

Notes of Key Decisions/Actions

Meeting: Council

Date: Wednesday, 17 April 2019

Agenda Item	Decision
1 Minutes	The minutes of the meeting held on 20 February 2019 were agreed by the Members present and then signed by the Mayor.
2 Declarations of Interest	There were no declarations of interest.
3 Public Participation	<p>The following question was asked by a member of the public:</p> <p>"Concerning the housing development at the old Martindale School site, why, after giving less than 24 hours' notice to local residents, did DBC order the removal of two ancient oak trees, the second of which contained an active bird's nest and was cut down on 1st March, thus contravening the Wildlife and Countryside Act 1981, which does not permit interference with trees or bushes containing nesting birds during the nesting season."</p> <p>The following response was given by Councillor Griffiths, Portfolio Holder for Housing:</p> <p>"The former Martindale primary school site was purchased from Hertfordshire County Council in December 2014. A comprehensive set of supporting documentation and due diligence surveys were provided as part of the sale, one of which included an Arboricultural survey dated March 2013. At the time, letters of reliance were provided to offer assurances and reliability of the findings. DBC used this information as part of the planning application in 2017. The original Arboricultural survey categorised the condition of the trees in question that were eventually removed as Category B (moderate quality) and C (low quality). Although there were no Tree Preservation Orders on any trees on the site, the Council initially wanted to retain as many trees as possible.</p> <p>Bugler Developments were appointed as the council's building contractors at Cabinet in May 2018. Once on site, the Trees and Woodlands Officer visited site and produced an updated Arboricultural survey in December 2018, which highlighted that the trees in question were now in an extremely poor condition and had to be removed. This natural and significant deterioration had occurred in the 4 years since site acquisition. The findings discovered a large split in the stem and an old fungal bracket at the base of the largest tree. This Oak was re-categorised as a U (cannot be retained) with removal the only option recommended by the Trees and Woodlands Officer. The other trees had also regressed in quality since</p>

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	<p>2013 with poor form, extensive dead wood and growth defects. Following the advice of the Trees and Woodlands Officer it was accepted that they must be removed to reduce the risk of injury or damage.</p> <p>The completed development will include smaller, more suitable trees in their location and at no point have DBC tried to increase the scale of development by removing trees. It will deliver the number of homes as in the planning permission.</p> <p>An application was submitted to the Planning Department through a Non-Material Amendment to remove these trees, the process of which does not involve public consultation. This was approved in February 2019. Our contractor issued a letter to residents towards the end of February 2019, approximately 48 hours before removal works commenced on the 27th February. At the time of felling the trees, the tree surgeon did not spot any visible signs of nesting and the trees were extremely sparse with no leaves. We had no evidence of active birds nest within the trees and therefore do not believe we have contravened the Wildlife and Countryside Act 1981.</p> <p>Moving forward, it is worthwhile to note that alongside the extensive replanting measures which will be implemented, there remain a number of existing Oak trees on site - including a Category A tree (high quality) given its condition and future potential - which are being protected and retained throughout the course of the development and will remain for years to come.”</p>
<p>4 Announcements</p>	<p>4.1 By the Mayor:</p> <p>None.</p> <p>4.2 By the Chief Executive:</p> <p>None.</p> <p>4.3 By the Group Leaders:</p> <p>Councillor Williams confirmed that apologies had been received from Councillors Banks, Bhinder, Clark, E Collins, Matthews, Mclean, Peter, Timmis and Whitman.</p> <p>4.4 Council Leader and Members of the Cabinet:</p> <p>(Full details are in the minutes under Announcements of the Leader and Cabinet).</p>
<p>5</p>	<p>The following motion proposed by Councillor Tindall was agreed:</p>

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Notice of Motion	<p>This council recognises that established manufacturers have announced launches of more than 100 new electric vehicle models by 2024. The growth of such vehicles would:</p> <ul style="list-style-type: none"> * reduce our dependence on fossil fuels * help to remove polluting diesel and other vehicles from our roads * contribute greatly to the action against climate change. <p>However, one of the major barriers to the mass adoption of electric vehicles is the availability of fast charging points.</p> <p>With the on-going discussion on our Local Plan, and the number of developments being proposed Dacorum is ideally placed to lead the transition to cleaner vehicles on our roads. The Council therefore calls for</p> <ul style="list-style-type: none"> * the identification of a portfolio holder together with a senior lead officer as points of contact with the charging industry, utility companies, and the motor vehicle industries (including current petroleum companies); their responsibility being to ensure that positive discussion takes place with all parts of the sector and that the growth of fast charging points meets the needs of motorists who wish to move to cleaner vehicles. * in all future deliberations on the Local Plan, and the various proposed developments in and around Dacorum, the establishment of a fast charging point network is taken as a fundamental priority. * as a member of the South West Hertfordshire Collaboration Group, Dacorum uses its influence to encourage neighbouring and partner councils to adopt similar measures to foster this transition to cleaner vehicles.
6 Questions	None.
7 Business from the last council meeting	None.
8 Cabinet referrals	<p><u>Resolved:</u></p> <p>That the following be approved:</p> <p><u>19 March 2019</u></p> <p><u>8.1 CA/036/19 Member Development Programme</u></p> <p>Decision</p> <p>That Cabinet recommend Council agree a new paragraph 9 to Part I of the Code of Conduct for Members to read:</p>

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	<p data-bbox="432 226 584 259">“9. Training</p> <p data-bbox="432 304 1358 412">To enable Members to fully take part in Council business Members are encouraged to attend all training, which forms part of the Member Development Programme.</p> <p data-bbox="432 456 1402 680">Council have adopted a requirement for a mandatory training programme for Members, which will be approved annually by Cabinet following consultation with the Member Development Steering Group and the Council’s statutory officers. Members must attend all mandatory training in accordance with the Council’s requirement.”</p> <p data-bbox="432 719 1038 752"><u>8.2 CA/038/19 Berkhamsted Sports Centre</u></p> <p data-bbox="432 792 557 826">Decision</p> <p data-bbox="432 871 1402 978">That Cabinet recommend Council agree a sum of £55,000 for consultancy and professional fees to develop a scheme proposal for further approval and public consultation.</p>
<p data-bbox="188 1084 405 1249">9 Overview and Scrutiny Annual Reports 2018/19</p>	<p data-bbox="432 1084 1410 1216">The Chairman of the Housing & Community Overview and Scrutiny Committee, Councillor Suqlain Mahmood, introduced the Annual Reports of the Overview and Scrutiny Groups to the Council and highlighted certain aspects of the work carried out by the individual committees.</p>
<p data-bbox="188 1274 357 1406">10 Changes to committee membership</p>	<p data-bbox="432 1274 512 1308">None.</p>
<p data-bbox="188 1433 331 1565">11 Change to committee dates</p>	<p data-bbox="432 1433 1166 1467">The following changes to committee dates were agreed:</p> <p data-bbox="432 1503 1418 1570">Audit Committee rescheduled from Wednesday 24 July to Thursday 18 July 2019.</p> <p data-bbox="432 1606 1310 1639">An additional Audit Committee meeting on Thursday 27 June 2019.</p> <p data-bbox="432 1675 1414 1742">Development Management Committee rescheduled from Thursday 23 May to Tuesday 28 May 2019.</p>

The meeting ended at 9.02 pm