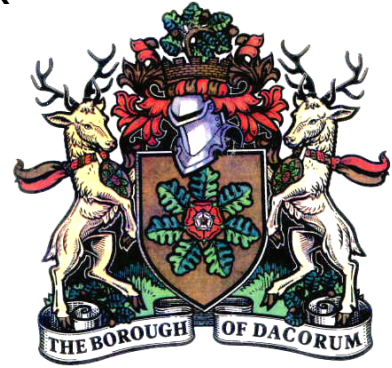


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SUMMONS

MEETING OF THE COUNCIL

Wednesday 15 April 2020

DBC Council Chamber - The Forum*

*** This meeting of Council will be held remotely via the Microsoft Teams application. Should any members of the public wish to join this meeting, please contact the Assistant Director (Corporate & Contracted Services) by 5pm on Tuesday 14th April.**

You are hereby summoned to a meeting of the Dacorum Borough Council in the County of Hertfordshire to be held in the DBC Council Chamber - The Forum on Wednesday 15 April 2020 at 7.30 pm to transact the business set out below.

**SALLY MARSHALL
CHIEF EXECUTIVE**

TO ALL MEMBERS OF THE COUNCIL

**Contact: Corporate & Democratic Support
ext 2209**

AGENDA

1. MINUTES (Pages 4 - 31)

To confirm the minutes of the previous meeting of the council

2. DECLARATIONS OF INTEREST

To receive any declarations of interest

3. PUBLIC PARTICIPATION

To consider questions (if any) by members of the public of which the appropriate notice has been given to the Assistant Director (Corporate and Contracted Services)

4. COVID 19 - EMERGENCY CONSTITUTION AMENDMENTS (Pages 32 - 43)

5. DACORUM BOROUGH COUNCIL'S PLANNING AND RESPONSE TO COVID-19 (Pages 44 - 59)

6. ANNOUNCEMENTS

To receive announcements and business brought forward by the Mayor, Leader, and Members of the Cabinet or the Chief Executive.

4.1 By the Mayor:

4.2 By the Chief Executive:

4.3 By the Group Leaders: Any apologies for absence

4.4 Council Leader and Members of the Cabinet:

Cllr Williams

Cllr Williams

Cllr Elliot

Cllr Mrs Griffiths

Cllr Anderson

Cllr Banks

Cllr G Sutton

Leader of the Council

Corporate and Contracted Services

Finance & Resources

Housing

Environmental Services

Community and Regulatory Services

Planning & Infrastructure

7. QUESTIONS

To consider questions (if any) by members of the Council of which the appropriate notice has been given to the Assistant Director (Corporate and Contracted Services).

8. BUSINESS FROM THE LAST COUNCIL MEETING

To consider any business referred from the previous meeting

9. CABINET REFERRALS

None.

10. OVERVIEW AND SCRUTINY REFERRALS

None.

11. CHANGES TO COMMITTEE MEMBERSHIP

None.

12. CHANGE TO COMMITTEE DATES

To consider the following changes to committee dates:

- Move Housing & Community Overview and Scrutiny Committee from 2nd March 2021 to 3rd March 2021.
- Move Standards Committee from 4th March 2021 to 25th March 2021.

13. CALL-IN AND URGENCY PROCEDURE (Pages 60 - 62)

Agenda Item 1

DACORUM BOROUGH COUNCIL

MEETING OF THE COUNCIL

26 FEBRUARY 2020

Present -

MEMBERS:

Douris (Mayor), Allen, Anderson, Arslan, Banks, Barrett, Barry, Bassadone, Beauchamp, Bhinder, Birnie, Bowden, Chapman, Cloughton, Durrant, Elliot, England, Freedman, Griffiths, Guest, Hearn, Hobson, Hollinghurst, Johnson, Link, Maddern, So Mahmood, McDowell, Peter, Pringle, Ransley, Riddick (Deputy Mayor), Rogers, Silwal, Sinha, Stevens, Symington, G Sutton, R Sutton, Taylor, Tindall, Timmis, Townsend, Uttley, Williams, Woolner, Wyatt-Lowe (47)

OFFICERS:

The Chief Executive, Corporate Director (Finance and Operations), Corporate Director (Housing and Regeneration), Assistant Director (Corporate and Contracted Services), Group Manager (Legal & Corporate Services) S Donaldson (Communications and Consultation Lead Officer) and T Angel (Minutes).

The meeting began at 7.30 pm.

1. MINUTES

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.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. PUBLIC PARTICIPATION

There was no public participation.

4. ANNOUNCEMENTS

4.1 By the Mayor:

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.

The Mayor invited Councillors Griffiths, Anderson, Tindall and Maddern to share their fond memories of them. One minutes silence was held in remembrance.

4.2 By the Chief Executive:

None.

4.3 By the Group Leaders:

Councillor Williams confirmed that apologies had been received from Councillors Adeleke, Imarni, Suqlain Mahmood and Oguchi.

4.4 Council Leader and Members of the Cabinet:

Councillor Williams, Leader of the Council

Councillor Williams had nothing to report but welcomed questions.

Questions:

Councillor Townsend asked if we were on top of preparations for Coronavirus. The Leader said he wasn't aware of any specific advice beyond what the NHS had already advised.

Councillor Uttley referred back to the minutes from the meeting in November and asked if we had missed an opportunity in October 2019 to change energy contracts. The Leader advised that we hadn't missed an opportunity as we usually buy up to a year in advance to secure the price. He added that we had consciously gone for a green energy supplier this year.

Councillor G Sutton, Portfolio Holder for Planning & Infrastructure

The Portfolio Holder presented his update as follows:

SOUTH WEST HERTS JOINT STRATEGIC PLAN

- As Members may be aware, this is a joint initiative between Dacorum, St Albans, Hertsmere, Watford and Three Rivers and Hertfordshire County Council to look at the future shape and extent of development that may be needed in South West Herts, and how we can work together to secure the best locations for development and address wider infrastructure needs in the long term, to around 2050.
- Members should be aware via Member News that there is a current live consultation underway. Under the banner of 'SW Herts – Your Future' this is a very simple online survey that asks people what they like about SW Herts, and what they think are the biggest issues the area faces.
- Although aimed at the under-25 group through promotion on social media and an easy-to-use format (the under 25's are a hard to reach group), the survey is open to all. Respondents are asked to select their age group, and the District or Borough where they live or work, so we will be able to analyse the demographic spread when the consultation closes.
- I would encourage all Members to complete the survey and indeed to forward the access details to your contacts, family and friends so we can maximise exposure and responses. All six Councils are actively promoting the survey through their communications teams, social media accounts and websites.
- You can access the survey at <http://www.dacorum.gov.uk/home/do-it-online/consultation-feedback/current-consultation>

DACORUM'S GROWTH AND INFRASTRUCTURE STRATEGY

- Last year the Council approved a strategy to address the challenges of major growth in the Borough to 2050.
- To remind Members, the strategy is based on the vision of “we want Dacorum to be known as a place where: everyone has the best start in life; both residents and businesses have the opportunity to achieve their hopes and expectations, and; families and young people are welcome, where older people are valued, and where the vulnerable can get the help they need.”
- Proposals around six agreed themes will help to realise this vision. They cover housing, our local economy, transport and travel, our environment, health and wellbeing, and developing the digital future of the area.
- Whereas the new Strategy sets a long term approach, Officers are working on a short term action plan to cover the things we need to do over the next two years. This will be brought to Cabinet first and then to Full Council for consideration and approval.
- We have had the strategy produced into a colour document and a copy has been placed in every Member's pigeon hole. It will be available on the Council's website shortly.

HOUSING DELIVERY TEST SUCCESS

- In its efforts to significantly boost the supply of new housing across the Country, the Government is closely monitoring the delivery of new homes in each Borough and District.
- To do this, it has set up the 'Housing Delivery Test' which sets construction of new homes on the ground against each Council's annual requirement.
- The week before last, the Government published the 2019 results of the Housing Delivery Test. It measures a delivery rate over the past three years and I am pleased to say that Dacorum achieved the highest rate of performance in Hertfordshire, delivering new homes at a rate of 138% over our stated requirements. Dacorum was only one of three Councils, alongside Hertsmere (124%) and Stevenage (113%) to record over 100% of delivery.
- The results for all Councils in England and Wales can be found here https://www.gov.uk/government/collections/housing-delivery-test?utm_source=a6da9cfb-4b7d-4a48-86b9-addfc6c95f9c&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate
- The results, in my opinion, reflect well on Dacorum. We have been proactive in identifying new sites for housing, accepting that this is not always an easy process. We have supported regeneration proposals across the Borough with success. And with our ambitious Council housing new build programme, we are ensuring that new homes are built to meet local needs.
- The Housing Delivery Test will get tougher in the years to come as our development requirements rise. Later this year we will be bringing forward our new Local Plan, which sets out to meet the challenges that lie ahead.

Questions:

Councillor Stevens said it had been brought to his attention that planning consent had been given for change of use for a building to accommodate 85 dwellings in Maylands and was now subject to judicial review. He asked if the Portfolio Holder was able to disclose anything on the matter. The Portfolio Holder said he was discussing the matter closely with his team and that it was a premises that came through development rights. He advised there were two companies either side of the building that have brought forward the judicial review as

they don't think it is a suitable site. He understood that the judicial review was likely to be heard in June. He finalised by saying he would discuss this with his team and send a written reply of the latest position.

Councillor Tindall noted the Portfolio Holder had referred to the housing delivery test earlier. He asked if the Government had given Councils any guidance or money towards improving homes in terms of climate change, such as charging points, solar panels, insulation, etc. to reduce our footprint. The Portfolio Holder said he would need to investigate and let Councillor Tindall know. Councillor Tindall made a passionate request that we lead the way with footprint saving measures with our Local Plan and that future developers have to do something to help the climate. The Portfolio Holder said they both sit on the task and finish group for the Local Plan and things like the environment and housing have been discussed. He said there would also be a visit to BRE at some point to pick up some ideas on environment and carbon savings.

Councillor Williams, Portfolio Holder for Corporate and Contracted Services

Councillor Williams advised that the main construction work on the Berkhamsted multi-storey car park was broadly completed and should be done so by the end of the month. Due to other highway works in the Berkhamsted area we had been unable to get a permit to commence our works until early April and we anticipate those works to take around three weeks. The completion and opening of the multi-storey car park should be towards the end of April/early May. Prior to that we had planned to commence works to reinstate The Moor temporary car park but unfortunately a local individual removed the safety fencing and that became an opportunity for drivers to park in there free of charge as the pay and display machines are covered up. As of today we had contractors on site to reinstate the fencing so hopefully that won't be removed again. We aim to start reinstatement works late March/early April subject to ground conditions and we expect that to take 3-4 weeks to complete. Following that, it'll take approximately three months to take hold and during that period the fencing to remain to protect new planting.

He then moved on to the Berkhamsted Leisure Centre. They had taken to opportunity to carry out an extensive refurbishment to the existing centre so it is fit for purpose for the next few years. It was reopened on 25th January by British Athlete Colin Jackson and the Mayor. He said it was a vast improvement on what it was before and a more pleasant experience.

The Portfolio Holder invited questions.

Questions:

Councillor Guest asked if the Portfolio Holder had received any comments on the design and appearance of the new multi-storey car park. The Portfolio Holder advised that a Berkhamsted resident had sent a glowing letter last week praising the style and design of the car park and that was a pleasure to see.

Councillor Elliot, Portfolio Holder for Finance and Resources

The Portfolio Holder presented his update as follows:

Financial Services

The finance service has continued to work on the 20/21 budget papers and council tax declaration. The formal approval of the 2020/21 budget and proposed Council Tax levels will be presented to council this evening and is the culmination of several months of hard work by the finance team in conjunction with budget holders to ensure strategic and operational requirements are financially supported.

Draft budget proposals were presented to Joint Overview and Scrutiny Committee again in January with any new comments or feedback fed into the budget papers. The proposed budget details a balanced budget position for 20/21, delivering on the savings target of £800k whilst continuing to protect front line services. .

As the Council enters the final quarter of the financial year, the Finance Team is now beginning to focus on the closure of the Council's accounts for 2019/20, and an agreed timetable for publication of the annual accounts.

Commercial Assets and Property Development.

Commercial Assets service

I would like to provide you with an update on **Bunkers Park Cemetery**. Although the wet weather has continued through January and February the construction programme of the new cemetery at Bunkers Park has continued and is on schedule and progressing well for completion. Final planting will be undertaken in early spring 2020 to hopefully benefit from milder drier weather conditions, and then the new cemetery, will open in late summer.

Revenues and Benefits service

The Revenues teams are continuing to work effectively, and are in the process of creating and posting out the 2020/21 annual council tax and business rates bills.

