

MINUTES

CABINET

18 SEPTEMBER 2018

Councillors: Williams (Leader)
Griffiths (Deputy
Leader)
Elliot
Harden
Marshall
G Sutton
D Collins

Officers:	Mark Brookes	Assistant Director - Corporate and Contracted Services
	James Deane	Corporate Director - Finance and Operations
	James Doe	Assistant Director - Planning, Development and Regeneration
	Mark Gaynor	Corporate Director - Housing & Regeneration
	Nigel Howcutt	Assistant Director - Finance and Resources
	Sally Marshall	Chief Executive
	Claire Oliveri	Communications and Consultation Officer
	Fiona Williamson	Assistant Director - Housing
	David Barrett	Group Manager - Housing Development
	Jo Deacon	Housing Development Team Leader
	Katie Mogan	Corporate and Democratic Support Lead Officer

Also in attendance:

Councillor John Birnie
Councillor Tina Howard
Councillor Ron Tindall

The meeting began at 7.30 pm

CA/86/18 **MINUTES**

Minutes of the meetings held on 31 July 2018 were agreed by Members present and signed by the Chair.

CA/87/18 **APOLOGIES FOR ABSENCE**

There were no apologies for absence

CA/88/18 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA/89/18 PUBLIC PARTICIPATION

There was no public participation

CA/90/18 REFERRALS TO CABINET

There were no referrals to Cabinet.

CA/91/18 CABINET FORWARD PLAN

The Forward Plan was noted and agreed.

Councillor Harden asked what item 11 'New Normal' was about. S Marshall explained that it was about working towards a new strategy that began with a workshop attended by Cabinet a couple of years ago.

CA/92/18 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/93/18 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.

CA/94/18 BUSINESS RATES POOLING

Decision

1. That Cabinet support the principle of the Council being a part of a Hertfordshire wide bid to take part in the Government's proposed 75% Business Rates Pooling Pilot commencing 1 April 2019; and,
2. That Cabinet delegate authority to the Chief Executive in consultation with the Leader of the Council, to approve the final application subject to final details being agreed between prospective pilot members.

Corporate objectives

This report supports all of the Council's Corporate Objectives.

Monitoring Officer:

If the bid is approved, an agreement or Memorandum of Understanding will need to be developed to document the governance and administrative framework for the Business Rates Pool.

S.151 Officer

This is a Section 151 Officer report.

Advice

Councillor Elliot introduced the report which if agreed, will allow DBC to take part in a county wide bid to be involved in a pilot. The benefit to the county would be £11 million.

N Howcutt said there had been a late announcement from the government about extending the deadline for bid submission. The bid is similar to last year's which was not successful. The risks are minimal and there would be a major risk if business rates dropped 8% in the next 18 months but as business rates have currently been

increasing by 2-4%, it is deemed very unlikely that this would happen. The net benefit would be worth £8.4 million split across the local authorities under Hertfordshire.

Councillor Marshall asked what the government would be getting out of this scheme.

N Howcutt said the aim is to have 75% business rate retention by 2020. The idea of the pilots is to find out the details and how well it will be implemented. More local authorities are aware of how to control their business rates. It is expected that fewer pilots will be awarded from the ten that were awarded last year. The idea is to drive economic development in order to increase to pool. There has been little feedback on the unsuccessful bid from last year so it is difficult to say what they are looking for.

Councillor Tindall asked if the ten selected last year had any similarities to the bid submitted by Hertfordshire.

N Howcutt said a range of different authorities were picked and there was no clear methodology.

Voting

None.

CA/95/18 BOVINGDON NEIGHBOURHOOD PLAN

Decision

1. The Neighbourhood Plan Area for Bovingdon is agreed to be consulted upon; and
2. That authority is delegated to the Assistant Director, Planning, Development and Regeneration in consultation with the Portfolio Holder for Planning and Infrastructure to consider the consultation responses and formally designate the Bovingdon Neighbourhood Plan Area.

Corporate objectives

If the area is formally designated for neighbourhood planning, the Bovingdon Neighbourhood Plan may assist in supporting the following corporate priorities for Dacorum:

- *A clean, safe and enjoyable environment* e.g. may contain policies relating to the design and layout of new development that promote security and safe access;
- Building strong and vibrant communities;

- Ensuring economic growth and prosperity;
- Providing good quality affordable homes, in particular for those most in need;
- *Dacorum delivers*: e.g. provides a clear framework upon which planning decisions can be made;
- *Community Capacity*: e.g. allows local communities to prepare area-specific guidance within Neighbourhood Plans

Monitoring Officer:

The Council has a duty to support a Parish Council or Neighbourhood Forum in the preparation of a Neighbourhood Development Plan (NDP). This includes providing technical support expertise and resources to such level as the Council considers appropriate. The Council is also responsible for arranging an independent Inspection of the NDP and to meet the cost of the Inspection.

If the NDP meets all the necessary criteria it can only come into being if more than 50% of those voting in a referendum vote in favour of it. If the referendum is in favour of the NDP it must be adopted by the Council. The Council is responsible for arranging the referendum which must take place in the Grovehill Neighbourhood Area and this process will be organised by the Election's team

Deputy S.151 Officer

At present there are limited financial liabilities in relation to the creation of this NDP. Any costs incurred that DBC are liable to meet will be met by MHCLG funding where applicable with any residual costs being met from within the existing planning and regeneration budgets.

Advice

Councillor G Sutton introduced the item and said the purpose of this report was to identify and approve the area requested by Bovingdon Parish Council. The plan submitted fulfils all the requirements and does not overlap on other areas. If the report is approved, it will set the plan in action.

