

CABINET AGENDA



TUESDAY 26 JANUARY 2016 AT 7.30 PM
DBC BULBOURNE ROOM - CIVIC CENTRE

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Membership

| | |
|--------------------------------------|---------------------|
| Councillor Williams (Leader) | Councillor Harden |
| Councillor Griffiths (Deputy Leader) | Councillor Marshall |
| Councillor Elliot | Councillor G Sutton |

For further information, please contact Michelle Anderson

AGENDA

1. MINUTES (Pages 3 - 17)

To confirm the minutes of the meeting held on 15 December 2015 (circulated separately to Cabinet members).

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. DECLARATIONS OF INTEREST

To receive any declarations of interest

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered -

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent

and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial

- (ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct for Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements and ask questions in accordance with the rules as to Public Participation.

5. REFERRALS TO CABINET

There were no referrals to Cabinet

6. CABINET FORWARD PLAN (Page 18)

7. AUTHORISATION OF VIREMENTS (Pages 19 - 22)

8. RISK MANAGEMENT (Pages 23 - 40)

9. EXCLUSION OF THE PUBLIC

To consider passing a resolution in the following terms:

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the items in Part 2 of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that, if members of the public were present during those items, there would be disclosure to them of exempt information relating to the financial and business affairs of the Council and third party companies/organisations.

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

10. THE FORUM - CATEGORY C (Pages 41 - 49)

MINUTES

CABINET

15 DECEMBER 2015

Present:

Members:

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

| | | |
|------------------|-------------------|--|
| Officers: | Sally Marshall | Chief Executive |
| | Mark Gaynor | Corporate Director - Housing & Regeneration |
| | James Deane | Corporate Director - Finance and Operations |
| | James Doe | Assistant Director - Planning and Regeneration |
| | Steven Baker | Assistant Director - Chief Executive's Unit |
| | Jim Doyle | Group Manager - Democratic Services |
| | Richard Baker | Group Manager - Financial Services |
| | Laura Wood | Strategic Planning & Regeneration Team Leader |
| | Francis Whittaker | Strategic Planning & Regeneration Officer |
| | Michelle Anderson | Corporate Support Team Leader - Democracy |

The meeting began at 7.30 pm

CA/112/15 MINUTES

The minutes of the meeting held on 24 November 2015 were agreed by the members present and signed by the Chairman

CA/113/15 APOLOGIES FOR ABSENCE

An apology was received on behalf of Councillor Harden.

CA/114/15 DECLARATIONS OF INTEREST

None received.

CA/115/15 PUBLIC PARTICIPATION

None received.

CA/116/15 REFERRALS TO CABINET

None received.

CA/117/15 CABINET FORWARD PLAN

That the Cabinet Forward Plan be noted, subject to the following amendments:

That the Asset Management Strategy and the Corporate Plan be added to the February agenda.

The Assistant Director for Planning & Regeneration would confirm what date the 'Hemel Hempstead Town Centre Parking Access and Movement Strategy' would be reported to committee.

CA/118/15 TREASURY MANAGEMENT MID-YEAR PERFORMANCE REPORT

Decision

That the half-year report on targets and performance, in Sections 4-7 of the Cabinet report be approved.

Reason for Decision

To provide Members with mid-year information on Treasury Management performance.

Implications

Financial

A summary of performance against the Council's budgeted investment income is included in Section 5 of the report.

Value for Money

The Council is required to invest surplus funds to ensure that it maximises the benefit of cash flows.

Risk Implications

Failures in the banking sector have increased the risk of investment being lost. A prudent approach to investment is required to minimise the risk to the Council of investment losses. Currently all DBC investments are in prime UK banks or in UK Government bodies; such as the DMO and other local authorities.

Community Impact Assessment

There are no community impact implications

Health And Safety Implications

There are no health and safety implications.

Corporate Objectives

Dacorum Delivers – Optimising investment income for General Fund and Housing Revenue budgets whilst managing investment risk is fundamental to achieving the corporate objectives.

Advice

The Portfolio Holder for Finance & Resources said the report is brought to Cabinet in accordance with CIPFA best practice guidelines, and provides Members with an update on the Council's current treasury position.

In terms of investment, interest rates remain low which has proved beneficial for the borrowing rates available to the Council, but has limited the return on the Council's investment. The current low rates are not expected to change materially until late 2016 at the earliest.

The market expectation is that the US Federal Reserve will start to increase rates shortly and usually the UK does follow this lead.

The prudential indicators within the report demonstrate that the Council's borrowing is sustainable and compliant with regulatory guidelines.

Consultation

Consultation took place with:

- Capita Asset Services

Voting

None.

CA/119/15 COUNCIL TAX BASE

Decision

1. That the Collection Fund surplus estimate of £392,423.62 as at 31 March 2016 be approved
2. That the calculation of the Council's tax base for the year 2016/17 incorporating an estimated collection rate of 99.4% be approved
3. That, in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amount calculated by the Council as its tax base for the year 2016/17 shall be 55,282.0 and its constituent elements shall be:

| Part of Area - Parished and Non Parished | 100% Tax base | 99.4% Tax base |
|---|----------------------|-----------------------|
| Hemel Hempstead | 29,099.8 | 28,925.2 |
| Aldbury | 456.7 | 454.0 |
| Berkhamsted | 8,328.8 | 8,278.8 |
| Bovingdon | 2,056.2 | 2,043.9 |
| Chipperfield | 846.2 | 841.1 |
| Flamstead | 617.1 | 613.4 |
| Flauden | 178.1 | 177.0 |
| Great Gaddesden | 439.7 | 437.1 |
| Kings Langley | 2,293.0 | 2,279.2 |
| Little Gaddesden | 640.9 | 637.1 |
| Markyate | 1,316.7 | 1,308.8 |
| Nash Mills | 1,040.1 | 1,033.9 |
| Nettleden with Potten End | 796.1 | 791.3 |
| Northchurch | 1,273.4 | 1,265.8 |
| Tring Rural | 617.7 | 614.0 |
| Tring Town | 4,941.0 | 4,911.4 |
| Wigginton | 674.0 | 670.0 |
| Total | 55,615.5 | 55,282.0 |

Reason for Decision

1. To agree the estimated Collection Fund surplus as at 31/03/2016
2. To determine the Council Tax Base for 2016/17

Implications

Financial

Providing details of the Collection Fund surplus estimated as at 31 March 2016 assists the Council and other precepting authorities in the setting of their Council Tax for 2016/17.