In the last 2 weeks we have received full details of the Governments discretionary business rates discount for small retailers and public houses, and the service are busy ensuring these are applied to the 20/21 bills. Although the council is not the responsible body for setting these business rates relief we very much welcome an increase to business rates relief for small retail businesses and the financial support it provides for the local economy of Dacorum.

The benefits service are also processing the 20/21 benefits uprating processes in line with government legislation.

The Portfolio Holder invited questions.

Questions:

There were no questions.

Councillor Griffiths, Portfolio Holder for Housing

The Portfolio Holder presented her update as follows;

Tenant and Leaseholder Services

- Following approval at Cabinet in February, all new council tenants from 1st April 2020 will be given secure tenancies. Those who have a current flexible tenancy due to end after this date will also be converted into a secure tenancy. This will give more stability to tenants and build stronger communities. Minimum 5 year Tenancy home visits will be started so that all general needs council tenants will have a visit from their housing officer every 5 years. This will provide a more pro-active service and help identify any concerns from tenants and ensure the right support is offered. We also expect it to more effectively deal with fraud and tenancy breaches and build stronger relationships with our tenants.
- It has been over a year since Kylna Court was built. In partnership with the development team and contractor, the Housing Officer has recently carried out home visits to all 77 flats to check the condition and carry out an end of introductory tenancy review. Residents gave some really positive feedback on the quality of the homes and how they have been managed throughout this period with any issues being addressed early in the tenancies and fewer defects were identified.
- We are continuing to improve our sheltered schemes. A programme of upgrading the Tunstall alarm systems is continuing with fire and safety improvements taking place at the schemes at the same time to ensure limited disruption to residents. This also allows us an opportunity to replace furnishings like carpet and furniture in communal areas making schemes more modern and improving the safety and quality for existing and new tenants.

Strategic Housing

- The Council has received additional Rough Sleeper Initiative funding of £115k (previous award of £100k) to deliver initiatives in partnership with St Albans District Council to tackle rough sleeping
- At a rough sleeper count on 14 January Dacorum counted and verified 1 Rough Sleeper, data shows there are currently 6 rough sleepers in Dacorum, a reduction of 19 since the summer of 2019, which is really positive.
- The service is working in partnership to improve pathways for homeless clients and in partnership with Hightown will be recruiting a dedicated Rough Sleeper Outreach and pathways advisor
- Three separate households are currently pending assessment and consideration for the Housing First project, in place to tackle entrenched homeless and rough sleepers
- Our 9th household has been resettled under the Syrian Vulnerable Resettlement Scheme and arrived on 11 February 2020

Property & Place

- Investment in the fire safety of our buildings continues with large upgrade projects completed at William Crook House, Willow Edge and Florence Longman House
- There was some damage caused by the two storms, Ciara and Dennis, however these were responded to and the costs will be contained with the budget
- New kitchens installed YTD 261
- New bathrooms YTD 239
- New windows YTD 26 properties
- New front / back / shed doors 311
- Electrical testing 10,125 completed at the end of December
- Adaptations up to end of Jan;
 - Major adaptations completed YTD 91
 - Minor adaptations completed YTD 272

Community engagement by Osborne From partnership core group January 2020

- As a result of this activity Osborne directly engaged with and benefited 948 local people, given 99 extra staff hours back to the community, and decorated 8 Dacorum Borough Council sheltered scheme communal areas for Christmas. We also helped raise a staggering £1,899.54 for two local charities; Gaddesden Place Disabled Riding Association Centre (GDRA) and Connect Dacorum.
- During December, the team supported 11 community investment and engagement events to benefit Dacorum Borough Council residents and the wider community. We have continued to support Dacorum Borough Council by supporting both the Tenant Engagement team and the Community Partnership team, promoting their services & initiatives.

Housing Development

Scheme	Comments
Corn Mill Court	The scheme has been nominated for a local award via Berkhamsted Citizens Association.
Martindale	Progressing well on site. Completion July 2020. Show home for the market sale properties due to open in a few weeks' time.
Northend & Westerdale	Progressing well on site. Completion April 2020.
Magenta Court	Progressing well on site. Completion May 2020.
Paradise Fields	Finalising land purchase, design team commenced Stage 2 of plans
Gaddesden Row	Contractor approved, Looking to start on site Feb/Mar 20
Eastwick Row	Adjudication of Pre-Qualification Tenderers for Principal Contractors has been completed and we are Preparing tender documentation. We are working with the Legal team on the relocated leaseholders external brick sheds.
Coniston Road	Planning Approval achieved, preparing tender documents.
Bulbourne	Awaiting Secretary of State approval to relocate allotment
LA1 Marchmont	Architect selected and briefing meeting set up. Design underway.
Cherry Bounce	Submitted for Planning Pre Application
Paradise Depot	Instructed to progress a design and take to Planning. Tenders documents issued for Architect & Employers Agent
Garage Sites	Architect selected, Tenders issued for Employers Agent
Randall's Ride	Commencing site due diligence checks, Tenders issued for Architect and Employers Agent
Climate Change	Workshops being held to review approach to design

The Portfolio Holder invited questions.

Questions:

Councillor Tindall thanked the Portfolio Holder for the update on secure tenancies and thanked the Council for moving in the right direction. He looked forward to when the Government would take action for private tenancies. The Portfolio Holder accepted his congratulations.

Councillor Anderson, Portfolio Holder for Environmental Services

The Portfolio Holder presented his update as follows:

Environmental Services

- All 160 + front line staff have completed the 1 day annual refresher training including manual handling.
- All HGV drivers have completed their annual CPC training. 2 x staff undertaking LGV training
- Completed Splash Park accredited training, course work to be actioned.
- Building works still in progress - Fleet Workshop 'Bays 3 & 4' (HGV lifting bays) now finished, contractor now working in Bays 1 & 2 (LGV bays). Training now received by Technicians and more to follow

Clean, Safe and Green and Trees

- Under 2 weeks left until bird nesting season so wrapping up last of the hedge cutting.
- Extremely busy dealing with emergency works due to two recent storms but no quietening down.
- One Tree contractor has now stepped down from taking any more work instructions so an alternative service provider has been commissioned

Environmental Projects

- Flats food waste recycling now on its last block – to be completed by end of March
- Preparing for the Great British Spring Clean which will run March – Mid April
- Promoting Additional Garden Waste Subscription Service to residents
- Delivered reusable drinks bottles to frontline crews as part of the council's initiative to reduce single-use plastic and lead by example (bottles provided by WasteAware).

The Portfolio Holder invited questions.

Questions:

Councillor Hollinghurst asked if the Portfolio Holder was aware of the difficulties caused by not providing the collection calendars on the bins. He said the Information Centre and Victoria Hall in Tring had run out of copies of the Dacorum Digest. He felt we underestimated how many residents were unable to use or access the internet to access the information. The Portfolio Holder felt they would have to agree to disagree. He said when they first considered the change he was mindful of those without internet access and he ensured everything possible was done to reach all residents. If people want a calendar they can ring the Council to get one. Only 130 requests were received and those calendars were delivered.

Councillor Chapman said they had a lot of fly tipping in Watling ward recently and he was impressed by how quickly the Enforcement Officers acted on it. The Portfolio Holder noted his comments.

Councillor Tindall asked if the Portfolio Holder agreed that part of the problem for our declining wildlife was the lack of insect species. He asked that we do everything we can to prevent the decline. The Portfolio Holder said he agreed and the Parks and Open Spaces Officer worked really hard and had it all in hand.

Councillor Symington referred to the letter from the Environment Agency. She said it was wonderful to see the chalk streams flowing again but noticed that the letter said it was best not to clear the chalk streams. She said she had noticed that the River Gade was cleared. The Portfolio Holder advised that the River was on privately owned land so it was done by the owner. He personally felt it should have been cleared but you can't argue with the experts at the Environment Agency.

Councillor Symington advised that the Dacorum Digest wasn't delivered to all residents. The Portfolio Holder said he wasn't aware and he would look in to it.

Councillor Guest asked if the Portfolio Holder agreed that the installation of swift boxes and the development of the Martindale site will help to address the decline in swift numbers that he touched upon earlier. The Portfolio Holder agreed. Councillor Guest asked if the ward members could be notified when swift boxes are installed. The Portfolio Holder said he would collate a written response with his Cabinet members.

Councillor Banks, Portfolio Holder for Community and Regulatory Services

The Portfolio Holder presented her update as follows:

Turning first to People and Communities Group Service Customer Services I am pleased to report the CSU is now fully staffed as evidenced in the improving performance.

Q3 2019/20 – CSU performance

Over the quarter 13,033 calls were answered in the Call Centre, with 28,312 calls being managed through the automated phone system. 4,285 customers were served in our Customer Service Centres (face to face). In addition to this 2,739 emails were responded to and 1,423 Social Media responses were provided.

KPI's were achieved for all 3 months

Throughout the quarter 2,612 customers chose to use the Callback facility rather than waiting on hold, of these 2,609 were answered when rung back. This facility reduces wait times and allows customers to continue with their day to day activity rather than waiting on hold. Their call is queued with the incoming calls and is returned the same day.

Communications and Consultation

Through our communications team we have continued to support and delivery for external campaigns and projects such as Herts Year of Culture 2020 and over 40 other campaigns and projects.

I would like to remind members the **Annual Staff Recognition Scheme** – is still open please go on line and consider nominating staff.

Staff survey – Highest response rate for some time 57%. Proposal sent to CMT for next steps in creating an action plan

Community partnerships and Leisure

- Funding success - £65k from Royal Opera House Bridge for the HCEP investment programme. Total funding and investment for the project is £145k. Project partners: DBC, Letchworth, Stevenage, Welwyn Hatfield, Watford Councils, West Herts College and Herts Uni. This will fund a needs analysis in partner areas, focusing on areas of deprivation to inform and develop a creative programme of projects/activity in each area for young people addressing identified needs.
- Active Together funding through The National Lottery and Awards for all was successful, just under £10,000 to run x3 dance style sessions targeting older adults, working with Dacorum Community Dance.
- Wellness Festival Funding bid was submitted in November in partnership with Apex and Herts Year of Culture. Waiting to hear outcome.

The Old Town Hall

- **Ticket sales and Hires** – On target and will surplus last year’s numbers.
- In the last quarter, The Old Town Hall team delivered 42 live performances, ranging from contemporary dance through to children’s theatre. In addition, the venue facilitated 32 private hires.

Turning to Environmental Community Protection- Operations

I am delighted to inform you that Paul Coats, Environmental Enforcement Officer from the Operations Team was presented with an Excellence in Enforcement Award from ‘Keep Britain Tidy’

January was a fantastic month for the Operations Team, I am pleased to inform you Mr Mayor

The figures for Hertfordshire Fly-tipping Groups continue to show Dacorum’s proactive approach to environmental enforcement. With the authority serving the most Fixed Penalty Notices and having the second highest number of prosecutions across all ten districts for the year to date.

In January, Environmental Community Protection Service had received 313 service requests and undertook 62 inspections – food, permitted process, health & safety.

For example, 6 stray dogs were seized, a Community Protection Notice was served on the owner of a dog dangerously out of control in Markyate and a warning letter served on an owner in Flamstead.

Environmental Health Team

Following a 4.5-year investigation Tesco Stores Limited was fined £733,333.33 on 24 January 2020 for breaching health and safety laws after a rigorous investigation by Dacorum Borough Council’s Environmental Health Officers.

This concludes an investigation that has lasted more than four years and reflects the hard work and dedication of the Council’s Environmental Health Officers who investigated this case. We take action where we deem it necessary to protect the public.

The council's environmental health team is employed to investigate serious accidents and ensure that businesses in Dacorum comply with health and safety law and are authorised to take action where they find non-compliance.

Corporate, Health, Safety and Resilience

Corporate, Health, Safety and Resilience Team advises managers and staff on how to comply with Health and Safety Legislation, when going about Council business.

The Council uses Safety Policies to guide and instruct staff on how to comply with Health and Safety Legislation.

The Team with the assistance of Rosherville Safety Solutions has drafted an events policy to advise staff on the safe running of events. This is progressing through the approval process within the organisation.

We are committed to enabling events within the borough and recognises that a diverse programme of varied and well-managed activities contributes to the promotion of a vibrant multi-cultural community. This policy sets out the key principles by which DBC approaches the application and processing of both internal and externally run events, and the required risk management.

Likewise, a Fire Policy and procedure is in development.

The Portfolio Holder invited questions.

Questions:

Councillor Tindall asked how many calls were misrouted by the voice recognition service. The Portfolio Holder wasn't sure if the system had the capacity to do that but she would find out.

Councillor England asked how many calls there were where people are waiting over 300 seconds. The Portfolio Holder advised that during quarter 3, 3877 calls waited over 300 seconds.

