

Notes of Key Decisions/Actions

Meeting: Council

Date: Wednesday, 26 February 2020

Agenda Item	Decision
<p>1 Minutes</p>	<p>The minutes of the meetings held on 27 November 2019 and 22 January 2020 were agreed by the members present and then signed by the Mayor.</p>
<p>2 Declarations of Interest</p>	<p>There were no declarations of interest.</p>
<p>3 Public Participation</p>	<p>There was no public participation.</p>
<p>4 Announcements</p>	<p>4.1 By the Mayor:</p> <p>The Mayor announced the sad passing of former Dacorum Councillor Terry Eastman, former Mayor Ann-Marie Barling, and former Chairman of Hertfordshire County Council, Keith Emsall. One minutes silence was held in remembrance.</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 Adeleke, Imarni, Oguchi and Suqlain Mahmood.</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 Questions</p>	<p>1. Question to Cllr. Graham Sutton from Cllr. Sally Symington</p> <p>“A recent FOI request by a Berkhamsted resident has revealed that £223,563 out of £3,286,091.73 of unspent S106 monies held by Dacorum Borough Council has come from Berkhamsted developments. Of this, just £14,235 is allocated for projects in Berkhamsted and is earmarked for improvements to playgrounds.</p> <p>Please can the portfolio holder confirm these figures and detail which developments the monies arose from; the dates the monies were received and the time at which the funds expire?”</p> <p>Councillor G Sutton’s response:</p>

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	<p>A total of £223,563 s106 receipts is held for various projects in Berkhamsted. Of this, £19,398 is currently committed so the available balance is £204,165.</p> <p>The details of the cases, twenty in total, are given on the spreadsheet which accompanies this response and shows the developments and sites from which the receipts arose, and the expiry dates for spend.</p> <p>For most of the cases – fifteen – there is no expiry date specified on the s106 obligation. The remaining five expire in either 2023 or 2024.</p> <p>For all cases, our internal management systems for s106 receipts provide monthly alerts for officers across the Council to help ensure that deadlines are not missed. Where no date is specified, a default timescale of five years from receipt is used.</p> <p>With reference to the available balance of £204,165, the details on spend will be defined in the s106 obligation.</p> <p>Councillor Symington asked if it would be possible to reinstate publication of the developer contributions.</p> <p>Councillor G Sutton replied he would speak to the team and see if that was possible. He advised in Berkhamsted they had around 20 but for the whole Borough it would be considerably more. He added that he could provide Councillor Symington with a copy of the case spreadsheet she was referring to.</p> <p>Councillor Symington asked for confirmation that the council adopts the premise that the S106 monies are for benefit of local community from which they derive and asked for assurance that local representatives have a say in how those monies are spent.</p> <p>Councillor G Sutton confirmed that local communities and representatives are consulted on this. He advised each s106 monies may contain its own terms and conditions on how it can be spent and what it can be used for.</p> <p>Councillor Symington advised that planning permission was recently granted for a development in Shooters Way and attached was a £75k s106 award. She asked what assurance the Portfolio Holder could give to the residents of Berkhamsted that these monies will be collected and spent on the sports facilities on which they were intended.</p> <p>Councillor G Sutton advised that if those are the terms and conditions of the planning application then the team will definitely collect the money and send in the right direction.</p> <p>2. Question to Councillor Banks from Councillor Symington</p> <p>Would the portfolio holder agree that Council contractual procedures should not impede local organisations or clubs from applying for grants to improve community assets, such as poorly maintained and consequently underused football pitches, especially when -</p> <p>(a) this is for the benefit of the local community,</p>

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	<p>(b) where there is a demonstrable public benefit, (c) where it is in line with the stated DBC policy to promote sport in the community, and (d) where it is without detriment to the public asset?</p> <p>Councillor Banks advised that for this specific case they hadn't been able to support the application for funding as the football fields are a shared resource.</p> <p>Councillor Symington asked how we can help the community to avoid missing out due to small technicalities. Councillor Banks said she had sought advice from officers and it was her understanding that the current funding doesn't allow these clubs to apply on behalf of DBC and pass the money on to us to invest in to these sites. She advised that due to the guaranteed use of pitches, health and safety controls and the risk of chemical use on the pitches, it was the wrong grant pot to apply to.</p> <p>Councillor Symington asked the Portfolio Holder to agree that the subject should be raised with the appropriate Overview and Scrutiny Committee and properly examined.</p> <p>Councillor Banks agreed she would discuss the matter with the relevant OSC Chairman.</p> <p>Councillor Symington asked if the Portfolio Holder had actually read the agreement between the Football Club and the Football Foundation.</p> <p>Councillor Banks advised she hadn't read the document Councillor Symington was referring to but she had done some research in to the grant pot and it appeared to her that it was necessary for them to have at least a ten year guarantee use of the pitch and choose own contractors to maintain those pitches and there was nowhere in Dacorum that we have arrangement.</p>
<p>6 Business from the last council meeting</p>	<p>None.</p>
<p>7 Cabinet referrals</p>	<p><u>Resolved:</u></p> <p>That the following be approved:</p> <p><u>11 February 2020</u></p> <p><u>7.1 CA/018/20 Budget 2020/21</u></p> <p>A recorded vote was held:</p> <p>38 For, 3 Against and 6 Abstentions.</p> <p>Decision</p>