The recommended Council Tax Base shows a 644.3 increase on the previous year which is due to additional Band D equivalent dwellings in the Borough.

Legal

Cabinet has delegated authority to set the Council Tax Base by virtue of Section 67 Local Government Finance Act 1992 (as amended) and the resolution of Council dated 19 January 2005.

Value for money

Not applicable

Risk Implications

Not applicable

Corporate Objectives

Not applicable

Advice

The Portfolio Holder for Finance & Resources said the Council is required to formally set its tax base for the purpose of approving the Council Tax for Budget 2016/17.

There has been growth in the base of over 1% since 15/16, equating to around 650 Band D properties, which is the prime reason for the surplus on the Collection Fund. This growth has also resulted in an additional £850k of New Homes Bonus for next year.

Consultation
Not applicable

Voting

None.

CA/120/15 CONSIDERATION OF RESPONSES TO PRE-SUBMISSION FOCUSED CHANGES & SUBMISSION OF SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT

Decision

1. **RESOLVED TO RECOMMEND COUNCIL:**
 - a) that the changes set out in Table 4 of the Report of Representations are made to the Pre-Submission Site Allocations DPD as a result of representations received; and
 - b) that the Site Allocations DPD incorporating Focused Change, together with other appropriate supporting documents is submitted to the Planning Inspectorate.
2. That the issues arising from representations received to the Focused Changes to the Pre-Submission Site Allocations Development Plan Document (DPD) and the impact of new advice be noted.
3. That authority is delegated to the Portfolio Holder for Planning and Regeneration to approve any further minor wording changes to the Site Allocations document prior to consideration by Full Council.
4. That authority is delegated to the Assistant Director (Planning, Development and Regeneration) to:
 - (a) Finalise the Report of Representations and other Submission documents; and
 - (b) Agree any further minor changes arising during the course of the Examination.

Reason for Decision

To consider the significant new issues raised through representations on the Focused Changes to the Pre-Submission Site Allocations DPD; and Agree the process for submitting the Site Allocations DPD to the Planning Inspectorate.

Implications

Financial

Budget provision for the next stages of the statutory process i.e. Submission and Examination are made in the 2015/16 and 2016/17 LDF budget.

Having an up-to-date planning framework helps reduce the incidence of planning appeals (and hence costs associated with these). It will be the most effective way of ensuring the optimum level of developer contributions to infrastructure and in mitigation of development impacts can be achieved. This process will be further improved and simplified through the implementation of the Community Infrastructure Levy (CIL).

Value for money

Where possible, technical work that supports the Site Allocations has been jointly commissioned with adjoining authorities to ensure value for money.

Legal

Jameson and Hill have been retained to provide external legal support for the Site Allocations. The same advisers acted for the Council through the Core Strategy Examination process and subsequent (unsuccessful) legal challenge to this document. They will provide the Council with any advice required regarding the implication of new Government advice; assist with responding to key representations; advise on the production of any additional evidence and support Officers through the Examination process itself.

Staff

It is critical that the Strategic Planning and Regeneration team is fully staffed to enable the agreed LPF timetable to be delivered. A Programme Officer will need to be appointed by the Council to provide administrative support to the Inspector and act as a single, independent point of contact for all parties throughout the Examination process.

Land

The Site Allocations supports delivery of the Council's adopted Core Strategy which will play an important role in decisions regarding future land uses within the Borough. The Council has specific land ownership interest in two of the Local Allocations - LA1 (Marchmont Farm) and LA2 (Old Town).

Risk Implications

Key risks are identified in the Local Development Scheme and reviewed annually within the Annual Monitoring Report. They include failure of external agencies or consultants to deliver on time, changes in Government policy and team capacity. A separate risk assessment prepared for the Core Strategy Pre-Submission identifies a number of risks relating to the Examination process and particularly the soundness tests with which the Site Allocations must comply.

Equalities Implications

An Equality Impact Assessment has been carried out for the Core Strategy. Equalities issues are also picked up as part of the Sustainability Appraisal Report that accompanies the Site Allocations document.

Health And Safety Implications

Implications are included in the planning issues covered by the Core Strategy and Site Allocations DPDs.

Corporate Objectives

The Site Allocations forms part of the Council's Local Planning Framework, which as a whole helps support all 5 corporate objectives:

- Safe and clean environment: e.g. contains policies relating to the design and layout of new development that promote security and safe access;
- Community Capacity: e.g. provide a framework for local communities to prepare area-specific guidance such as Neighbourhood Plans, Town / Village Plans etc;
- Affordable housing: e.g. sets the Borough's overall housing target and the proportion of new homes that must be affordable;
- Dacorum delivers: e.g. provides a clear framework upon which planning decisions can be made; and

Regeneration: e.g. sets the planning framework for key regeneration projects, such as Hemel Hempstead town centre and the Maylands Business Park.

Advice

The Strategic Planning & Regeneration Team Leader gave the following introduction to the report

'The role of this report is to summarise the issues raised through representations on the limited 'Focused Changes consultation on the Council's Site Allocations' document, and to agree processes for submitting this Site Allocations DPD to the Planning Inspectorate for Examination. This submission requires the agreement of Full Council.