5. QUESTIONS

1. Question to Councillor G Sutton from Councillor Symington:

"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.

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?"

Councillor G Sutton's response:

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.

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.

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.

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.

With reference to the available balance of £204,165, the details on spend will be defined in the s106 obligation.

Councillor Symington asked if it would be possible to reinstate publication of the developer contributions.

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.

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.

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.

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.

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.

2. Question to Councillor Banks from Councillor Symington:

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 -

- (a) this is for the benefit of the local community,
- (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?

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.

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.

Councillor Symington asked the Portfolio Holder to agree that the subject should be raised with the appropriate Overview and Scrutiny Committee and properly examined.

Councillor Banks agreed she would discuss the matter with the relevant OSC Chairman.

Councillor Symington asked if the Portfolio Holder had actually read the agreement between the Football Club and the Football Foundation.

Councillor Banks advised she hadn't read the document Councillor Symington was referring to but she had done some research into 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.

6. BUSINESS FROM THE LAST COUNCIL MEETING

None.

7. CABINET REFERRALS

That the following be approved:

11 February 2020

7.1 CA/018/20 Budget 2020/21

MOTION

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

Table 1, General Fund one-year expenditure initiatives:

		2020/21 £000's	2021/22 £000's
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.	100	0

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.	50	0
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. 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.	100	0
4.	Addition to the Housing and Communities Budget to fund four additional Enforcement Officers for a trial period of one year.	120	0
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	50	50

	protocols. Subject to review for the second year.		
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
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

Housing Revenue Account

Table 3, HRA one-year expenditure initiative:

		2020//21 000's	2021/22 000's
10	An addition of £1m to the Housing Revenue Account to provide for the introduction of energy saving measures on the council's housing stock. In order not to detract from the current new build programme or the investment in existing stock already outlined in the HRA Business Plan, this will be funded by borrowing £1m over a period of 20 years. The repayment will be made as a single amount at the end of the 20 year period.	1,000	

S151 Officer Comments

General Fund

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.

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.

Housing Revenue Account

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:

- The individual elements of expenditure would need to be in excess of £10k; and,
- The council would need to benefit from the expenditure for a period of 20 years.

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:

- 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,
- 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.

Councillor Tindall made the following statement to propose the Motion:

“In rising to propose this motion, I need to stress that the Liberal Democrat proposals are not amendments to the council's budget, but fully costed additions which are intended to enhance the council's programme over the coming year, with the emphasis on climate change and reducing the council's carbon footprint.

Last year, we made a start with a number of motions jointly agreed. But in our opinion we need to speed up the process by which we acknowledge the climate emergency, and do what we can to eliminate the risk to the planet. It is a strange world where the financial failings of the government led to the rollover of local government financial arrangements which has in turn provided Dacorum with windfalls in respect of the negative revenue support grant and other payments which may, in the future, not survive the fair funding review, expected in the next financial year.

The question was should we save that money for a rainy day, or use it for the benefit of our communities. Given recent global and local events, from the Australian bush fires to the consecutive weekend storms in Britain to our minds, the rainy days have arrived, and we need to use whatever available resources we have, without putting at risk the sound financial future of this Council as it faces the uncertain future of this country with a questionable government led by an unstable prime minister with the attention span of a gnat and a Chancellor still wet behind the ears.

We applaud this Council's administration in wanting to have money in the bank and take precautions to ensure that we can weather the economic storms that will come when Boris flounders, but having looked at the actual storms we can expect as climate change rushes towards us, we have come to the conclusion that not to make use of the opportunities afforded us by the financial windfalls would be not taking the opportunity to protect the futures of our children and grandchildren.

I will only speak directly to some of our proposals as speakers will follow -

In noting the administration's intention to appoint a Climate Officer which is welcomed we feel it is important that that individual whomever they be has sufficient resources to get on with the job, hence the major part of our additional budget is to boost the funds available to spend on this important work."

Councillor Claughton hoped members of the council would support the addition of these items in the budget given the importance of the climate emergency, in particular item 3; an increase in strategic planning and environment project of £100k to fund catch up in outstanding tree work including assessment of sites. He welcomed the councils plan to plant 1000 trees by the end of 2020. Councillor Anderson announced at the last council meeting that DBC had or planned to plant 70 trees in January and 70 in February. Whilst this is good news, he felt Dacorum's ambitions were relatively modest compared with other councils and he shared some statistics from other councils. He welcomed the council planting 21 new street trees in Berkhamsted of which 13 in his own ward of Berkhamsted Castle. However 21 trees were felled in his ward alone in 2018/19. Although the council has a policy of replacing trees where we are able, the definition includes financial and physical constraints. This has been a problem for some time. A FOI request to the council revealed that in 2012-17, 43 trees were removed and only 22 were planted in the whole of Berkhamsted. He finalised with a quote from George Orwell "*the planting of a tree is a gift which you can make to posterity at almost no cost and with almost no trouble, and if the tree takes root it will far outlive the visible effect of any of your other actions, good or evil.*"

Councillor Griffiths said she wouldn't be supporting the motion on the basis that all seems to be plucked from the air. She said there was lots of work going on in the council and they had been using APS (Association of Public Services) base line of corporate buildings, and using Shift for baseline of housing stock. They are also looking into what they can do with new builds. She attended a training session on 18 February called 'moving to zero carbon' with the housing and planning departments and any other interested officers. She said it was a very interesting conversation and the expert was explaining that if we all converted over to charging and using electric vehicles, we need to cut down on gas heating as gas is the biggest polluter and all went to electric, the system would fall over. We do not have the infrastructure to deliver, we should have it by 2050, by not by 2030. They were looking at air source pump heating but that was now old hat. They are now looking at ground source heating pumps but they are very noisy. What about district heating plan? There is all new stuff being investigated. Apparently the city councils are doing a lot of the work becoming exemplars. There is also talk of doing hydrogen and gas mix which is better than total hydrogen because of health and safety. There will be a report going to Cabinet later in spring baselining information to take forward. There is lots of work going on already in housing. We can't restrict money to one area for climate change initiatives because we work on basis of fabric first and doing a whole property. She said it wouldn't fit in to our plan but we do have a plan, it is being rolled out and we have a baseline.

Councillor Birnie said Councillor Griffiths made some interesting points but it seems that council was not the place to make new policy. He said Council meetings were to approve or reject policies that have maturely developed through the committee system and our opposition colleagues have the right to participate. The opposition seeks to rush us into populist measures, none of which has been through the scrutiny committee. For example there is a new local plan Task & Finish group which includes the leader of the opposition amongst others and some of these proposals have been discussed there, yet no member of the opposition have pressed in budget scrutiny's to include these measures when they had the opportunity. He said he recently attended Cabinet for the budget consideration which is usually the last change for changes. He proposed some reserves to deal with problems with our communication system and both the leader of the opposition and his deputy were

present yet neither of them supported him. In addition he mentioned Air Quality which he was passionate about and the positive action in the Boroughs air quality management areas, however all the opposition have offered is the tired and impractical mantra of getting residents out of their cars. At the Air Quality action plan steering group, it was left to the Portfolio Holder of Community and Regulatory services, Councillor Banks, to lambast the refusal of the County Council to help our residents in Apsley to change the road layout around Durrants Hill the opposition member on that committee remained silent. This Conservative council has great respect throughout the County and at Central Government level for its financial prudence. We shouldn't jeopardise this reputation by blowing money on this "vote catcher" wish list. He finalised that he wouldn't be supporting this motion.

Councillor England read the following statement:

"There are several aspects to this Budget Amendment but I want to concentrate on two themes which surely deserve support from across the Chamber:

The Climate Emergency and the Communications we need.

We have nine years to provide leadership locally on reducing our Carbon Footprint – that is our Carbon Budget.

We don't have elections until 2023, so really what we are interested in is not the politics, but the compounding effect of the early measures we take, in two ways:

First the direct effect on CO₂, air quality, plastic pollution and bio-diversity produced by the actions of the Council in providing services and operating The Forum, Cupid Green etc.

And then the indirect effect; the many incremental changes that will also need to be made by residents and businesses, wise choices which help address the same issues.

That is why we are arguing the case for an extra £1.1m to be allocated to dealing with the Climate emergency. The next year will be crucial; we need to realise that Year One (2020) affects our level of achievement nine times as much as 2028/29.

2020 is the year when we ensure the funds are available to choose the ways we will act – and ask individuals, businesses to act.

There are proposals in this Alternative Budget that aim to put Dacorum Borough Council in a position to avoid some of the costs that the Climate Emergency can be expected to bring.

In the next year we need the ability to choose measures and to take early action which can prevent higher Climate Emergency avoidance costs accruing later.

We need to properly fund the Emergency work and bandwidth for planning to avoid the costs of unchecked Climate Change

The envelope for this Budget is the ability to react to Climate Emergency while maintaining control of the council finances in the medium-term. Rather like early braking being designed to dissipate speed even before a manoeuvre is selected to swerve or otherwise avoid a crash.

Easing Bottlenecks:

Many of the key measures to be taken and areas to change are subject to bottlenecks, e.g.

- the need to train and re-train heating engineers,
- The need to assess programmes of tree-planting,
- and the need to encourage and lead a local switch to EVs.

No regrets about:

- the need to improve air quality for schoolchildren
- Improving Air Quality – what is not to like?

It is this bottleneck type of problem, which manifests in various challenges, which inspires the amendment allowing for the drawing on reserves, in order to help address them.

This could mean the Tree Work, or the training of local people to become Heat Pump Engineers, or Litter-minimising volunteers!

These and the following three items are “No Regrets policies”, since the need for the work is already recognised, and the benefits will not be realised unless these are begun immediately, even if the choices are imperfect.”

Councillor Allen spoke in support of item 4 of the motion. As a new councillor he regularly finds that residents approach him about the reduction in effectiveness and visibility of front line services with the result that allotments, parks, car parks, garage blocks and other public spaces are falling into disrepair. Increasingly there seems to be a feeling that the solution to this is Street Champions and relying on the public’s good will. However, we need to have a human scale local responsive and visible set of staff supporting and working alongside residents whilst these schemes pick up momentum so that we can bring the community along and resolve ragged edges that seem to be appearing according to residents in his ward.

Councillor Banks said whilst appreciating climate emergency there was a number of reasons why she wouldn’t be supporting the motion. Firstly under the air quality action plan 2019-2024 there was a holistic approach to reduce emissions based on air quality measurements of scientific data. The action plan was approved through the scrutiny process and was working with the County Councils highways services to promote awareness of air quality. Whilst initiatives raise awareness and will have an effect, she suggested they would not tackle root causes but simply raise expectations and lack effectiveness. She said although we need to consider behavioural change, there is not enough lithium in world to produce the batteries for the number of electric vehicles we are planning to be using. The electric vehicle charging points will be considered in context as evidence based strategy but not as an isolated initiative. With reference to the suggestion we should employ four enforcement officers for a trial one year period, this is not realistic or cost effective. It is doubtful we would attract the calibre of candidates required for 12 months. Enforcement Officers also require extensive training. We already have a strategy in place to strengthen our enforcement by using more effective means by working in partnership with other agencies. With reference to the telephone system, she outlined some statistics. One of the drivers for this system was to reduce calls handled by staff and the automated system to route calls to correct service areas. This resulted in a significant reduction of staff needed in the customer services department. She advised the KPIs had been achieved so that was not an issue and analysis

showed we have had three formal complaints and none referred to the telephone system. There were 10 service requests; 6 were for the time taken to answer the call which equates to 0.001% of calls. She said the issue was not with the telephony system and any members and public should be reporting issues to Tracy Lancashire by email.

Councillor Anderson said it was good to have the opposition budget in advance of this meeting as it usually appears on the night. He said the administration was available months in advance and scrutinised on two occasions before this point. He said he can't support the motion as it contained a great deal of problems. We all want the air quality problem to be resolved and all support what council is already doing but the budget proposal contains no detail and only lasts one year. In terms of charging points, the rapid charge points take 30 minutes or more so the only practical place to charge is at home. With that in mind why should we invest public money in pointless charging points? We already have an air quality action plan we are working to. With regards to solar powered litter bins, he thought we had already covered this in previous years and decided it was a daft idea. He said they were silly, don't work well, particularly lousy value for money; it costs £250 for a normal bin and £5000 for a solar bin. We already have an effective bin emptying network. He referred to Councillor Claughton's comments and reiterated that we can't have additional street trees because of the problems they cause to the tarmac and the underground cables so it wasn't an option. In terms of climate change, anyone would think we were actually cutting the budget instead of increasing it by £300k. In terms of the year 2 proposals there is no Parish Councillor that needs to be advised on how to spend money. He made reference to the £800k on Clean, Safe and Green and pointed out there was no definition on what this involves. So many of these things we are already doing, are daft or have no details.