J Doe said this was the second neighbourhood plan submitted to the council, the first being in Grovehill. If approved, there will be a public consultation and then a referendum. It is important to note that the Local Plan is currently being developed and it will be vital to keep in contact with the parish council to make sure both plans do not contradict each other.

Councillor Birnie referred to page 26 and asked if there was an error as it stated the referendum would take place in Grovehill.

J Doe said this was an error. The referendum would be held in Bovingdon.

Councillor Williams said it was his understanding that the Cabinet is obliged to accept the plan if all the criteria has been met.

Councillor Birnie asked about the limit of neighbourhood plans a council can have.

J Deacon said that the funding comes from the government and that funding is limited to five plans. Anymore plans would need to be funded by the council.

Councillor Tindall asked if the parish council had carried out any informal consultation to find out the views of residents.

J Doe said he was not aware of any but said that a public consultation would follow.

Councillor Williams said he was aware that there have been discussions within parish council meetings with external support.

Voting

None.

CA/96/18 NEW BUILD UPDATE

Decision

1. That the bid to be made to the Ministry of Housing, Communities and Local Government (MHCLG) be approved, as set out in the report, including the financial details in part 2, for additional borrowing freedom for £10.1M in the Housing Revenue Account to facilitate the early delivery of 106 new homes and to approve the acceptance of the bid if successful.
2. That the bid be accepted, if successful, and the detail, process and utilisation of any increased borrowing arising from the bid be delegated to the Corporate Director Housing and Regeneration and the Corporate Director Finance and Operations including any minor variations that may need to be made following liaison with MHCLG.
3. That the purchase of land at Paradise Fields for Homes England on the terms set out in the Part 2 report be approved and the process of purchase be delegated to the Corporate Director Finance and Operations. £150,000 to be allocated for consultancy and design work, from the existing 2018/19 HRA new build budget also be approved.
4. That the revised contract, as set out in Part 2 of this report, for the construction of new homes at Stationers Place, be awarded to Jarvis UK Ltd.
5. That delegated authority be given to the Corporate Director Housing and Regeneration in consultation with the Corporate Director Finance and Operations and the Assistant Director, Corporate and Contracted Services and the Portfolio

Holder Housing and Portfolio Holder Finance and Resources to purchase land of a value up to £5,000,000 for housing development.

6. That the Housing Revenue Account land purchase Framework set out in the report be approved.
7. That the new build update be noted.

Corporate objectives

Monitoring Officer:

Any land purchases under the proposed delegation in recommendation 5 will need to be documented in an officer decision sheet to ensure that the decision is properly recorded.

Full site due diligence and valuation assessment should also be carried and reported in the officer decision sheet for consideration by the statutory officers.

Deputy S.151 Officer

The revised new build development programme and subsequent submission for an increase in the HRA borrowing limit, by £10.1m, has been modelled through the 30 year business plan. The business case put forward is financially sustainable but will require close monitoring.

The HRA is projected, if the bid is accepted, to maximise its new extended borrowing cap of £364min 2021/22 and 2022/23, hence fiscal management is key, as borrowing to the maximum capacity provides no headroom. The strategy will need to continue to be closely monitored to ensure the new build development plan remains deliverable and affordable.

The financial increase in the tender contract for Stationers place can be delivered within the existing new build development budget. The increase in contract value after analysis is in line with the expected industry inflationary increases over this time period.

The implementation of a land purchase framework/delegated decision making process will allow for the HRA to react to market conditions in a timely manner. The approval of land purchases must be accompanied with a red book valuation to ensure value for money is assessed.

Advice

Councillor Griffiths introduced the item and said this report was to update members on the new build programme and to show the new process for acquiring sites. There is an option to apply for an increase in the council's borrowing cap and the council applied for this two weeks ago.

M Gaynor said there was an error under paragraph 6.6 which should say units not nits. He said this was a significant report and deals with the bid for additional borrowing. This year, the council have built 132 units with another 280 in construction. If the bid is successful, this will provide funding to build another 231. There are strict rules associated with the bid; the council must use all of its borrowing requirements and must deliver within the planned timeframe. The funding is also limited to the projects planned, the submitted bid asks for an extra £10 million which is based on the projects that the council have already planned. Dacorum has a good track record on delivering homes and this could allow for a second bid in the future.

Councillor Marshall referred to page 41 and asked how the process would be reported to members.

M Gaynor said initially, there would be consultation with the portfolio holder and reports to Cabinet. He said there would also be an officer decision sheet.

Councillor Marshall asked at what point would these be produced?

M Brookes said the purchase of sites would be included under the officer decision sheet.

M Gaynor said that the site would be sold in competition so the successful agent would be looking for a quick process which the Cabinet process does not allow for.

Councillor Marshall asked if the officer decision would be subject to call in?

M Brookes said yes. There would be a process to sign off the agreement and then a separate legal process.

Councillor Marshall asked how long the call in was for an officer decision. She said she wanted to make sure there was enough time.

M Brookes said the call in was five days. He said the council will not be signing the transfer that soon after the decision is published.

Voting

None.

CA/97/18 EXCLUSION OF THE PUBLIC

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the items in Part 2 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 those items, there would be disclosure to them of exempt information relating to the financial and business affairs of the Council and third party companies/organisations.

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

CA/98/18 DEVELOPMENT COMPANY UPDATE

Full details in part 2 minutes.

CA/99/18 ADDITIONAL TENANT FOR THE FORUM

Full details in the part 2 minutes.

The Meeting ended at 8.20 pm