Subject to this agreement being achieved at the next Full Council in January, the Site Allocations would be submitted in early February, with the examination hearing sessions pencilled in for May 2016.

As Cabinet has previously been advised, the Site Allocations DPD is in effect the 'delivery' document or the adopted Core Strategy.

It is not an opportunity to re-open debates on issues that the Core Strategy covers – but to show how these policies and designations will be delivered on the ground.

It is a very important document in helping the Council to demonstrate that it has an up to- date plan, as required by Government and can also ensure delivery of the critical 5 year land supply.

To delay its submission and implementation therefore weakens the Council's ability to fend off speculative applications on sites it does not wish to see developed – especially those in the Green Belt.

Not unexpectedly, the most sensitive issue in the Site Allocations DPD relates to the inclusion of 3 Gypsy and Traveller sites within the largest of the six 'Local Allocations' – at LA1 (Marchmont Farm), LA3, (West Hemel), and at LA5, (Tring).

Members will also have received a letter from a local resident who is also a planning barrister regarding the LA5 site. I can respond to all his points in turn if you wish, but I have provided Councillor Sutton with a briefing note on this matter prior to the meeting and will ask him whether he wishes me to outline our response to the issues Mr Standen raises.

In summary, we do not feel that there is any need from either a technical or legal perspective to delay the Site Allocations submission until after the Housing and Planning Bill is enacted. The coverage of Gypsy and Traveller issues within this Bill is extremely limited and doesn't change the Council's obligations to assess the needs of this group or demonstrate through planning designations and policies how these needs will be met.

I would therefore ask members of Cabinet to agree the recommendations set out in the report and enable this important document to progress through the statutory process.'

Councillor Hicks spoke as a ward councillor for Tring West & Rural. He said that when he was elected he promised to oppose the gypsy and traveller site at every opportunity. He felt that the proposal process was wrong. He had not yet seen a detailed plan or an artist impression and how it would affect the gateway to Tring. He explained that they were trying to push Tring as a tourist attraction. He concluded that he believed the whole system to be flawed.

Councillor Conway, ward councillor for Tring West & Rural also wanted to see a plan. She felt that the junction at the entrance to the proposed site would be too dangerous. She wanted more information before a decision could be made as currently, in her opinion, the proposed site was in the wrong place.

The Leader of the council noted that this was not a planning meeting and the committee were making a decision on land use only and the level of detail the councillors were looking for would come later in the process.

The Assistant Director for Planning, Development & Regeneration explained that the intention had always been that the site would be included in the consultation document and that the design and detail would follow.

The Portfolio Holder for Planning & Regeneration noted that he was a member of the land allocation panel a few years ago as was a representative from Tring. All proposed gypsy and traveller sites had representatives on the panel too. He added that this report was to purely agree the settlement for the site and not detailed plans. He said that local residents would have an opportunity to make their views known, further down the line.

The Strategic Planning & Regeneration Team Leader said that all of the objections from councillors and local residents would be passed to the planning inspector. She predicted that a hearing would be held to examine the process and the council's decisions.

The Portfolio Holder for Environmental, Sustainability & Regulatory Services sought clarification on whether or not the powers of the Development Control Committee (DCC) would be limited if this site allocation plan is approved. She also asked what would happen if DCC refused a gypsy and traveller site application.

The Assistant Director for Planning, Development & Regeneration replied that the council's role would be strengthened by a decision at Cabinet and would allow a planned and controlled approach.

The Leader of the council added that the DCC would need to be mindful of this document when considering certain applications.

The Portfolio Holder for Environmental, Sustainability & Regulatory Services asked if DBC would have to find alternative sites if the DCC had overwhelming objections.

The Assistant Director for Planning, Development & Regeneration replied that there had already been extensive searches over the years for gypsy and traveller sites within the borough, therefore the council would be in a difficult position as no other sites had been identified.

The Portfolio Holder for Planning & Regeneration sympathised with the Tring West & Rural ward councillors and requested that they be provided with the background information from past discussions in order to bring them up to date.

The Strategic Planning & Regeneration Team Leader said that the council prepared a consultation document which was published on the website. She added that the minutes from the Task and Finish Group meetings could be circulated, which the Portfolio Holder for Planning and Regeneration agreed.

Councillor Conway asked what would happen if the government changed the policy.

The Assistant Director for Planning, Development & Regeneration said the council would need to look at the matter again; however they had sought appropriate legal advice.

Councillor Hicks noted that if the gypsy and traveller sites were removed from the plan he didn't think there would be a list of developers wanting to build these sites rather than houses.

The Leader of the Council replied that the council would not fulfil their responsibility within the plan if this were to happen.

The Portfolio Holder for Housing added that this decision would protect the council, for example some travellers had landings in Dacorum and this would stop them developing in other sites.

The Assistant Director for Planning, Development & Regeneration said that developers were not the issue but where the traveller community wished to settle was the issue.

The Leader of the Council said the provision for gypsy and traveller sites was always a challenging process. The government sets out that the council has to provide a site and the sites previously identified were thought to be the best sites.

He noted that the Core Strategy had already been approved and were currently approving subsequent proposals.

The Strategic Planning & Regeneration Team Leader noted that the council could not look at housing numbers etc. but further down the line there could be more discussion. She concluded to note that the planning inspector could not make the decision for the council but he could advise changes to be made. If this was the case there would be further consultation and report back to Full Council.

Consultation

Consultation on the Site Allocations DPD has been carried out in accordance with the Statement of Community Involvement (SCI), adopted by the Council in June 2006. The detail is set out within the Reports of Consultation that followed the 2006 and 2008 Issues and Options Consultations. A draft report of consultation for the period 2008 and 2014 has also been published.

Advice from key stakeholders, such as the Local Education Authority and Highway Authority, has been sought where appropriate. Feedback on the Council's Infrastructure Delivery Plan has also been significant in developing a clear understanding of local infrastructure needs. This advice is referred to within the relevant Background Issues paper that form part of the Site Allocations DPD evidence base. The Consultation Reports relating to the Core Strategy (Volumes 1-7) are also relevant.