Councillor Wyatt-Lowe said she hadn't intended on speaking but wanted to address the inconsistencies in Councillor Tindall's remarks, particularly about the current Government of this country. Surely if the opposition is so fearful about the financial future of this country they would be supportive and be urging this administration to continue with its prudent and stable financial conduct. If everything was as bad as Councillor Tindall painted, we would be keeping every penny to combat what the future may hold. She said she won't be supporting this motion even though she finds the ideas interesting.

Councillor Williams said from what he understood from Councillor England's statement we are broadly on the same page with the need to tackle climate change and the issues that arise from that. He said it seemed to be drafted on the basis that the opposition assumed the administration haven't considered how they would fund the work from appointing a climate change officer and create a climate change action plan that they would bring to Cabinet in the spring. That assumption is wrong. It is the intention of the administration to use some of the Dacorum development reserve to fund some of the climate change action we may want to do in the future. This motion highlights the regular difference between Conservative and Liberal Democrat budgets which usually seems to spend more money; to spend money on one off reserves on schemes you wouldn't be able to continue beyond year one because you can't be certain of the funding. Our approach is to put the funding into the budget and come up with a plan that is costed and allocate funding accordingly. He felt there was more benefit for a focused headline than a prudent budget process. He said the reason he couldn't support this motion was because it puts the cart before the horse to allocate money to un-costed and unworked projects.

Councillor Hollinghurst said he had been a Councillor for a long time and he remembered an occasion in the 1980s when Peter Benson was the Portfolio Holder for Housing and he

warned us then about climate change. We have no reason to think that climate change is anything new and it has been known to us for about for 50/60 years. It has been a long time coming and we have done very little. Peter Benson said we should look carefully at our building regulations and our designs as he was an architect. Warmer air produces stronger winds and warmer seas produce more water vapour, a combination of that would be powerful storms and floods impacting on buildings. Nobody has been taking action fast enough to head off the disastrous consequences arising from extra energy in the atmosphere. People have spoken about inability to mitigate the present situation by current technology. This is wrong and we can do an awful lot. 30% power from wind turbines goes to waste because we haven't got the storage capacity to store it for future use. We are in an emergency and must act quickly. That is why trees are so important. It is important that we try and mitigate some of the disastrous effects for our grandchildren. Please support the amendment.

Councillor Uttley said Councillor Hollinghurst passionately covered some of what she wanted to say. She reiterated that there were complex technological opportunities that may be considered but that can't be used as an excuse for not taking advantage of simple solutions, such as planting trees. This is an emergency and discussion about saving money for later doesn't really acknowledge the emergency situation. In terms of the discussions about the telephone system and clearly there is a problem with understanding what the issues are. Personally if she is put through to the wrong department she puts the phone down and starts again. In terms of sports and leisure, Dacorum figures have slipped below baseline measure. We need to get our residents active and that is why it is included in the amendment. She supported the motion.

Councillor Tindall said the experts say we only have 10-15 years to do something. He said they hadn't made specific demands about there the money is spent because this is an emerging field and technology is advancing at a great rate so what we propose now might not be suitable in a years' time. He referred to the comment of source of funding and said we are not spending reserves but taking from grants or bonuses instead of putting money away for a rainy day as we need to act now. He hoped members were inspired to change their minds and he thanked the whole chamber for the conduct and level of debate. It is to be welcomed and casts a merit upon all Councillors for the way they have spoken.

A recorded vote was held:

19 For and 28 Against.

Therefore the Motion was lost.

The Council then proceeded to the preliminary budget proposal.

Councillor Elliot moved the item CA/018/20 - Budget 2020/21 and made the following statement:

“The Budget Context

Over the last 9 years, this council has successfully risen to the challenge of saving over **£7m** whilst simultaneously protecting and improving the services we provide to our residents. This budget outlines plans to save **a further £800k** in 2020/21.

The medium-term future of local authority finance will remain uncertain until the outcome of Government's Fair Funding Review, which will determine how funding will be allocated to local authorities beyond 2021.

That is why this council has proposed a budget for 2020 with a strong focus on sustainability, and continuing to deliver its corporate priorities into the medium-term. We have already made significant strides towards balancing the budget in future years, having identified initiatives of over **£500k** to address MTFs savings targets beyond 2021.

Continuing to invest in the Borough

Despite the extent of the financial challenges we have faced, this council's history of prudent financial management means that we are in a position to propose a highly ambitious capital investment programme ... in excess of **£280m** over the next 5 years ... to further enhance the services we provide to our residents, and the environment in which they live.

Some of the areas identified for capital investment include:

- **£90m** investment in our existing housing stock, which continues to provide high quality homes for tens of thousands of people across our borough
- **£115m** investment in our ambitious and successful housing new-build programme ... helping more people to live affordably in an area which has some of the highest house prices in the country
- **£50m** investment in various ventures which combine social benefit with financial return, including significant investment in a new sports centre in Berkhamsted and plans to develop out the former Civic Centre site in Hemel Hempstead
- **£4m** investment in working with Housing Association partners to facilitate affordable housing developments, and the delivery of additional temporary accommodation for some of our most vulnerable residents
- **£7m** investment in community facilities including car parks, cemeteries, and leisure

Maintaining our front-line services

Protecting and improving our front-line services has been a central objective for this Council throughout the last 9 years of unprecedented financial challenge.

I am proud that this Council has overcome **70% funding reductions** to successfully deliver this objective, and once again I can announce that this budget will maintain our front-line services in 2020/21.

The Council has worked hard to deliver its savings targets through efficiencies rather than cuts, and has developed a culture of innovation and a strong focus on continuous improvement.

This has enabled us to deliver savings through a range of initiatives including:

- more efficient staffing structures linked into better ways of working and improved use of technology; and,
- a more commercial approach to contract negotiation and the provision of good quality services that also deliver increased income generation, recent examples of which include:

- An innovative approach to Temporary Accommodation within council-owned property, which will generate additional income of **£300k** next year;
- The recent leisure contract which will also deliver a further **£300k** of income in 2020/21;
- Successfully leasing part of The Forum to the CCG, which has not only fed a continued focus on efficient working for council staff, but has contributed over **£250k** of income over the first year.

Council Tax

As part of the budget for 2020/21, the Council is proposing to increase Council Tax by **£5** for a Band D property, which equates to less than **10 pence per week**.

Central government is likely to consider each council's ability to raise tax when deciding how much funding it will provide in the future ... in simple terms, Government is likely to reduce future funding by an amount that it **expects** the council to raise through increasing its council tax.

Proposing this increase in line with government expectation means that we have done all we can to protect Dacorum's overall funding position for future years.

This approach was strongly endorsed through the Council's budget consultation process, with 90% of residents involved supporting the decision to increase Council Tax by the maximum permissible amount in order to protect front line services.

Housing

Following an end to the statutory requirement for local authorities to reduce housing rents, the Council is next year proposing to increase rent levels for the first time in five years. The average rent for a council property next year will be £103.12 per week, which is **£3 per week lower than it was in 2015**.

Despite the 4-year period of enforced rent reductions, the Council has continued to make housing delivery one of its key priorities, and this summer we are on target to complete our **300th new home**.

This trend will continue ... in 2019, the Council approved plans to make use of newly available borrowing within the HRA to **deliver a further 370 homes** across the borough over the next 4 years.

We are also investing in the infrastructure that will enable us to deliver our housing obligations to the most vulnerable in our community in the best way possible.

A further **12 new build Temporary Accommodation units** are scheduled for completion in spring 2020, to **add to the 44 TA beds** already available in the council's purpose built hostel, The Elms.

In Conclusion

Unquestionably, the Council faces significant financial challenges in the years ahead in particular beyond 2021 with the outcome of the Fair Funding Review due to be announced in late 2020.

However, I remain confident that with the processes this council has in place, the culture of innovation we continue to develop, and most of all with the continued commitment of Officers and Members we will continue to deliver for our residents.

I would like to thank all officers across all Council services for all their hard work over the year.

Mr Mayor I have no hesitation in recommending this budget to the Council.”

Councillor Griffiths supported the motion and said she wanted to highlight some of the work going on in the housing area. Grenfell was a major disaster and they now had requirements coming out from that. Fire safety and ongoing investment in ICT systems to help prioritise expenditure in this area is a key part of the budget. There is also the Environmental Impact Assessment by compiling the data required to establish the CO2 baseline position using the fabric first approach. There is also smart monitoring and use of AI to assist in reducing the energy consumption. She said there was lots of work going on in the private rented sector and the development of a new strategy.

Councillor Tindall said the opposition didn't intend to change this budget but were just proposing additions. Therefore he supported the budget.

Councillor Williams felt that the views expressed by the opposition was that the administration wasn't taking the climate emergency seriously and he assured Councillors that wasn't the case but just that there is a difference in approach. He referred to the point about public charging points and advised they had already had surveys done and were looking at installation. He said they had also been in discussions with UKPN for advice to support those charging points. He emphasised that we do take the issue seriously but we just approach it in a different way.

Councillor Elliot summarised with the following statement:

“The fundamental difference with the amended budget is that it allocates £1.5m of expenditure to several specific areas whereas the Administration budget is contributing it all to the Dacorum Development Reserve.

The benefit of our approach, as opposed to the amended budget, is:

1. By contributing to reserves, we retain the flexibility to fund our initiatives in the future but at the same time we are also holding a higher reserves cushion in the event that the Fair Funding Review is significantly worse than anticipated. (This is unlikely to be the case because we have a robust MTFs, but the FFR is a very significant unknown in terms of future funding and it pays to be prudent until it is announced in late 2020.) If we negotiate the FFR as expected, we might then choose to increase reserves-funded expenditure based on more a more informed picture of our medium-term financial position.
2. The Climate Change Strategy is currently being prepared and is scheduled for Cabinet in late Spring/early summer. This Strategy will inform a sustainable approach to investment in environmental measures that would enable the Council to get maximum vfm from its climate response. There is a risk that investing in climate

change initiatives before this strategy is complete could lead to a less efficient approach.

Councillor Allen mentioned frayed amenities in Dacorum, has he not seen:

The new splash park and new play area in Gadebridge Park

The new car park in Berkhamsted

Parks within Dacorum have won many awards

The Jellicoe Water Gardens

New sports centre proposed for Berkhamsted

As Councillor Birnie alluded to, the opposition has had ample opportunity to put proposals through two lots of joint overview and scrutiny committees and as usual is ill thought out pie in the sky thinking. Similar to their previous national leader thinking she could be our next Prime Minister! The voters of East Dunbartonshire delivered their verdict on her, I have the same verdict on this Alternative budget.”

A recorded vote was held:

38 For, 3 Against and 6 Abstentions.

Decision

General Fund Revenue Estimate

- 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;
- b) approve a Band D Council Tax increase of £5 (2.48%) for Dacorum Borough Council;
- 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;
- 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;
- e) approve increases in Fees and Charges for 2020/21 as set out in Appendices C3, D3, and E3;
- f) approve and adopt the Treasury Management Strategy for 2020/21, attached at Appendix K;
- g) approve and adopt the Capital Strategy for 2020/21, attached at Appendix L;
- h) note that this budget paper, if approved by Council, will form part of the Medium Term Financial Strategy.

Capital Programme

- i) approve the Capital Programme for 2020/21 to 2024/25, as detailed in Appendix I and Appendix M respectively;
- 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.

Housing Revenue Account (HRA)

- 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);
- l) approve the HRA estimate for 2020/21 as shown in Appendix F.

Employer Terms & Conditions

- 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).

Statement by Chief Finance Officer

- 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.

7.2 CA/019/20 Q3 Budget Monitoring Report

Decision

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:
 - 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 reserve
4. Recommend to Council approval of supplementary capital budgets required to deliver several service changes as set out below:
 - 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
 5. Recommend to Council additional reserves drawdowns as set out below:
 - 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.
 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
 7. Agree the annual update of the Council's flexible use of capital receipts strategy at Appendix D of this report.

7.3 CA/021/20 Senior Officer Pay Policy

Decision

The adoption of the Pay Policy for 2020/21 as set out in appendix 1 to the Cabinet report.

8. MOTION TO COUNCIL (this was considered under item 7.1)

9. OVERVIEW AND SCRUTINY REFERRALS

None.

10. CHANGES TO COMMITTEE MEMBERSHIP

None.

11. CHANGES TO COMMITTEE DATES

The following changes to committee dates were agreed:

- Additional SPAE OSC meeting on 22nd April 2020.
- Move SPAE OSC from 21st October to 27th October 2020.

12. COUNCIL TAX DECLARATION 2020/2021

The Council Tax Declaration for 2020/21 was agreed.

The meeting ended at 9.59 pm.