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	<p data-bbox="432 226 863 259">General Fund Revenue Estimate</p> <ul style="list-style-type: none"> <li data-bbox="432 304 1374 450">a) set a Dacorum Borough Council General Fund Council Tax requirement of £12.086m, and a provisional amount of £13.058m for the combined Borough Council and Parish Councils' requirement for 2020/21; <li data-bbox="432 461 1358 528">b) approve a Band D Council Tax increase of £5 (2.48%) for Dacorum Borough Council; <li data-bbox="432 595 1406 685">c) approve the base estimates for 2020/21, as shown in Appendix A1, and the indicative budget forecasts for 2020/21 – 2023/24, as shown in Appendix A2; <li data-bbox="432 752 1326 853">d) approve the forecast balances of Revenue Reserves as shown in Appendix J, and approve section 10 of this report as the updated Reserves Strategy; <li data-bbox="432 920 1326 987">e) approve increases in Fees and Charges for 2020/21 as set out in Appendices C3, D3, and E3; <li data-bbox="432 1055 1358 1122">f) approve and adopt the Treasury Management Strategy for 2020/21, attached at Appendix K; <li data-bbox="432 1155 1310 1223">g) approve and adopt the Capital Strategy for 2020/21, attached at Appendix L; <li data-bbox="432 1290 1406 1357">h) note that this budget paper, if approved by Council, will form part of the Medium Term Financial Strategy. <p data-bbox="432 1391 687 1424">Capital Programme</p> <ul style="list-style-type: none"> <li data-bbox="432 1435 1390 1503">i) approve the Capital Programme for 2020/21 to 2024/25, as detailed in Appendix I and Appendix M respectively; <li data-bbox="432 1559 1374 1704">j) approve the financing proposals in Appendix I subject to an annual review of the financing options by the Corporate Director (Finance & Operations), in consultation with the Portfolio Holder for Finance and Resources, during the preparation of the Statement of Accounts. <p data-bbox="432 1738 863 1771">Housing Revenue Account (HRA)</p> <ul style="list-style-type: none"> <li data-bbox="432 1783 1390 1906">k) set dwelling rents according to the new MHCLG Rent Standard, which provides for a rent increase of CPI+1% (2.7% in total). The average dwelling rents is proposed to increase to £103.12 in 202/21, from its current level of £100.47(based on 52 weeks); <li data-bbox="432 1939 1294 1973">l) approve the HRA estimate for 2020/21 as shown in Appendix F. <p data-bbox="432 2018 815 2051">Employer Terms & Conditions</p>

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	<p>m) note that the hourly rate of all Council employees continues to exceed the rate proposed by the rates of the Living Wage Foundation, for 2019/20 (to be reviewed annually thereafter).</p> <p>Statement by Chief Finance Officer</p> <p>n) approve the statement by the Chief Finance Officer regarding the robustness of the budget estimates and level of reserves as set out in Appendix M.</p> <p><u>7.2 CA/019/20 Q3 Budget Monitoring Report</u></p> <p>Decision</p> <ol style="list-style-type: none"> 1. Consider the budget monitoring position for each of the above accounts; 2. Recommend to Council approval of the revised capital programme to move £4.956m slippage identified at Quarter 3 into financial year 2020/21 as detailed in Appendix C; 3. Recommend to Council approval of supplementary revenue budgets funded from reserves: <ul style="list-style-type: none"> • Supplementary budget of £40k in the Neighbourhood Delivery service, funded from the Management of Change reserve, to fund interim resource to support delivery of new service initiatives • Additional budget of £30k in the Elections service, funded from drawdown of £30k from the Election reserve • Supplementary budget in the Planning service of £103k to fund the revenue costs of implementation of new Planning software, funded from the Planning & Regeneration reserve • Supplementary budget of £170k to fund costs relating to the Hand Arm Vibration legal case, to be funded from the Litigation Reserve. • Supplementary budget of £28k in Waste Services to fund consultancy work to support service improvements, funded from the Management of Change reserve • Supplementary budget of £80k in the garages employees budget to fund interim resource, funded from the Invest to Save reserve • Supplementary budget of £60k to fund one-off expenditure for a garage stock condition survey, funded from the Invest to Save