In terms of internal processes, a Task and Finish Group advised on the preparation of the Site Allocations DPD, There have been reports to Cabinet at key stages in the preparation of the Local Planning Framework and the Planning and Regeneration Portfolio Holder has been kept apprised of progress.

SPEOSC also considered a progress report, which highlighted key emerging issues, on 27 January 2015.

Voting

None.

CA/121/15 LOCAL PLANNING FRAMEWORK AUTHORITY MONITORING REPORT AND LOCAL DEVELOPMENT SCHEME UPDATE

Decision

1. RESOLVED TO RECOMMEND COUNCIL:

- **The adoption of the new Local Development Scheme as set out in the report to Cabinet.**
2. That the headline results from the forthcoming Authority Monitoring Report 2014/15 with regard to housing, employment and retailing be noted;
 3. That progress on the Local Planning Framework be noted

Reason for Decision

To consider:

- the Authority Monitoring Report for 2014/15;
- progress on the Local Planning Framework; and

- recommend publication of a revised Local Development Scheme to Council.

Implications

Financial

Funding is provided from the LDF reserve. A budget has been agreed for 2015/16. The 2016/17 budget is currently being reviewed as part of the annual budget cycle.

Value for Money

Every effort has been made to secure external funding – most recently through the New Homes Bonus, to reduce the impact on the Council's budget. Where possible, evidence base work is undertaken jointly with other authorities to ensure cost is optimised (through economies of scale). Collaborative working with landowner consultants will continue to help extend the resources available to the Council and avoid the duplication of site specific technical information.

Risk Implications

A risk assessment has been carried out as part of the PID / CORVU monitoring process. The Local Development Scheme also contains its own risk assessment. The key concern is that the (new) development plan must be sound, and delivers what is needed expeditiously. Risk is reduced by ensuring processes and the evidence base is robust. Sufficient financial resources are essential to achieve that: this includes maintaining a team of appropriately skilled and qualified staff. Certain elements of the plan-making process have explicit statutory requirements such as consultation, publication, examination and presentation of the adopted Development Plan Document. The Authority Monitoring Report reviews the risks inherent in preparing the Local Planning Framework. Monitoring of development is a source of information which, properly used, can assist risk reduction – i.e. it checks whether progress and control of development has been successful and can indicate where change (in policy or process) may be beneficial.

Community Impact Assessment

An Equality Impact Assessment has been carried out for the Core Strategy. This is currently being converted and updated into a broader Community Impact Assessment. An independent Sustainability Appraisal Report which accompanies the Core Strategy also considers equalities issues separately. It concludes that the Core Strategy avoids any discrimination on the basis of disability, gender or ethnic minority.

Health And Safety Implications

None

Corporate Objectives

The Authority Monitoring Report looks at the effectiveness of current planning policies – for example the achievement of the overall housing target and protection of green space/wildlife sites – and progress towards planning policy review (i.e. targets set out in the Local Development Scheme). It therefore provides a good summary of how the Council's planning policies are supporting delivery of corporate objectives – especially those relating to affordable housing; safe and clean environment and regeneration.

As the policies within the Core Strategy and other planning documents are aimed at enabling growth, it also provides an indication of how the 'Dacorum Delivers' objective is being supported.

Advice

The Strategic Planning & Regeneration Officer said that the report was to seek member's views and to recommend to Council the adoption of the new Local Development Scheme as set out in the report to Cabinet. He added that a letter had been received earlier in the day from Savills who represented GUI. They had raised concerns around the timetable for the term ending 2017/18, which they had interpreted as being the end of December 2017. However the council had intended that this would actually end March 2018. The timetable fully reflected this position.

The Portfolio Holder for Environmental, Sustainability & Regulatory Services felt that it was appropriate to clarify the wording.

The Strategic Planning & Regeneration Team Leader said they could cross reference in the Local Development Scheme and explain the timetable would go to the end of the financial year 2017/18.

Consultation

Consultation took place with:

- Assistant Director Planning, Development and Regeneration.
- Group Manager, Strategic Planning and Regeneration.
- Corporate Management Team.

Voting

None.

CA/122/15 CONSIDERATION OF NEW STATEMENT OF COMMUNITY INVOLVEMENT TO GUIDE CONSULTATION ON PLANNING MATTERS

Decision

1. That the draft of a new Statement of Community Involvement (SCI) for consultation as set out in the report to Cabinet be approved;
2. That further technical information on consulting on planning applications is added to the SCI and that authority is delegated to the Assistant Director (Planning, Development and Regeneration)
3. That authority for the arrangements for targeted consultation is delegated to the Assistant Director (Planning, Development and Regeneration) on the basis as set out in the report to Cabinet.

Reason for Decision

That Cabinet consider a draft of a new Statement of Community Involvement (SCI) and agree arrangements for seeking feedback on this.

Implications

Financial

There are no direct financial implications relating to the preparation of a new SCI. However, there are implications for the consultation arrangements set out within it: and the need to balance public expectations regarding the types of consultation techniques with the costs involved.

Value for money

The SCI sets out the range of consultation techniques that will be used within the planning process and the need to ensure that these are fit for purpose and proportionate in terms of the scale and nature of the planning issue(s) involved.

Legal

The production on an SCI is a legal requirement. Compliance with an up to date SCI assist the Council in defending objections and appeals against its planning decisions. Conversely, failure to comply with the standards and processes set out within the SCI could result in legal action against the Council.

Staff

No direct implications for staffing. However, all staff and elected Members need to be aware of the content of the SCI and follow processes and procedures within it.

Land

No direct implications, although the planning documents and proposals that will be subject to consultation will have implications for the future use of land.