Agenda Item 4



Report for:	Council
Date of meeting:	15th April 2020
Part:	1
If Part II, reason:	

Title of report:	Covid 19 – Emergency Constitution amendments
Contact:	<p>Cllr Andrew Williams, Leader of the Council</p> <p>Author/Responsible Officer:</p> <p>Sally Marshall – Chief Executive</p> <p>Mark Brookes, Assistant Director, Corporate and Contracted Services and Monitoring Officer</p>
Purpose of report:	To seek approval to amend the Constitution to provide additional emergency decision make powers and agree procedures for the remote conduct of meetings.
Recommendations	<ol style="list-style-type: none"> 1. That Council agree to the changes to the Constitution and procedures as set out in paragraphs 8-44 to this report and authorise the Monitoring Officer to make the required changes to the Constitution. 2. In the event that government guidance changes the Leader of the Council in consultation with the Chief Executive and the Leader of the Opposition shall have authority to agree to reintroduce face to face meetings and suspend either in full or in part these temporary arrangements pending formal agreement at the next available Council meeting. 3. That authority be delegated to the Chief Executive, in consultation with the Leader of the Council and the

	<p>S151 Officer, to draw down funds from reserves in order to finance expenditure that may be required in the Council's response to Covid-19. This expenditure will be reported back to Cabinet and Council at the next available meeting.</p>
Corporate Objectives:	<p>The Constitution supports all of the Council's Corporate Objectives as they provide the governance framework for all decisions, strategic and operational.</p>
Implications:	<p><u>Financial</u></p> <p>There are no financial implications arising from this report</p>
'Value For Money Implications'	<p><u>Value for Money</u></p> <p>There are no implications arising from this report.</p>
Risk Implications	<p>Failure to have an up to date and accurate Constitution could lead to legal challenge and operational, reputational and financial costs may follow if the challenge was successful.</p>
Community Impact Assessment	<p>There are no community impacts, which require assessing resulting from this report.</p>
Health And Safety Implications	<p>There are no Health and Safety implications connected to this report.</p>
Monitoring Officer/S.151 Officer Comments	<p>Monitoring Officer:</p> <p>The amendments set out in this report are proposed to ensure that the Council can continue to operate efficiently during the period in which the Covid-19 movement restrictions are in place.</p> <p>S.151 Officer:</p> <p>Decisions made by the Chief Executive under the Emergency Powers outlined in this report will be subject to the same formal decision-making process already in place for Officer Decision Sheets, i.e. they will be subject to comments from the S151 Officer and the Monitoring Officer in advance of implementation. The documentation behind each decision will be retained for audit purposes.</p> <p>The timeframes of this formal process will be shortened to enable quick decision-making, whilst at the same time maintaining the appropriate checks and balances for decisions that could have significant and long-lasting financial and legal implications for the Council.</p>
Consultees:	<p>Councillor Andrew Williams (Leader of the Council)</p> <p>Councillor Ron Tindall (Leader of the Opposition)</p> <p>Sally Marshall, Chief Executive</p>

	<p>James Deane, Corporate Director (Finance and Operations)</p> <p>Mark Gaynor, Corporate Director (Housing and Regeneration)</p>
Background papers:	<p>The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020</p> <p>Planning Officers Society Good Practice Guidance Note</p> <p>DM Decision Making + COVID-1</p>
Glossary of acronyms and any other abbreviations used in this report:	<p>The Regulations - The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020</p>

Background

1. The Monitoring Officer is under a continuous duty to review the Constitution to ensure that it is up to date and provides an appropriate governance framework for all Council decision making.
2. The Covid-19 Pandemic and government guidance means that normal Constitutional decision making and meeting procedures need to be reviewed to give effect to movement restrictions and social distancing measures with an aim to restrict face to face meetings wherever possible but allow the decision making process to continue.
3. The changes proposed in this report will continue until further decision of Council and will be kept under continuous review following Government advice.

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (“The Regulations”)

4. The regulations were made on 1 April 2020 and will come into force on 4 April 2020. They apply to meetings taking place before 7 May 2021 (which could be brought back to an earlier date if the existing restrictions are relaxed).
5. The regulations enable local authorities to hold meetings remotely including by (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming.
6. The regulations also remove the requirement for local authorities to hold annual meetings, and to enable requirements for public and press access to local authority meetings and associated documents to be complied with through remote means and website access.
7. The regulations apply (among others) to county councils, district councils, combined authorities, parish councils, joint committees constituted to be a local planning authority, joint waste authorities, fire and rescue authorities and national park authorities. The regulations apply to meetings of a local authority, an executive of a local authority, a joint committee of two or more local authorities, and a committee or sub-committee of any of those bodies.

PROPOSED CONSTITUTION AND PROCEDURAL CHANGES

8. The following part of this report will consider each Council, Cabinet and committee meeting and set out proposed changes for consideration and approval. If no changes are proposed the existing process as set out in the Constitution will continue.

Council

9. As set out the regulations there is no requirement to hold annual council therefore all appointments to Cabinet, Committees and Sub-Committees will continue until annual council 2021. This includes the appointment of the Mayor Councillor Terry Douris and the Deputy

Mayor, Councillor Stewart Riddick who will continue until annual council 2021.

10. Annual Council currently scheduled for 13th May will be cancelled.
11. Future meetings of Council will be conducted by remote means by Microsoft Team (or similar remote conference facility) and training will be given to Members in advance, but all other procedures including motions, questions by members of the public and questions by councillors will continue in accordance with normal procedural rules.
12. Timing of meetings – Council meetings will start remotely at 6.30pm unless the Mayor in consultation with the Monitoring Officer agree a different time which shall be published on the agenda.
13. Voting – Voting shall take place by the Mayor asking members to vote and they shall type a “For” or “Against” in the chat message box on Microsoft Teams. If this doesn’t work for any reason, the Mayor will call out each councillor’s name and ask them to confirm their vote verbally if a vote is required.
14. Public and press access to the meeting – The Council agenda and associated reports shall be published in accordance with normal council procedures. There shall be no public or press access to the meeting remotely unless a request to listen to the meeting via whatever remote system is being used, is made in writing to the Assistant Director (Corporate and Contracted Services) by 5pm on the Friday proceeding the meeting. In the unlikely event that the number of requested participants exceeds the capacity of the remote system, public attendance will be selected on a first request basis. The Mayor shall have absolute discretion to remove any member of the public from the meeting if any disturbance is caused.

Cabinet

15. Cabinet shall continue in accordance with the approved Committee Diary and will be conducted remotely by Microsoft Teams (or other appropriate meeting conferencing system).
16. Meetings will commence at 6.30pm unless the Leader of the Council in consultation with the Monitoring Officer agree a different time which shall be published on the agenda.
17. Voting – Voting shall take place by the Leader of the Council asking members to vote and they shall type a “For” or “Against” in the chat message box on Microsoft Teams. If this doesn’t work for any reason, the Leader of the Council will call out each councillor’s name and ask them to confirm their vote verbally if a vote is required

18. Public and press access to the meeting – The Cabinet agenda and associated reports shall be published in accordance with normal procedures. There shall be no public or press access to the meeting remotely unless a request to listen to the meeting via whatever remote system is being used, is made in writing to the Assistant Director (Corporate and Contracted Services) by 5pm on the Friday preceding the meeting. In the unlikely event that the number of requested participants exceeds the capacity of the remote system, public attendance will be selected on a first request basis. The Leader of the Council shall have absolute discretion to remove any member of the public from the meeting if any disturbance is caused.

Overview and Scrutiny Committees

19. Meetings shall continue in accordance with the approved Committee Diary and will be conducted remotely by Microsoft Teams (or other appropriate meeting conferencing system).
20. Chairman will be requested to review Committee workplans to ensure that only essential business comes before the committee to ensure that meetings are managed as efficiently as possible. Service Performance update reports or other non-essential reports as determined by the Chairman shall be provided on the agenda and published as normal but members shall only be entitled to ask questions in writing (by email) up to 5pm on the day before the committee meeting to the Corporate Support Team and responses shall be provided in writing (by email) by the author of the report as soon as reasonably practicable.
21. Meetings will commence at 6.30pm unless the Chairman of the Committee in consultation with the Monitoring Officer agree a different time which shall be published on the agenda.
22. Voting – Voting shall take place by Chairman asking members to vote and they shall type a “For” or “Against” in the chat message box on Microsoft Teams. If this doesn’t work for any reason, the Chairman will call out each councillor’s name and ask them to confirm their vote verbally if a vote is required
23. Public and press access to the meeting – The agenda and associated reports shall be published in accordance with normal procedures. There shall be no public or press access to the meeting remotely unless a request to listen to the meeting via whatever remote system is being used, is made in writing to the Assistant Director (Corporate and Contracted Services) by 5pm on the Friday preceding the meeting. In the unlikely event that the number of requested participants exceeds the capacity of the remote system, public attendance will be selected on a first request basis. The Chairman shall have absolute discretion

to remove any member of the public from the meeting if any disturbance is caused.

The Licensing and Health & Safety Enforcement Committee
The Licensing and Health & Safety Enforcement Sub Committee
The Licensing of Alcohol & Gambling Sub Committee
The Appeals and Reviews Committee
The Audit Committee

24. Meetings shall continue in accordance with the approved Committee Diary and will be conducted remotely by Microsoft Teams (or other appropriate meeting conferencing system).
25. Chairman will be requested to review committee workplans to ensure that only essential business comes before the committee to ensure that meetings are managed as efficiently as possible.
26. Meetings will commence at 6.30pm unless the Chairman of the Committee in consultation with the Monitoring Officer agree a different time which shall be published on the agenda.
27. Voting – Voting shall take place by Chairman asking members to vote and they shall type a “For” or “Against” in the chat message box on Microsoft Teams. If this doesn’t work for any reason, the Chairman will call out each councillor’s name and ask them to confirm their vote verbally if a vote is required
28. Public and press access to the meeting – The agenda and associated reports shall be published in accordance with normal procedures. There shall be no public or press access to the meeting remotely unless a request to listen or participate in the meeting via whatever remote system is being used, is made in writing to the Assistant Director (Corporate and Contracted Services) by 5pm on the Friday proceeding the meeting. In the unlikely event that the number of requested participants exceeds the capacity of the remote system, public attendance will be selected on a first request basis. The Chairman shall have absolute discretion to remove any member of the public from the meeting if any disturbance is caused.

Development Management Committee

29. The Government has emphasised the importance of continuing to progress and determine planning applications as expediently as possible in order to support the local and national economy.

30. Therefore and due to the volume and complexity of many planning applications an enhanced scheme of delegation to officers is proposed to ensure that applications can continue to be determined during the period of the pandemic. The following changes are therefore proposed:
31. Except as set out in paragraph 32 below all proposals, applications or enforcement action which would usually be referred to Development Management Committee under Part 3 (Responsibility for Functions) will now be delegated to the, Assistant Director (Planning, Development and Regeneration), Group Manager (Development Management and Planning). This will mean Group Manager or above will review the proposal, including all comments received and decide whether planning permission is granted or refused or enforcement action be commenced.
32. If in the opinion of the Assistant Director (Planning, Development & Regeneration) or the Group Manager (Development Management & Planning) a proposal is of significant public interest, would have a significant impact on the environment, or should otherwise be reported to the Development Management Committee the Assistant Director or Group Manager shall have the authority not to exercise their delegated authority and convene a remote meeting of the Committee to consider the proposal. If such a meeting is convened the normal public rules of participation as set out in the Constitution pre Covid-19 will apply but shall be conducted remotely.
33. Any call in requests or referrals to Development Management Committee received in accordance with existing constitution rules from Ward Members or Parish and Town Councils will trigger a new process to ensure that the committee members, applicants and objectors get a chance to submit comments in relation to the officer's report before the proposal, application or enforcement action is finally determined.
34. By 5pm on the Wednesday the week before what would normally be a committee Thursday date a report pack will be published on-line and directly sent to all Committee Members. The report pack will also be published on-line to enable applicants/objectors/town parish councils to make any further comments they wish in writing (email or letter but deadlines for receipt will be set) before the application is considered. Committee Members will have the same 5 day period to submit comments in writing but can contact the case officer by phone or email if they have any questions.
35. The report will then be further considered in the light of the comments received and then a final consultation meeting will take place with the

chairman or vice chairman to consider all comments received before the final determination is made noting that the final decision is delegated to the Assistant Director (Planning, Development and Regeneration) or Group Manager (Development Management and Planning). A flowchart to demonstrate this process is annexed to this report.

36. In relation to applications which are not subject to the 'call-in' procedure highlighted above officers request that Lead Officers will be added to the list of officer who can approve the more routine applications in order to give more staffing resilience to the team. This will be added to the planning delegations at paragraph 2.3.1 and 2.3.6 of Part 3 of the Scheme of Delegation.