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	<p>reserve</p> <p>4. Recommend to Council approval of supplementary capital budgets required to deliver several service changes as set out below:</p> <ul style="list-style-type: none"> • A capital budget of £66k to fund replacement boilers at Berkhamsted Leisure Centre • A capital budget of £55k to fund new poolside flooring at Berkhamsted Leisure Centre • Additional capital budget of £598k in the Affordable Housing Development fund, funded from Housing one-for-one ('1-4-1') receipts <p>5. Recommend to Council additional reserves drawdowns as set out below:</p> <ul style="list-style-type: none"> • Drawdown of £1,750k from the Vehicle Replacement Reserve to fund capital investment in the Council's waste fleet • Drawdown of £8k from Tring Swimming Pool reserve to fund capital works at the site. <p>6. Approve a capital virement of £900k to reallocate budget for the acquisition of Eastwick Row from the HRA New Build General budget to the Eastwick Row budget</p> <p>7. Agree the annual update of the Council's flexible use of capital receipts strategy at Appendix D of this report.</p> <p><u>7.3 CA/021/20 Senior Officer Pay Policy</u></p> <p>Decision</p> <p>The adoption of the Pay Policy for 2020/21 as set out in appendix 1 to the Cabinet report.</p>
<p>8 Motion to Council</p>	<p>The following Motion was proposed by Councillor Tindall and seconded by Councillor England:</p> <p>LIBERAL DEMOCRAT BUDGET PROPOSAL 2020/2021</p> <p>General Fund</p> <p>These proposals are intended as a supplement to the council's budget and we have not proposed any cuts to existing services. We accept that there will be a council tax increase of £5.00 as there is more need for services</p>

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	<p>than there is for a tax freeze. We have also taken note of the Medium Term Financial Strategy and have only proposed new services and initiatives that can be paid from existing resources and reserves in order that the financial stability of the council is not put at risk.</p> <p>The following tables outline additional, one-off expenditure plans totalling £1.35m for 2020/21 with provision for a further £180k in 2021/22 for the initiatives in Table 2, subject to review at the end of the first year.</p> <p>The maximum total funding requirement over the two years is £1.53m, which would be funded through the New Homes Bonus receipt of £1.78m currently proposed for the Dacorum Development Reserve. If these initiatives were implemented in full, there would be a residual contribution of £250k to the Dacorum Development Reserve in 2020/21.</p>		
	<p>Table 1, General Fund one-year expenditure initiatives:</p>		
		<p>2020/21 £000's</p>	<p>2021/22 £000's</p>
	<p>1. Increase the Strategic Planning and Environment Budget by £100k to fund new, one-off initiatives to improve air quality, particularly around schools, evaluation on site, and investment in public Electric Charging Points.</p>	<p>100</p>	<p>0</p>
	<p>2. Increase the Strategic Planning and Environment Budget by £50k to fund a trial of 10 solar powered compactor litter bins across the borough, at a cost of c£5k each.</p>	<p>50</p>	<p>0</p>
	<p>3. In recognition of the urgency of the work, increase the Strategic Planning and Environment Budget by £100k to fund the catch-up in outstanding tree work including the assessment of sites for additional planting.</p> <p>It is also envisaged that this will include an overview of Development in Dacorum in order that the right number and in particular the right species of trees are planted as a contribution towards the work of reducing the Borough's carbon footprint.</p>	<p>100</p>	<p>0</p>
	<p>4. Addition to the Housing and Communities Budget to fund four additional Enforcement Officers for a trial period of one year.</p>	<p>120</p>	<p>0</p>

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	5. Addition to the Finance and Resources Budget to fund a comprehensive study of the present communication methods of the council including improvement of the telephone system.	100	0
	6. Increase the contribution to the Climate Change Reserve by a further £700k, over and above the £300k proposed in the Budget Report to deliver a total reserve contribution of £1m. These funds would be available to the Strategic Planning and Environment Budget to provide one-off finance for climate change measures to reduce the Council's carbon footprint, including a Community Climate Change Fund available to residents and community groups. Although the reserve contribution would be made in a single year, it is anticipated that it would fund projects over a two- to three-year period.	700	0
	Sub-Total of A	1,170	0

Table 2, General Fund two-year expenditure initiatives:

		2020/21 000's	2021/22 000's
7.	Addition to the Finance and Resources Budget for a part-time fixed-term post, the holder to advise and coordinate councillors, towns and parishes to use Community Infrastructure Levy funds for the benefit of local residents in accordance with agreed local protocols. Subject to review for the second year.	50	50
8.	An addition to the Housing and Communities budget to fund community facing Sports and Leisure Projects for an initial trial two-year period. Subject to review for the second year.	50	50

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	<table border="1"> <tr> <td data-bbox="440 219 547 275"></td> <td data-bbox="547 219 1066 275"></td> <td data-bbox="1066 219 1238 275"></td> <td data-bbox="1238 219 1410 275"></td> </tr> <tr> <td data-bbox="440 275 547 521">9.</td> <td data-bbox="547 275 1066 521">An addition to the budget of Clean, Safe and Green to enhance the appearance of the Borough by work on verge maintenance, graffiti removal and clearance of growth from paths. Second year subject to review.</td> <td data-bbox="1066 275 1238 521">80</td> <td data-bbox="1238 275 1410 521">80</td> </tr> <tr> <td data-bbox="440 521 547 566"></td> <td data-bbox="547 521 1066 566">Sub-Total of B</td> <td data-bbox="1066 521 1238 566">180</td> <td data-bbox="1238 521 1410 566">180</td> </tr> <tr> <td data-bbox="440 566 547 656"></td> <td data-bbox="547 566 1066 656">General Fund Total Budget Amendment</td> <td data-bbox="1066 566 1238 656">1,350</td> <td data-bbox="1238 566 1410 656">180</td> </tr> </table>					9.	An addition to the budget of Clean, Safe and Green to enhance the appearance of the Borough by work on verge maintenance, graffiti removal and clearance of growth from paths. Second year subject to review.	80	80		Sub-Total of B	180	180		General Fund Total Budget Amendment	1,350	180		
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	<p><u>S151 Officer Comments</u></p>																		
	<p>General Fund</p> <p>The proposed spending plans are all for a fixed term and therefore can be funded through one off funding streams without additional risk to the Council's financial sustainability in the medium-term.</p> <p>The £180k required to fund the second year proposals, if progressed, would still be funded through the New Homes Bonus received in 20/21, and would need to be ring-fenced within reserves in case required in 2021/22.</p>																		

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	<p data-bbox="432 226 810 259">Housing Revenue Account</p> <p data-bbox="432 293 1390 394">The duration of borrowing should not exceed the life of the asset it is funding. Therefore in order to borrow £1m for this initiative over a 20-year period, the expenditure would need to meet the following criteria:</p> <ul data-bbox="480 427 1406 595" style="list-style-type: none"> <li data-bbox="480 427 1406 495">• The individual elements of expenditure would need to be in excess of £10k; and, <li data-bbox="480 528 1406 595">• The council would need to benefit from the expenditure for a period of 20 years. <p data-bbox="432 629 1414 730">Assuming that these conditions were met, and that the repayment of principal was made on maturity of the debt, the financial implications for the HRA Business Plan would be:</p> <ul data-bbox="480 763 1414 1066" style="list-style-type: none"> <li data-bbox="480 763 1414 898">• Additional interest costs of c£30k per annum, which could be funded through a reduction in the annual Revenue Contribution to Capital – this would not have a material impact on the planned capital programme; and, <li data-bbox="480 931 1414 1066">• A repayment of £1m in 2040/41, which at today’s prices would equate to roughly £600k. This amount is low enough that a decision on whether to refinance or repay could be made nearer the time, informed by an updated HRA Business Plan. <p data-bbox="432 1099 775 1133">A recorded vote was held:</p> <p data-bbox="432 1167 727 1200">19 For and 28 Against.</p> <p data-bbox="432 1234 831 1267">Therefore the Motion was lost.</p>
<p data-bbox="185 1328 376 1462">9 Overview and Scrutiny referrals</p>	<p data-bbox="432 1328 512 1361">None.</p>
<p data-bbox="185 1485 360 1619">10 Changes to committee membership</p>	<p data-bbox="432 1485 512 1518">None.</p>
<p data-bbox="185 1641 328 1776">11 Change to committee dates</p>	<p data-bbox="432 1641 1166 1675">The following changes to committee dates were agreed:</p> <ul data-bbox="480 1709 1278 1821" style="list-style-type: none"> <li data-bbox="480 1709 1174 1753">➤ Additional SPAE OSC meeting on 22nd April 2020 <li data-bbox="480 1776 1278 1821">➤ Move SPAE OSC from 21st October to 27th October 2020
<p data-bbox="185 1910 352 2045">12 Council Tax Declaration 2020/21</p>	<p data-bbox="432 1910 1134 1944">The Council Tax Declaration for 2020/21 was agreed.</p>

Agenda Item	Decision
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The meeting ended at 9.59 pm