Risk Implications

Key challenges relating to consultation are set out within the SCI itself. Key risks relate to non-compliance with the SCI – resulting in legal challenges - and the need to balance public aspirations regarding consultation and involvement in planning decisions, with the limited budgets available.

Equalities implications

Equalities issues are considered through the Sustainability Appraisal process that all planning policy documents are subject to. The SCI itself also considers the most appropriate consultation techniques to reach different types of consultees. There may also be indirect implications for the SCI i.e. relating to the choice of venues for public consultation events and the need to ensure these are DDA complaint.

Health And Safety Implications

No direct implications. There may be indirect implications relating to different types of consultation techniques and the choice of event venues.

Corporate Objectives

The SCI sets out how the Council will consult on its planning policy document and on planning applications. It therefore directly supports the 'Community Capacity' and 'Dacorum Delivers,' and indirectly supports all other objectives via the plans and developments that arise through the planning process.

Advice

The Strategic Planning & Regeneration Team Leader gave the following introduction to the report.

'The Statement of Community Involvement, or SCI for short, is the document that the Council is required to produce, that sets out how we will consult on planning policy documents and planning applications.

Our current SCI was adopted in 2006 and so does not fully reflect changes that have occurred since then in terms of:

1. Government regulations
2. Changes in the Council's own processes and procedures
3. And the increased use of electronic communication, websites and social media.

This report therefore asks for Cabinet's approval to seek informal feedback on a new SCI. Whilst there is no Government requirement to gain such feedback.

Once this consultation has taken place, Cabinet and full Council would be asked to consider the responses received and any changes required to the document as a result, before adopting the new document and its requirements coming into effect.

It is very important that we have an up to date SCI to govern consultation on our new Local Plan, which begins next year and also to ensure we have a clear approach to seeking feedback on planning applications and other DM processes.

I would therefore ask Cabinet to agree the recommendations set out in this report.'

The Portfolio Holder for Housing said this was an excellent idea and asked what the estimated timescales were for completion.

The Strategic Planning & Regeneration Team Leader said they would like to consult in January 2016 and would allow 4-6 weeks for responses. The level of response would then impact on when the report returns to Cabinet, which was hoped to be in the spring.

The Portfolio Holder for Environmental, Sustainability & Regulatory Services asked what the definition was for a minimum major development.

The Assistant Director for Planning, Development & Regeneration said it was more than 10 dwellings.

The Portfolio Holder for Environmental, Sustainability & Regulatory Services explained that residents regularly complain as they are unaware of applications. She felt that neighbourhood notices should also include a site notice and this should be put in place for 10 dwellings and below.

The Assistant Director for Planning, Development & Regeneration noted the valid points raised and highlighted that arrangements for targeted consultation would be delegated to the Assistant Director (Planning, Development and Regeneration). He suggested that the council look into circumstances where these notices would be in use and a sensible judgement should be taken to allow those affected an opportunity to comment. He added that the neighbourhood notifications worked very well but they could look at using them in conjunction with site notices.

The Leader noted the points raised and suggested that the chart on page 403 of the agenda 'Statutory Publicity requirements for Planning and Heritage applications' be amended. A tick should be included for site notices for major developments and the title of the second column should read 'site notice and neighbour notification letter'.

The Assistant Director for Planning, Development & Regeneration recommended including a criteria in the document to provide sensible judgement/advice.

The Portfolio Holder for Planning & Regeneration concluded to note that this was a much needed review as the borough was not standing still and therefore needed a framework to base on for the future.

Consultation

The draft revised SCI has been discussed internally with the following teams:

- Communications
- Strategic Planning and Regeneration
- Development Management
- Legal

The intention of this report is to gain permission from Cabinet to extend this consultation to relevant external groups, including developers and agents, community groups and Town and Parish Councils.

Voting

None.

CA/123/15 COMMITTEE TIMETABLE 2016-2017

Decision

RESOLVED TO RECOMMEND COUNCIL:

The Committee Meeting Timetable for 2016/17 as set out in Annex A to the Cabinet report.

Reason for Decision

To seek approval of the Meeting Timetable for 2016/17.

Risk Implications

Approval of the Meeting Timetable enables Members and Officers to manage forward decision making planning.

Community Impact Assessment

Not applicable

Health And Safety Implications

None

Corporate Objectives

The various meetings of the Council, Cabinet and Committees support the achievement of the Council's Corporate Objectives.

Advice

None.

Consultation

Consultation took place with:

- The Leader of the Council
- Corporate Management Team.

Voting

None.

CA/124/15 EXCLUSION OF THE PUBLIC

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the item in Part 2 of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that, if members of the public were present during this item, there would be disclosure to them of exempt information relating to the financial and business affairs of the Council and third party

companies/organisations. (Minute CA/125/15)

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

CA/125/15 VARIATION OF SALE CONTRACT FOR STATIONERS PLACE, APSLEY, HEMEL HEMPSTEAD.