Chief Executive Emergency Decision Making Powers

37. The Chief Executive currently has delegated authority contained in Part 2 of the Scheme of Delegation to:
- (i) To incur expenditure in the event of a civil emergency.
 - (ii) All operational matters in relation to civil aid and emergency Planning.
 - (iii) In cases of urgency, after consultation with the Leader of the Council and the relevant Cabinet Member, to take any decision which could be taken by the Cabinet.
38. It is proposed that there be a minor amendment to (i) above to make it clear that this authority includes the ability to provide funding in whatever form the Chief Executive deems appropriate to external organisations and council contractors. The funding may take the form of grants, loans, contractual variations but this will be delegated to the Chief Executive to make these decisions on a case by case basis. The funding granted will be reported to Cabinet and Council at the earliest opportunity.

39. The new wording for the authority will state:

“To incur expenditure, and grant funding to any external organisation or Council contractor as the Chief Executive deems appropriate, in the event of a civil emergency. The Chief Executive will report all expenditure and funding made pursuant to this delegation to the next available Cabinet and Council meeting.”

Other issues

40. **Sealing** – The completion of Council contracts, leases, transfers and certain other documents require the council to affix its common seal on

the documents to state that they have been validly authorised and completed.

41. The current constitutional position requires:

The Common Seal shall be attested by two different persons present at the sealing of whom:

2.3.1 One shall be the Assistant Director (Corporate and Contracted Services), in his/her absence, the Group Manager (Legal and Corporate Services), or the Chief Executive or one of the Corporate Directors.

2.3.2 The other shall be any of the above-named persons or a legally qualified person in the employment of the Council and duly authorised in that behalf by the Assistant Director (Corporate and Contracted Services).

42. Due to the current emergency position there is the potential for it to become difficult to enable the signature of two officers. It is therefore proposed to include an emergency provision so that the Assistant Director (Corporate and Contracted Services), the Group Manager (Legal and Corporate Services), or the Chief Executive or one of the Corporate Directors can sign documents without the requirement for a countersignatory. A new clause will therefore be added which will state:

“2.3.3 in cases of civil emergency the Assistant Director (Corporate and Contracted Services), the Group Manager (Legal and Corporate Services), or the Chief Executive or one of the Corporate Directors can seal documents without a second countersignatory.

Cabinet and Council shall be updated on the use of this power at the next available meeting.

Changes to legislation

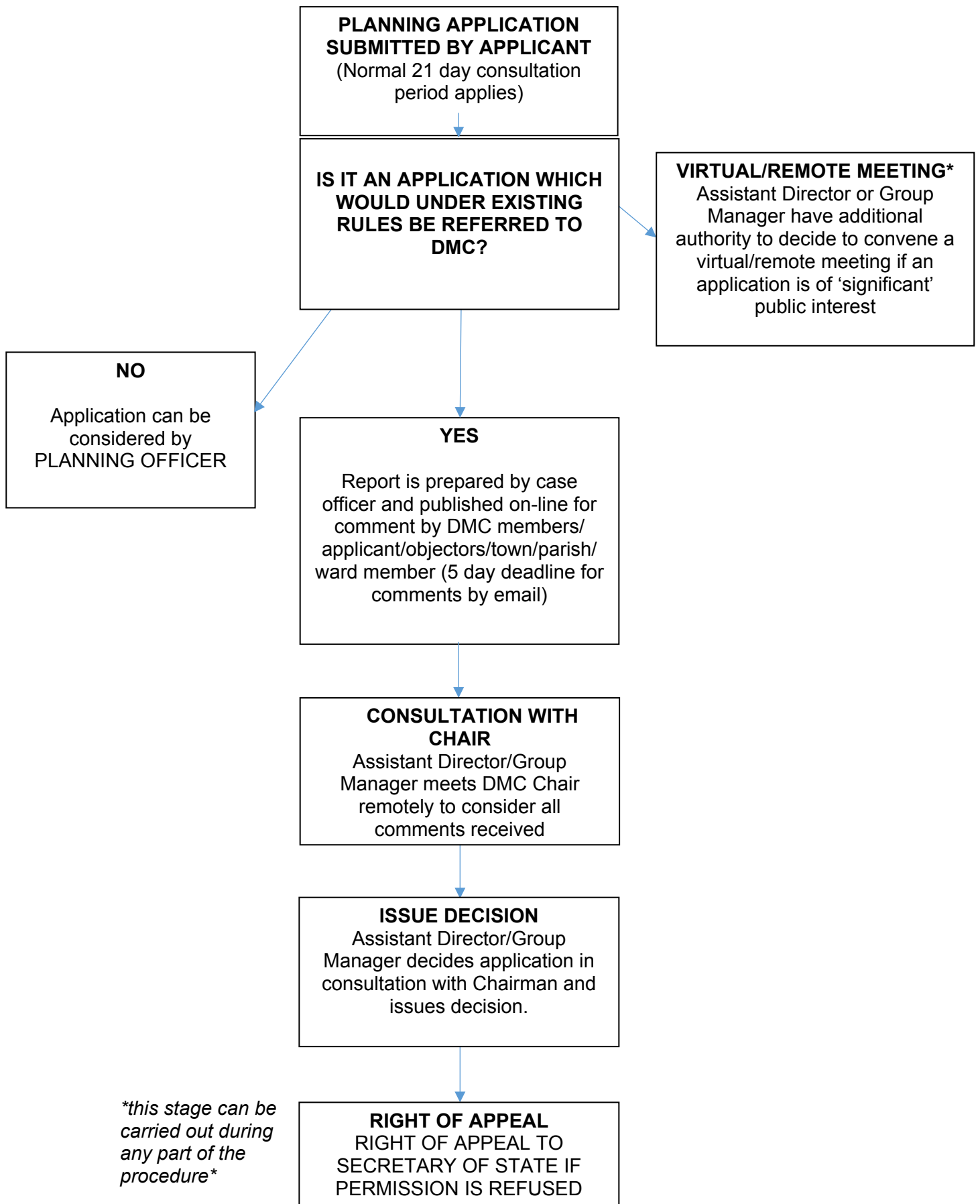
43. Under the current rules, changes to the Constitution can be made by a referral by either the Monitoring Officer or Cabinet to be approved by full Council.

44. There have already been legislative changes and it is anticipated that more will follow due to the Covid-19 Pandemic and also to the United Kingdom's exit from the European Union which will necessitate changes to the Constitution. There are also occasions where other legislative changes occur during the year which require immediate changes to the Constitution – the types of changes that this power is anticipated to be used for is changes to the names of acts or minor

changes to provisions. In order to avoid delays in making the necessary changes, the following amendments are proposed to Part 2 Article 14:-

Current – Part 2 Article 14	Proposed amendment
<p>14.3.4 Changes to the Constitution will only be approved by the full Council after consideration of the proposal by the Cabinet and/or the Monitoring Officer.</p>	<p>14.3.4 Except for changes required to the Constitution following implementation of new or updated legislation, changes to the Constitution will only be approved by the full Council after consideration of the proposal by the Cabinet and/or the Monitoring Officer.</p>
	<p>New article to be added as 14.3.7 The Monitoring Officer may update the Constitution to reflect new or updated legislation. Any changes to the Constitution should be reported to Cabinet and full Council at least annually.</p>

Development Management Procedure Flow Chart



Agenda Item 5



Report for:	Council
Date of meeting:	15 th April 2020
Part:	I
If Part II, reason:	

Title of report:	Dacorum Borough Council's Planning and Response to Covid-19
Contact:	Sally Marshall, Chief Executive Mark Gaynor, Corporate Director (Housing and Regeneration) James Deane, Corporate Director (Finance and Operations)
Purpose of report:	To provide Council with a comprehensive update on the Council's response to Covid-19.
Recommendations:	That Council note the Council's initial and planned response to Covid-19 as set out in the report.
Corporate Objectives:	The Council's response to Covid-19 will support all of the Council's Corporate Objectives.
Implications:	<u>Financial</u> Financial implications are covered under section 4 Finance and Resources. <u>Value for Money</u> The Council's response to Covid-19 will have various value for money implications which will be assessed as proposals develop to respond to the issues raised. The Council's initial response has focused on continuity of service provision and support for key groups and organisations – the measures implemented are aimed at assisting the recovery and minimising the long terms impacts as much as possible.
Risk Implications	Failure to have an efficient and effective emergency plan and service response to deal with issues related to Covid-19

	will have significant financial and community risks for the Council, its residents and businesses.
Community Impact Assessment	The Council's response to date has tried to ensure minimal service disruption to the community. The recovery phase of the Council's response will continually assess its impact on the community to ensure a balanced and effective response.
Health And Safety Implications	The Council has acted promptly and put in place appropriate measures to ensure that staff, councillors and the community are protected from Covid-19 whilst trying to ensure minimal service disruption.
Monitoring Officer/S.151 Officer Comments	<p>Monitoring Officer:</p> <p>A raft of new legislation have been implemented to deal with Covid-19. These include:-</p> <ul style="list-style-type: none"> - Coronavirus Act 2020 - The Health Protection (Coronavirus) Regulations 2020 - Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 - The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 <p>The Monitoring Officer continues to monitor the key issues raised by the legislative changes and relevant government guidance and ensure that effective policies and procedures are in place to assist services to continue to deliver during the crisis and subsequent recovery phase.</p> <p>S.151 Officer</p> <p>Although the financial implications of the Council's COVID19 response are likely to be significant, it is still too early to model a meaningful forecast at this stage.</p> <p>Similarly, although Government has stated that financial recompense for councils is likely to be available, there has not yet been any commitment as to when this might be available or indeed the quantum of any financial support package.</p> <p>My comments on the immediate financial considerations of the Council are contained within the section of this report entitled Finance & Resources.</p> <p>The S151 officer will continue to monitor the situation, track costs, and will report back to Members as a clearer position of the financial implications begins to emerge.</p>
Consultees:	Mark Gaynor, Corporate Director Housing and Regeneration

	<p>James Deane, Corporate Director Finance & Operations</p> <p>Mark Brookes, Assistant Director Corporate and Contracted Services</p>
Background papers:	<p>Coronavirus Covid-19: Guidance for Local Government</p> <p>Procurement Policy Note 02/20 – Supplier Relief due to Covid-19</p>
Glossary of acronyms and any other abbreviations used in this report:	None

1. Background

This report has been submitted to Council under urgent circumstances and has therefore not followed standard approval processes. The report details the work that the Council are undertaking and plan to undertake, in response to the Covid-19 pandemic. The contents of the report are based on circumstances that are changing frequently and therefore submission immediately prior to publication is appropriate, and many areas are likely to become superseded by new information on an ongoing basis.

2. International & National Position

Context

- 2.1. On 31 December 2019, the World Health Organisation (WHO) was informed of a cluster of cases of pneumonia of unknown cause detected in Wuhan City, China. The cause is now identified as a Coronavirus, one of the family of viruses which causes the SARS (Serious Acute Respiratory Syndrome) outbreak in 2002-2003 across the world. These viruses are fairly common and can range from mild to very severe in effect. Coronaviruses are a family of viruses that infect a wide range of different species including humans.
- 2.2. Coronaviruses are thought to have originated in animals. They are transmitted via droplets in coughs and sneezes. The droplets can survive on different types of surfaces for varying amounts of time.
- 2.3. On Tuesday 10th February, the WHO named the disease caused by the novel coronavirus COVID-19. The virus itself has been named SARS-CoV-2, as the International Committee on Taxonomy of Viruses (ICTV) have determined that it is the same species as SARS but a different and milder strain of the species.

