences but the PSPO will give authorised officers (who could be council officers or other persons authorised by the Council) the opportunity to assist with enforcement where this is appropriate.

An enforcement protocol is currently being finalised and will be agreed with the Police before commencement of the PSPO. Further details of this will be set out in the Scrutiny and Cabinet report for consideration.

Difficulties with enforcement against individuals with no fixed abode and no means to pay fines will make any prohibitions around rough sleeping and begging potentially difficult to enforce and this was raised as an issue in the Cabinet Report. However,

we do manage to enforce injunctions and other prohibitions against persons with no fixed abode particularly where they are repeat offenders. This issue will be analysed considered further at Scrutiny and Cabinet.

Out of Hours enforcement is also an issue which will be considered in the Scrutiny and Cabinet report but there are clearly resource implications arising from this which will be considered.

A proportionate approach will be taken to enforcement and this will be considered in the enforcement protocol.

The proposed wording of the draft PSPO will be available for Scrutiny and Cabinet.

Once Cabinet approve the final PSPO there will be further statutory consultation.

The persons that we are statutorily required to consult are:

The chief officer of police and the Policing and Crime Commissioner for the applicable area;

Any community representatives that it is thought appropriate to consult;

And the owners/occupiers of land included within the restricted area;

Approval of the PSPO is an executive function and should therefore be determined by Cabinet. Housing scrutiny will however consider the proposals and their comments will be considered by Cabinet.

Cabinet will need to decide if they wish to see the consultation responses following the statutory consultation or delegate the final decision to a Portfolio Holder.

Councillor Anderson said he couldn't support the Motion on the same grounds raised by Councillor Williams. He explained that members of the Strategic Planning and Environment Overview and Scrutiny Committee originally shared similar concerns but through debate these concerns had been met.

Councillor Marshall agreed with Councillor Anderson. She said she had read Councillor Tindall's comments with interest and members did need to discuss the matter in depth but felt it wasn't appropriate for tonight's meeting. She highlighted that there was lots of opportunities to consider and discuss before the report goes to Cabinet for a decision.

The motion was put to a vote:

For: 6

Against: 34

The motion was lost.

18 CABINET REFERRALS

That the following be approved:

17 October 2017

8.1 CA/104/17 BROWNFIELD LAND REGISTER

1. To approve the sites listed in Part 1 of the Brownfield Land Register (BLR) as drafted in Appendix 1 of the report to Cabinet and delegate authority to the Assistant Director (Planning, Development and Regeneration) to finalise the site specific information before publication noting that there will be no sites in Part 2 on first publication.
2. Delegate authority to the Solicitor to the Council to amend the constitution to give effect to the following procedures and authorisations for administering the BLR:
 - (a) "That the Assistant Director (Planning, Development and Regeneration) will be responsible for considering which sites go onto the BLR (Part 1 and 2) for consultation, carrying out required consultation, and reporting the BLR to Cabinet and Council for final approval.
 - (b) That applications for Technical Details Consent be dealt with in accordance with the existing scheme of delegation for all planning applications."

8.2 CA/105/17 MEMBER EMPLOYEE CODE OF PRACTICE AND PLANNING CODE OF PRACTICE

1. to approve the Planning Code of Practice.
2. to approve the Protocol for Member Officer Relations.

19 OVERVIEW AND SCRUTINY REFERRALS

There were no overview and scrutiny committee referrals.

20 CHANGES TO COMMITTEE MEMBERSHIP

There were no changes to committee membership.

21 CHANGE TO COMMITTEE DATES

There were no changes to committee dates.

22 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, (including the authority holding that information) and also contains legal advice which may be subject to a claim for legal privilege.

Local Government Act 1972, Schedule 12A, Part 1, paragraph 3 and 5.

23 CALL-IN & URGENCY PROCEDURE

Full details can be found in the Part 2 Minutes.

The Meeting ended at 8.18 pm