Full details in Part 2 minutes

The Meeting ended at 8.20 pm

CABINET FORWARD PLAN

| | DATE | MATTERS FOR CONSIDERATION | Decision Making Process | Reports to Monitoring Officer/S.151 Officer | CONTACT DETAILS | BACKGROUND INFORMATION |
|----|----------|--|-------------------------|---|---|---|
| 1. | 09/02/16 | Budget and Council Tax Setting | | 21/01/16 | James Deane, Corporate Director Finance and Operations 01442 228278 james.deane@dacorum.gov.uk | t.b.c |
| 2. | 09/02/16 | Senior Officer Pay Policy | | 21/01/16 | Steve Baker, Assistant Director Chief Executive's Unit, 01442 228229 Steve.baker@dacorum.gov.uk | To report on the outcome of the annual review of the Council's Senior Officer Pay Policy. |
| 3. | 09/02/16 | CCTV Code of Practice | | 21/01/16 | David Austin, Assistant Director Neighbourhood Delivery, 01442 228355 david.austin@dacorum.gov.uk | To approve the Code of Practice which sets out the principles that should apply to all surveillance camera systems in public places. |
| 4. | 09/02/16 | Asset Management Strategy | | 21/01/16 | David Skinner, Assistant Director – Finance & Resources, 01442 228662 david.skinner@dacorum.gov.uk | To provide an update to the overarching policy of how the Council manages its asset base to deliver policy objectives. |
| 5. | 09/02/16 | Corporate Plan | | 21/01/016 | Robert Smyth, Assistant Director Performance & Projects robert.smyth@dacorum.gov.uk | t.b.c |
| 6. | 22/03/16 | | | 03/03/16 | | |
| 7. | 26/04/16 | Hemel Hempstead Town Centre Parking Access and Movement Strategy | | 07/04/16 | James Doe, Assistant Director Planning, Development & Regeneration 01442 228583 James.doe@dacorum.gov.uk Chris Taylor, Group Manager Strategic Planning and Regeneration 01442 228405 chris.taylor@dacorum.gov.uk Nathalie Bateman, Strategic Planning & Regeneration Team Leader 01442 228592 nathalie.batemen@dacorum.gov.uk | To consider arrangements for taking forward the next stages of the parking access and movement strategy for Hemel Hempstead Town Centre |
| 8. | 26/04/16 | Risk Management Q4 | | 07/04/16 | James Deane, Corporate Director Finance and Operations 01442 228278 james.deane@dacorum.gov.uk | To review the updated Strategic Risk Register. |
| 9. | 24/05/16 | | | 05/05/16 | | |

| Future items: | Author | Date of Cabinet |
|-------------------------|---------|--|
| Risk Management Process | J Deane | April – Q4 |
| Performance Report | J Deane | Feb 2016 – Q3 May 2016 – Q4 Sept 2016 – Q1 |

Future Cabinet Dates: 2016: 28th June, 26th July, 20th September, 18th October, 29th November, 13th December



AGENDA ITEM: 7

SUMMARY

| | |
|-------------------------|------------------------|
| Report for: | Cabinet |
| Date of meeting: | 26 January 2016 |
| PART: | 1 |
| If Part II, reason: | |

| | |
|--|---|
| Title of report: | AUTHORISATION OF VIREMENTS |
| Contact: | Councillor G Elliott, Portfolio Holder for Finance and Resources David Skinner, Assistant Director (Finance & Resources) |
| Purpose of report: | To seek Cabinet approval to proposed virements. |
| Recommendations | That the virements as detailed on the attached Form A be approved. |
| Corporate objectives: | To standardise documentation and authorisation requirements for all virements. |
| Implications: 'Value For Money Implications' | <u>Financial</u> The Scheme of Virements is part of the Council's financial management as included within Financial Regulations. |
| Risk Implications | There are no risk implications. |
| Monitoring Officer / Deputy S.151 Officer Comments | Monitoring Officer: No comments to add to the report. Deputy S.151 Officer This is a section 151 Officer report. |
| Consultees: | None |
| Background papers: | Form A |

BACKGROUND

1. The Council is required to establish standard documentation and authorisation requirements for all virements.
2. Financial regulations determine the scheme of virement and its application. The regulations state that the scheme covers

“all transfers of budget, of any value and for any reason including for reason of organisational restructure”.

This will remain in force until such time as the regulations are reviewed. The regulations make clear that no virement can be carried out without the approval of the Corporate Director of Finance & Operations (or his/her nominated delegate), who will also be the final arbiter in any dispute. Additionally, the Director may override any authorisation and determine that approval is required by a higher level of authority.

Virement(s) requiring Cabinet authorisation

Virement for the purpose of moving budget to correct cost centre code

| Expenditure type | Service Area(s) | Submitted by | Date |
|------------------|-------------------|--------------|----------|
| Revenue | Strategic Housing | Jackie Doyle | 06/01/16 |

| Account Code | Cost Centre | Account code description | Cost Centre description | TO (DEBIT AMOUNT) £ | FROM (CREDIT AMOUNT) £ | REASON |
|--------------|-------------|---------------------------------------|-------------------------------|---------------------|------------------------|------------------------------------|
| 1010 | GE100 | Salaries | Homelessness & Housing Advice | | 36,000 | Move budget for grant funded post |
| 6500NFD | GE100 | Grant Receipts from Government Bodies | Homelessness & Housing Advice | 36,000 | | Move budget for homelessness grant |
| 1010 | GA100 | Salaries | Housing Enabling & Strategy | 36,000 | | Move budget for grant funded post |
| 6500NFD | GA100 | Grant Receipts from Government Bodies | Housing Enabling & Strategy | | 36,000 | Move budget for homelessness grant |
| Total | | | | 72,000 | 72,000 | |

Finance Use Only

| | Ref. no |
|------------------------|---------|
| Entered in register by | |
| on | |
| Entered on system by | |
| on | |



AGENDA ITEM: 8

SUMMARY

| | |
|-------------------------|------------------------|
| Report for: | Cabinet |
| Date of meeting: | 26 January 2016 |
| PART: | 1 |
| If Part II, reason: | |

| | |
|--------------------------------|--|
| Title of report: | Strategic Risk Register – Quarter 2 2015 |
| Contact: | Cllr Graeme Elliot, Portfolio Holder for Finance & Resources James Deane, Corporate Director (Finance & Operations) |
| Purpose of report: | To provide Cabinet with the quarterly update on the Strategic Risk Register. |
| Recommendations | It is recommended that Cabinet note the updates to the Strategic Risk Register as at the end of Quarter 3, 2015, and identify any amendments to existing risks or areas for further consideration by Officers. |
| Corporate objectives: | Corporate Governance |
| Implications: | <u>Financial</u> The effective management of strategic risks and opportunities reduces the time and associated costs of dealing with unforeseen events and increases the likelihood that the Council will be able to take advantage of opportunities to deliver its objectives as set out in the Corporate Plan and supporting strategies (e.g., medium-term financial strategy, asset management strategy). |
| 'Value For Money Implications' | <u>Value for Money</u> The effective management of strategic risks and opportunities is a key tool in ensuring that services are provided as effectively, efficiently and economically as possible. By anticipating and mitigating risk, costly short term urgent actions are avoided as far as possible in delivering services. Seeking out and taking advantage of opportunities that present themselves accelerates the pace of delivery of Corporate Plan objectives. |
| Risk Implications | Risk Assessments are included for each item on the proposed revised Strategic Risk & Opportunity Register. |