Level of severity

- 2.4. As at 9 April 2020 there have been 844 persons reported as being diagnosed with Covid-19 and 55 fatalities within Hertfordshire.
- 2.5. Current estimates (though these vary) are that 81% of people infected will have the milder form of illness, with 14% more severe and needing greater care, up to 5% critically ill and needing very specialist care.
- 2.6. Although the virus can infect anybody, the following categories of people are considered to be at high risk:-
 - aged 70 or older (regardless of medical conditions)
 - under 70 with an underlying health condition listed below (ie anyone instructed to get a flu jab as an adult each year on medical grounds):
 - chronic (long-term) respiratory diseases, such as asthma, chronic obstructive pulmonary disease (COPD), emphysema or bronchitis
 - chronic heart disease, such as heart failure

- chronic kidney disease
 - chronic liver disease, such as hepatitis
 - chronic neurological conditions, such as Parkinson's disease, motor neurone disease, multiple sclerosis (MS), a learning disability or cerebral palsy
 - diabetes
 - problems with your spleen – for example, sickle cell disease or if you have had your spleen removed
 - a weakened immune system as the result of conditions such as HIV and AIDS, or medicines such as steroid tablets or chemotherapy
 - being seriously overweight (a body mass index (BMI) of 40 or above)
- those who are pregnant

3. Dacorum Borough Council Response

Strategic Position

- 3.1 A major emergency has been declared under the Council's Emergency Plan. The Incident Management Team chaired by the Chief Executive is meeting on a daily basis to discuss areas of concern and issues. Risks have been identified and actions have been put in place to ensure delivery of priority services to our communities. Business Continuity Plans have been reviewed and updated accordingly. The Council is linked and coordinated with the county emergency planning process through the Local Resilience Forum (LRF) which is leading on the Emergency across Hertfordshire.
- 2.4 The Chief Executive is taking part in a range of Local, Regional and National conference calls which include: The Secretary of State for Ministry of Housing Communities and Local Government (MHCLG); Local Government Association; District Council Network; Eastern Region Chief Executive Group and the Hertfordshire Chief Executive Co-Ordinating Group.
- 2.5 The Hertfordshire Chief Executive Co-Ordinating Group has taken on responsibility for the Recovery Co-ordination Cell (reporting into the LRF), and has oversight (as part of this work-stream) of the Economic Resilience Cell, the Community Reassurance Cell and the Communications Cell.
- 2.6 The Leader of the Council has also taken part in teleconferences on behalf of the Council with the Secretary of State for MHCLG and the Hertfordshire Leaders Group.
- 2.7 All directorates have completed a facilitated exercise on the risks associated with Covid-19 using the national and local planning assumptions, these exercises have identified the following organisational risks:-
- Shortages of staff due to illness and carers responsibilities
 - Shortages of members to be able to attend committee meetings due to illness and carers responsibilities

- Pressures on technology and infrastructure
- Potential issues with third party service providers and partner organisations
- Shortages of PHE to frontline staff

3.6 These risks form the corner stone of our planning and Business Impact assessments and all directorates are assessing these risks against the Business continuity requirements offer continued service delivery.

Actions being taken corporately in response to Covid-19

3. Finance and Operations

4.1 Finance and Resources

The following paragraphs provide a high-level summary of the key work undertaken by the Finance & Resources team over the course of the last three weeks; the work that is currently being undertaken and some of the key financial issues that will need to be considered by the Council over the coming months. More specific detail around the support packages for business are on the Council's Covid19 page: [http://www.dacorum.gov.uk/home/coronavirus-\(covid-19\)-advice-and-updates](http://www.dacorum.gov.uk/home/coronavirus-(covid-19)-advice-and-updates)

- All teams are involved in the implementation of the **Government support package** for businesses, which roughly comprises £48m across the borough (£20m of rate reliefs and £28m of one-off grants). Reliefs have been applied automatically, and, in line with Government guidance, we have written to all businesses eligible for grants, requesting the necessary details for payment to be made. Companies respond by providing their details and necessary confirmations through a newly designed portal on the DBC website. As at 9 April, the Council had received responses from around 1,300 businesses of the 2,100 it has written to, and 370 (totalling £4m) will have been paid by the end of the day. Additional payment runs have been put in place, and a further 200 businesses are expected to be paid on Tuesday with an estimated value of £2m.
- DBC has been allocated £1m of Government's **Council Tax Hardship Fund**, which will reduce by £150 the Council Tax bills of all those of working age in receipt of Council Tax Support (CTS). Initially this will benefit around 2,100 residents, and is likely to leave a residual balance from the Government funding. However, over the next few months significant growth in the number of working age CTS claimants is expected, and more of the funding to be applied throughout the year. Once there is greater stability on claims growth and there is more clarity on any remaining amounts, a report will come to Members with options on how best to utilise the balance.
- The Council's **cash-flow position** will not be affected by the implementation of the Government's schemes – the funding has already been received by the council.

- DBC has received around £60k as its share of Government's £1.6bn support package for Local Government. The Council is already facing **reduced income and increased expenditure** as a result of the virus, and this is likely to continue for many months. However, at this stage, too little is known about the duration or the impact of the virus to meaningfully forecast the scale of the budgetary pressure in 2020/21 (and beyond). The Finance team will continue to monitor the financial impact and will report back to Members immediately if there are any major financial shocks, but the ongoing plan is to pick up emerging trends through budget monitoring and to increase focus on modelling the in-year implications once we have more data.
- The Government has not yet committed to a definitive position around potential **future recompense for councils** related to their role in responding to the virus, and the financial impact they will face for supporting the local economy and maintaining services in constrained circumstances. The advice is for councils to monitor virus related expenditure and lost income, so that they are prepared for any allocation discussions in the future. The DBC Finance team is doing this.
- The potential implications for **future Government funding for Dacorum** cannot yet be forecast for the reasons detailed in the points above. However, what we do know is that the funding for 2020/21 will be unaffected because it is based on assessment of need at the time of last December's Settlement, and business rates performance (the strength of the local economy) in 2019/20.
- Government has previously stated that **future years' funding of local authorities** will be linked to growth or contraction of business rates within the local economy, which, depending on the longer-term economic implications of the current measures, could lead to funding implications for councils for many years to come. However, Government's financial model that will determine the precise method of business rates redistribution and incentivisation in future years has not yet been released – it is due as part of the Fair Funding Review outcome in November 2020 – therefore it is not yet possible to forecast the future funding implications for Dacorum. DBC will continue to work with Government and sector partners to understand and, where possible, influence what is likely to be an across-the-board revisiting of future funding principles.
- The Council has a large number of **commercial tenants** across the borough, primarily concentrated in the neighbourhood shopping centres around Hemel Hempstead. A statement of support for commercial tenants has been placed on the Council's website (http://www.dacorum.gov.uk/docs/default-source/business/statement-regarding-commercial-rent.pdf?sfvrsn=6b2d0f9e_18) encouraging businesses who are experiencing issues with rent payment to contact the Council to

understand how we may be able to support them, e.g. through payment plans etc. It also states that although the Council will continue to invoice for rent (for contractual reasons), it will not chase overdue monies until this crisis is over. In order to further support local businesses, the Council will not be increasing any rents for those rent reviews that fall due throughout this period – it will instead hold them at current levels. This will have a financial impact on the Council's future income from commercial tenants (currently around £5m pa) because for those reviews that fall due over the next few months, there may be no further contractual opportunity to review for a number of years. Emerging trends will continue to be monitored and Members will receive regular updates throughout the year.

- **Cemeteries** are now closed to the public in accordance with Public Health England guidelines. County-wide discussions are underway to identify the forecast demand for cemetery services in future months, and how best to meet it, although the majority of demand is anticipated to fall on crematoria rather than cemeteries.

4.2 Neighbourhood Delivery

- DBC **waste services** continue to operate as normal, with the exception of bulky waste collections which have been temporarily suspended (in common with 80% of districts within Herts, as at the time of writing). Four of the ten councils within Herts have suspended the collection of green waste, of which three have outsourced service providers. Continuation of service provision at Dacorum has been possible, despite the significant number of staff isolating as a result of being in vulnerable groups, due to the training of additional staff from employment agencies and Clean, Safe & Green. Working around constantly changing absences to protect services has only been possible through the exceptional commitment of staff within the Service.
- **Social distancing** has been a particular challenge for refuse collection across the whole of the sector. DBC was the first council in Hertfordshire to roll out a solution whereby one loader drives separately to the start of the round and, where possible then follows separately behind the truck, so that there are no more than 2 in a truck whenever possible. This is in addition to the implementation of a range of hygiene-related measures, some of which are outlined in the section on Clean Safe and Green. The service continues to work closely with the Trade Unions who have been fully supportive of the measures the Council has put in place to protect its employees.
- If resources become scarcer, they will be allocated to **prioritise services** in the following order: 1) refuse & recycling, 2) clinical, 3) commercial, 4) garden waste.

- **Clean Safe & Green (CSG)** continues to operate largely as normal in accordance with Government guidance that anyone who cannot work from home can still go to work, unless the business has been asked to close. Staff are able to maintain a distance of 2 meters throughout the working day, and numerous additional steps have been put in place to minimise risk of transmission (also applicable to Waste Services staff), including, but not limited to: all vulnerable staff sent home, daily disinfecting of cabs, keys and tools, no more than 2 to travel per cab, all staff issued with sanitiser, enhanced cleaning rota in place, information notices put up around the Depot, increased number of shared areas to reduce congestion at peak times, and regular briefings from Group Manager and Director.
- It is essential that CSG staff continue to arrive at the Depot around the same time as the refuse rounds in the morning in order to provide the first line of back-up staff in the event that there are insufficient Waste Services staff to provide the refuse service. Staff have not yet been required for rounds, but have helped out with waste-related services, e.g. shovel driving etc.
- The CSG staff are a skilled and present resource in the event that we need **redeployment** for cemeteries etc. or if there is a significant call on council staff to assist with the volunteer effort around food distribution for the vulnerable.
- **Environmental & Community Protection (ECP)** have implemented recent legislation to manage businesses that are operating in breach of social distancing regulations, with certain exemptions being mainly food shops, pharmacies and takeaways. Officers across Environmental Health and Planning Enforcement have been authorised to issue prohibition notices if necessary. The management of this legislation is the current focus of the team. Other EH services have been suspended or reduced to emergency response only in order to avoid unnecessary face-to-face contact.
- ECP has also been working with colleagues across the county to establish the **PPE requirement** for those officers deemed to require it by the Public Health England guidance. There is a national shortage of PPE and the management of appropriate allocation and keeping abreast of changes in guidance is a significant workload for the team.

5 Housing and Regeneration

The services in Housing and Regeneration are very varied and in some cases quite complex. Housing in particular is serving a wide number of very vulnerable individuals and consequently the actions taken as a result of the emergency are comprehensive.

5.1 Housing – what we have done so far:

Development (New Build)

- All staff working remotely
- All live construction projects closed down
- Focus is on preparation on the pipeline programme of new schemes in order that we can move quickly to increase supply and help stimulate the economy.

Strategic Housing

- Large increase in homelessness due to Covid -19 isolation, parental evictions and Domestic Abuse, people no longer able to stay with family or friends during 'lock down', housing street homeless, and others not able to remain in current housing for various financial/social reasons.
- We have 156 households in Temporary Accommodation at 1 April including some in B&B.
- All street homeless were off the streets, but some have subsequently left the accommodation provided.
- Most service delivery is capable of being delivered remotely through phone/tablet/laptop though we have two Duty homeless staff (daily rota) at the Forum should any complex presentations arise that require direct contact (within strict safety guidelines)
- The Elms continues to operate at capacity
- Discretionary payments being made to families in accordance with government guidelines.

Tenants and Leaseholders

- Most service delivery delivered remotely
- Focus on sheltered schemes: increased cleaning of common areas; daily call-ups by phone; closure of common rooms/lounges to avoid breaches of social distancing; and particular focus on very vulnerable.
- Working with Age UK on befriending and reducing loneliness.
- All usual health and safety checks continue at sheltered schemes.
- Clear messages to tenants having difficulty with rent payments due to lay-offs etc. that although we will require rent to be paid there will be no formal possession action for arrears at this point and to seek advice and assistance from us.
- Tenancy sustainment team workloads increasing due to existing issues combined with the current pressures of the emergency

Property and Place

- Emergency repairs only
- Gas servicing continues (99.4%) compliance but some difficulties due to those self-isolating as well as the few tenants who fail to give us access. Enforcement will continue on the latter.
- Clear communication to all tenants and **leaseholders** regarding clear landings and encouragement to alert us if there are problems.

5.2 Housing - what we are planning for:

- Considering releasing a partial retention payment to Contractors with schemes in retention.
- Awaiting advice on potentially redeploying Housing Development staff to other critical services but starting to plan for a reorganisation of project responsibilities if this is required.
- We will continue to monitor government guidance and adjust our response as directed by guidance and the Rough Sleeper Outreach Team.
- We will continue to update the website and social media as more information is received about government changes to Welfare Benefits. With information and updates regularly changing the intention is to signpost tenants to specialist agencies and other support providers where they will be keeping details up to date. Additionally any guidance notes received from providers like Housing Quality Network (HQN), Chartered Institute Housing (CIS), Association of Public Service Excellence (APSE), Housing Systems and legal briefings will be circulated and summarised for staff to ensure officers are kept up to date on current positions.
- We will start to reduce calls in Supported Housing where tenants have family support and request us to reduce levels of contact. This will allow us to manage resources and refocus on those with higher needs.
- With an increased numbers in B&B we will be reviewing how we can provide cooking facilities and ensure we manage a slightly different support needs to this group through the Sustainment Team.
- Once we are confident our critical services can be maintained we will start to review the impact of social isolation on tenants. Through partnering with the community and voluntary sector and redeployed staff we will identify how we can engage with tenants particularly those in Sheltered Housing without use of the communal lounges. Additionally there is an acknowledgment of the impact on mental health this situation will have – in particular with our more vulnerable tenants who are living alone and again finding different ways to encourage peer support and access some of the resources available online to help tenants.

- Preparing to re-deliver a revised empty homes process, concentrating on General Needs properties, to be able to further support and alleviate the issues with Temporary Accommodation and homeless.
- Working with Procurement on approaches from Contractors regarding ongoing payments under PPN02-20.

5.4 Planning, Development and Regeneration – what we have done so far:

- The main priorities are to make sure that action is taken to help protect the economy in the current emergency together with continuation of work on the Local Plan and Hemel Garden Communities.

Development Management

- The service is fully digitised so staff working remotely. A small number of staff do attend the Forum to carry out printing of letters and site notices
- Arrangements for Development Management Committee are dealt with in the separate Constitution report
- Site visits have been suspended and applicants being asked to send in photos, 'video site visits' and to post site notices.
- Caseload initially unchanged but now dropping with trends being monitored

Enforcement

- Work continues remotely (although there was attendance at ensuring compliance at Bovingdon Market)
- Maintaining cover for serious breaches of planning control as per the Local Enforcement Plan

Land Charges

- Work continues remotely though demand falling
- Personal search workload to end of April

Building Control

- Now carried out on our behalf by Hertfordshire Building Control Ltd.
- Issues like dangerous structures also covered
- The approach to business at this time is fully on line with social distancing arrangements for site inspections.

Developer Contributions

- Work able to be carried out remotely.
- Community Infrastructure Levy (CIL) continues to be collected. The regulations on CIL are very inflexible.
- We are anticipating that some developers seek variations of the s106 requirements and will be working with Legal on any Deeds of Variation which may follow.

Business Support

- The team, working remotely, providing advice and signposting to businesses making contact.
- Information on website and regular communications with companies on our database to provide up to date information
- Working in conjunction with Hemel Hempstead Business Ambassadors and Chambers of Commerce.

Local Plan and Hemel Garden Communities

- Work continues on both of these critical areas. Report to Cabinet 21 April on the Local Development Scheme.
- Key studies progressing.

5.4 Planning, Development and Regeneration - what we are planning for:

Strategic Planning and Development

- There are likely to be enquiries coming in from developers about how to progress their development proposals as a result of the pandemic, and whether flexibilities can be offered. This is referred to below in relation to developer contributions. The service will shortly be putting in place rapid response arrangements which will be provided free of charge for general, and albeit limited advice.
- Other options being explored at the current time are whether to reduce fees for pre-application advice and Planning Performance Agreements (PPAs)
- The service is also investigating whether the use of Local Development Orders (LDOs) for certain geographical locations or development types would help promote investment and development as part of recovery measures.

6. Chief Executives Department

What we have done so far:

6.1 Performance, People and Innovation

- All officers and members were already equipped with the essentials to work remotely. ICT have increased technical resources assigned to remote working technology. A peak, to this point, of 485 computer users have been working remotely without issues around capacity. In addition to this the ICT team have accelerated the roll-out of Microsoft Teams for virtual meetings and deployed software phones to those users where provision of teleworker devices has been impossible.
- Customer Services Unit are all working from home to answer phone calls, response to emails and social media. Face to face appointments have been suspended at the Forum, Berkhamsted and Tring. Call waiting time are around the council's target, but we are experience significantly more contact via emails.

- Support services in the People group are all fully functioning with staff working from home.
- The communications team has set up a Covid-19 page in the website so that customers can see any service information and disruption. Advice and Guidance to customers has also been uploaded onto this page. Social media updates are also been posted to reflect any changes/updates on services. Staff / managers updates are regularly posted to ensure consistent messages and assist with business continuity, a specific email account for staff queries has recently been set up.
- Adventure Playgrounds have been temporarily closed to comply with social distancing and “lock-down” restrictions.
- HR has re-deployed some staff to support critical services, for example Adventure Playground staff to Housing.
- The Community Safety Lead Officer is DBC’s representative on the operation shield/sustain project. Information has been widely publicised on the Herts help volunteering scheme. Meetings are taking place with the Council’s voluntary sector partners to understand key issues and how the Council can support. Regular dialogue has been undertaken with the Food Bank to understand their needs.
- A delivery of food parcels was received by the Council on Tuesday and staff have worked with local voluntary and charitable sector partners and our Housing staff to identify the needs of the particularly vulnerable and have distributed the first batch of food parcels to:
 - the Hospice of St Francis who were unable to secure sufficient food supplies from suppliers for their in-patient need and also identified those exceptionally vulnerable patients within the community in need of food parcels.
 - Age UK who are operating “Open Door” in Berkhamsted cooking hot meals for vulnerable residents within the community. Age UK will also be visiting vulnerable residents across the Borough and distributing some of the food parcels over the Easter weekend.
 - Tenancy sustainment and Homelessness staff have also identified priority vulnerable tenants within our Council homes and Temporary Accommodation who have a priority need for food parcels in advance of receiving benefits.
- The Old Town Hall has suspended all shows and is now closed to the public. The team have been refunding customers.

6.2 What we are planning for:

- Plans are being developed for computer users to be able to drop off faulty and collect functioning equipment without needing to deal in person with a member of the ICT team. Roll-out of Microsoft Teams is currently being extended to all Members and ICT are investigating the addition of a dial-in facility.
- To support operation shield and sustain, once the role of district councils in this project is clearer.

6.3 Corporate and Contracted Services – What we have done so far:

- All the Legal, Licensing, Corporate Support and Procurement staff are working remotely except the print and post room team who are part remote and part in the office as they require the use of the corporate printers and scanners.
- The CCTV service continues to operate predominantly from the control centre at Cupid Green with some remote access for those self-isolating.
- Facilities management delivered via Interserve continue to manage the Forum building on reduced opening hours of 8am-5pm Monday-Friday for Council staff, councillors and for essential use by Forum tenants only.
- The Procurement and Legal teams are working with internal teams and directly with key Council contractors in relation to contracts they manage such as Everyone Active (Leisure), Saba (Parking enforcement) and Interserve (Facilities Management) to assess the impact of business closures and restrictions on movement in accordance with Procurement Policy Note 02/20 – Supplier Relief due to Covid-19.
- A Covid-19 support package has been agreed with Everyone Active and other claims are currently being assessed.
- Officers are working with Huber (Berkhamsted Multi-Storey Car Pak) to assess delays to the opening of the car park because UKPN (electricity provider) and Hertfordshire Highways contractor Ringway have instructed all their staff to cease project work until further notice. This has meant that work scheduled for April which is required to facilitate the completion of the project (power connections and mini-roundabout on Lower Kings Road) will have to be rescheduled as soon as they have clearance to commence work.
- Feasibility work for the Berkhamsted Leisure Centre project continues. The outcomes from the stakeholder consultation are being reviewed and options developed and costed for further consideration.

- Committee meetings have been cancelled to date in order to protect officers and councillors and proposals have been developed to ensure that Council decision making can continue and remote meetings take place where possible – see separate Constitution report for further detail.

6.4 What we are planning for:

- The Corporate and Contracted Service staff will continue to work with key Council contractors to ensure business continuity wherever possible and assess claims to support contractors where appropriate.
- The Corporate Support Team will continue to support the democratic decision making process and assist with remote meeting planning where appropriate.

7. Interim Decision Making Processes

Proposals to ensure that the democratic decision making process continues during the pandemic are set out in the separate Constitution report on this agenda.

8. Recommendations

That Council note the contents of this report.

Agenda Item 13

CALL-IN AND URGENCY PROCEDURE

Decisions taken as a matter of urgency under Rule 16 of the Overview and Scrutiny Procedure Rules must be reported to Council, together with the reasons for urgency. Rule 16 provides that the call-in procedure shall not apply where delay in implementing the decision is likely to harm the Council's or the public's interests.

PORTFOLIO HOLDER FOR FINANCE AND RESOURCES (PH/002/20) – 26 FEB 2020

BUSINESS RATES RETAIL AND PUBS DISCOUNT 2020-21

Urgency and Call-in

For the reason referred to in the report, the position is taken that the decision is an urgent one and is therefore no subject to call-in and Chairman of Finance and Resources OSC has confirmed that he is in agreement that this decision is reasonable in all circumstances and to its being as a matter of urgency.

Decision made and reasons:

Government has announced its intention to implement an enhanced business rates retail discount for 2020/21, and to introduce a further relief for pubs. This decision is to formally adopt the schemes for Dacorum businesses.

(1) To introduce a discretionary business rate relief for the year 2020/21 for occupied retail properties with a rateable value of less than £51,000, to be known as the Retail Discount scheme 2020/21.

- The value of the relief will be one half of the bill, applied after all other mandatory and discretionary reliefs except Pub Relief.
- This is an extension to the currently agreed retail discount scheme which has a value of one third of the bill.

(2) To introduce a discretionary business rate relief for the year 2020/21 for occupied pubs with a rateable value of less than £100,000, to be known as the Pub Relief scheme 2020/21.

- The value of the relief will be up to £1,000, applied to the balance of the bill after all other mandatory and discretionary reliefs have been applied.

Both reliefs will be awarded in line with the detailed guidance provided by the Ministry of Housing, Communities & Local Government. The awards are subject to state aid regulations.

The schemes were announced in a written ministerial statement by the Financial Secretary to the Treasury, and are designed to support small businesses during the next year, before the next business rates revaluation takes place. As it is only for a limited period of time the Government will not legislate for this change, and instead expects local authorities to use their discretionary powers under section 47 of the Local Government Finance Act 1988.

The Government will reimburse the full cost of the local share of awarding these reliefs.

Authority to make decisions of this type has been delegated to the Portfolio Holder (Finance & Resources) by cabinet decision CA/78/17.

COVID-19 SUPPORT FOR BUSINESSES

Urgency and Call-in

For the reason referred to in the report, the position is taken that the decision is an urgent one and is therefore no subject to call-in and Chairman of Finance and Resources OSC has confirmed that he is in agreement that this decision is reasonable in all circumstances and to its being as a matter of urgency.

Decision made and reasons:

As part of its response to the disruption caused by COVID-19, Government has announced several policies aimed at supporting businesses through this economically difficult period including;

- Implementation of a 12-month business rates holiday for businesses in the retail, leisure, hospitality sectors, and for childcare providers.
- £10k Grants for small businesses which receive small business rate relief or rural rate relief,
- £10k or £25k Grants for business premises in the retail, hospitality or leisure sectors.

This decision is to formally adopt these policies to support businesses in Dacorum.

Business rates holiday 2020/21

To introduce a discretionary business rate relief for the year 2020/21 for occupied properties that are wholly or mainly being used:

- as shops, restaurants, cafes, drinking establishments, cinemas or live music venues
- for assembly and leisure; or
- as hotels, guest & boarding premises and self-catering accommodation.
- for childcare provision

The relief will be known as the Business Rates Holiday 2020/21.

- The value of the relief will be the whole of the business rates bill.

The relief will be granted in line with detailed guidance issued by the Ministry of Housing, Communities & Local Government (MHCLG)

The relief was announced as part of the Government's response to disruption caused by COVID-19.

The awards are subject to state aid regulations, but the Government has advised that this is notified state aid under EU regulations and so is not subject to the de minimis regulations. This means that there are no limits linked to the rateable value of the property, nor to the number of properties throughout England on which a business can receive a business rates holiday.

As it is only for a limited period of time the Government will not legislate for this change, and instead expects local authorities to use their discretionary powers under section 47 of the Local Government Finance Act 1988.

Small Business Grants

- To award grants of £10,000 to those liable for business rates on 11 March 2020 who have small business rate relief or rural rate relief on their business rates bill.

Retail, Hospitality and Leisure Grants

- To award grants of £10,000 per property to those liable for business rates on 11 March 2020 where the rateable value is less than £15,000, and they would qualify for the business rates holiday as a retail, leisure or hospitality business.
- To award grants of £25,000 per property to those liable for business rates on 11 March 2020 where the rateable value is £15,000 or more but less than £51,000, and they would qualify for the business rates holiday as a retail, leisure or hospitality business.

The awards will be made in line with detailed guidance issued by the Department for Business, Energy & Industrial Strategy (BEIS).

The grants are subject to State Aid rules, with a maximum total award for any company of £680,000 across the whole of England.

Cost to the Council

The Government will provide DBC with a full reimbursement to cover the cost of these grant and relief allocations. The business rate holiday relief will equate to circa £20m or reduced costs to businesses and the business grants will equate to circa £28m of additional financial support to circa 2000 businesses across Dacorum.

DBC will also be provided with new burdens funding towards the cost of administering the schemes.

Authority to make decisions of this type has been delegated to the Portfolio Holder (Finance & Resources) by cabinet decision CA/78/17.