| | |
|---|--|
| Equalities Implications | N/A |
| Health And Safety Implications | Effective risk management supports the Council's Health & Safety policies. By giving careful thought to the risks inherent in projects and changes in the ways services are delivered, the health and safety of both service users and staff are better protected. |
| Monitoring Officer/S.151 Officer Comments | Monitoring Officer: No further comments to add. S.151 Officer No further comments to add. |
| Consultees: | Cabinet Leader of the Opposition Chief Officer Group Linda Dargue, Insurance & Risk Manager Mazars (the Council's Internal Auditors) |
| Background papers: | <i>Revised Strategic Risk and Opportunity Register</i> , Cabinet, October 2015 |

Background

1. The Strategic Risk Register for Quarter 3 2016 is attached, as Appendix A, for Cabinet review.
2. All risks are reviewed by their owners on a quarterly basis, and updated comments included within the 'Sign Off' section of the attached report.
3. Where appropriate, risk ratings will be amended to reflect changes in probability or impact. Any risks for which the rating has been changed since the last quarter will be highlighted to Members within the covering report.
4. There are no changes to any of the risk ratings since the Quarter 2 report to Cabinet.

STRATEGIC RISK REGISTER

December 2015



C5 - The Council fails to comply with the regulatory framework within which it must operate.

| | | | | | |
|---|--|--|--|---|----------------------------|
| Category: Legal & Regulatory | Corporate Priority: Dacorum Delivers | Risk Owner: James Deane | Portfolio Holder: Cllr Graeme Elliot | Tolerance: Treating | |
| Inherent Probability | Inherent Impact | Inherent Risk Score | Residual Probability | Residual Impact | Residual Risk Score |
| 4 Very Likely | 4 Severe | 16 Red | 2 Unlikely | 2 Medium | 4 Green |
| Consequences | | Current Controls | | Assurance | |
| <p>As a public sector organisation, there a number of regulatory frameworks which govern the way in which the Council must operate both on a day-to-day basis and in the discharging of one-off duties or actions.</p> <p>Generally, compliance with these frameworks is considered an operational risk and is monitored and managed through a combination of the Operational Risk Register and Performance Indicators which are reported to the relevant Overview and Scrutiny Committees.</p> <p>However, there is a risk that in some circumstances failure to comply with regulations could result in a number of consequences for the Council that are sufficiently negative and high profile in nature to become, for a short time, strategic in nature.</p> <p>For example, failure to follow the correct protocols prescribed under the data protection legislation could result in the following consequences for the Council:</p> | | <p>The Council has a number of strategies and policies in place which aim to provide clarity in the way Council Members and staff should operate.</p> <p>These documents are reviewed and updated periodically by Officers who are experts in the field and are frequently the subject of Internal Audit reviews in order to provide Members with independent, third-party assurance.</p> <p>These processes mitigate the likelihood of this risk crystallising and have resulted in my reducing the inherent risk score from '4', Very Likely, to '2', Unlikely.</p> <p>Data Protection policy & procedures Health & Safety policy & procedures Risk Management framework Safeguarding policy & procedures Financial Regulations Procurement Standing Orders Constitution</p> | | <p>The Financial Regulations (Main Accounting) and Emergency Plan were audited by Mazars, the Council's Internal Auditors in 2014/15 and achieved a FULL level of assurance.</p> <p>The Risk Management framework and Procurement Standing Orders were audited in 2014/15 and achieved a SUBSTANTIAL level of assurance.</p> <p>Data Protection, Health and Safety, the Constitution (Corporate Governance) and the Financial Regulations (Main Accounting) are in the Internal Audit plan for review in 2015/16.</p> | |

STRATEGIC RISK REGISTER

December 2015



1. Disclosure of personal information causing harm to a resident
 2. High profile negative publicity regarding the way the Council operates
 3. Significant financial penalty imposed by the Information Commissioner

This risk has been included on the Strategic Risk Register to ensure that there is scope to escalate an operational risk for Cabinet consideration and Audit Committee scrutiny should there be a period of intensified risk in a specific regulatory area.

Emergency Plan
 Human Resources terms & conditions

Sign Off and Comments

Sign Off Complete

As at the end of Quarter 3, there is no update to the probability or impact of this risk.

C6 - The Council does not attract and retain the skill sets within its workforce that will enable it to maximise opportunities for delivering its services more efficiently through increased partnership working.

| | | | | | |
|---|--|--|--|--|----------------------------|
| Category: People/Employees | Corporate Priority: Dacorum Delivers | Risk Owner: Steve Baker | Portfolio Holder: Cllr Neil Harden | Tolerance: Treating | |
| Inherent Probability | Inherent Impact | Inherent Risk Score | Residual Probability | Residual Impact | Residual Risk Score |
| 4 Very Likely | 4 Severe | 16 Red | 2 Unlikely | 4 Severe | 8 Amber |
| Consequences | | Current Controls | | Assurance | |
| <ul style="list-style-type: none"> The quality of service delivery is likely to be adversely affected due to a lack of resources and/or skills to effectively deliver services through increased | | <ul style="list-style-type: none"> A core management competencies training programme ('Leading in Dacorum') is about to be launched which will equip managers with a variety of | | <ul style="list-style-type: none"> The Council's current employee turnover is around 9%, which is considered to be a healthy turnover and compares well against an average turnover in the public | |

STRATEGIC RISK REGISTER

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partnership working.

- There is likely to be a reduction in efficiency savings due to inability to create more effective partnerships.
- There is also likely to be a negative impact on any proposals for devolved powers.
- A failure to create more examples of effective partnership working will result in a higher likelihood of back office and front line services being reduced as the financial constraints on the Council's budget continue to tighten.

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skills. The programme, which will run continuously throughout the year, consists of 9 individual courses - Briefing with Impact (starting on 26/01/16)
People Management (starting on 04/02/16)
Effective Promotional Report Writing (starting on 25/02/16)
Producing an Effective Business Case (starting on 29/02/16)
Developing Commercial Awareness (starting on 02/03/16)
Understanding Strategic Thinking (starting on 16/03/16)
Governance/Constitution & Council Decision Making Process (starting on 12/04/16)
Process Re-engineering (starting on 19/04/16)
Finance & Budgeting (starting on 05/07/16). Some of the above dates are provisional and may change before the programme is launched. This control will reduce the risk because managers will be more aware of the importance of exploring the opportunities for increased partnership working.

- All leadership appointments are subject to behaviour tests which will assist with assessing their understanding and approach to partnership working. This control will reduce the risk as it will ensure that candidates who are appointed to leadership positions within the Council will have demonstrated that they display a positive approach to partnership working.

sector of approximately 18% (from CIPD figures).

- Opportunities for collaboration and shared services are being actively considered across Hertfordshire in relation to Legal, HR, Information Management, Insurance and Payroll Services.
- Recruitment for leadership posts is generally competitive with a good number of applications being received from suitably qualified candidates for vacant posts. Only one leadership post has had to be re-advertised in the last two years.

STRATEGIC RISK REGISTER

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| | | |
|---------|---|--|
| Page 28 | <ul style="list-style-type: none"> • A new workforce strategy for the period 2016 to 2020 is to be developed to ensure the Council has the right people with the right skills in place during this period. This control will reduce the risk because it will ensure that the Council has an up to date strategy for identifying what skills are required and how the Council will recruit people with those skills. • The new approach for service planning for 2016/2017 focusses heavily on service innovation, service efficiencies and workforce planning. This will feed through in to individual objectives as part of the appraisal programme for employees which is supported by specific training development plans to help employees achieve their objectives. This control will reduce the risk because it will ensure that the need to explore service efficiencies through partnership working is cascaded down from the leadership team to individual team members. | |
|---------|---|--|

Sign Off and Comments

Sign Off Complete

In accordance with the Audit Committee's request, specific details of the forthcoming 'Leading in Dacorum' training programme have been included as far as they are known. Some of the dates are still to be confirmed.

C7 - Controls do not develop at a sufficient pace to keep track with the continually emerging data protection risks

| | | | | |
|-------------------------------|--|--------------------------------------|--|-------------------------------|
| Category: Corporate | Corporate Priority: Dacorum Delivers | Risk Owner: Sally Marshall | Portfolio Holder: Cllr Neil Harden | Tolerance: Treating |
| Inherent Probability | Inherent Impact | Inherent Risk Score | Residual Probability | Residual Impact |
| Residual Risk Score | | | | |

STRATEGIC RISK REGISTER

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| 3 Likely | 4 Severe | 12 Red | 2 Unlikely | 3 High | 6 Amber |
|--|-------------|--|---------------|--|------------|
| Consequences | | Current Controls | | Assurance | |
| <p>Cause of Risk - The Council is reliant on vast amounts of good quality data and information to determine sound decisions and plans, conduct operations and deliver services.</p> <p>It is also required by the Data Protection Act and Government's Public Sector Network (PSN) Code of Connection (CoCo) to maintain confidentiality, integrity, availability and appropriately authorised use of the data.</p> <p>With the Government's 'Open' agenda, increased flexible working patterns of staff, and increased partnership working and use of multiple information storage sources, controls on data management and security have become complex and important.</p> <p>Consequences of Risk –</p> <ol style="list-style-type: none"> Poor decision making due to ineffective use of or insufficient availability of data and information sharing. Loss, misrepresentation or unauthorised disclosure of sensitive data, DBC has the potential to be susceptible to cyber-attacks or sabotage. Under performance. Breach of Data Protection Act leading to legal actions, fines, adverse publicity, and additional remedial and data protection costs. Significant interruption of vital services leading to | | <p>Information Security Officer appointed -responsibilities include:</p> <ul style="list-style-type: none"> the Council's Corporate Information Assurance specialist the custodian, owner and updater of ICT Security and Information Governance strategy, policy and procedure ensuring that the Council complies with the latest legislation in terms of ICT Security standards and compliance. To ensure that the Council's policies and procedures regarding ICT Security and Information governance are adhered to across all the Council's services. To keep informed of relevant technical innovation and changes to technological, infrastructure, telecom and software systems in relation to Information Security. To be the custodian and owner of Information Security and Governance Standards. To manage Information Security and Governance strategies and to support the Council in the future development of Information Security, Governance and Business Continuity. To train Council Staff, Members on Information Security, Data Protection Act and Freedom of Information Acts. <p>Compulsory training for staff on Data Security</p> | | <ul style="list-style-type: none"> Information Security Officer appointed Various ICT policies and procedures in place Compulsory training for staff on Data Security | |

STRATEGIC RISK REGISTER

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failure to meet duties and to protect people, finances and assets.
5. Potential damage to DBC's reputation.

Sign Off and Comments

Sign Off Complete

In November we were received our PSN compliance - which demonstrates that our processes and network & security controls are compliant with the requirements of the Cabinet Office. We have also provided updated training on information security, data protection and FOI to Members and staff. As part of the move to the Forum we are also developing a series of plans to ensure that we properly manage the movement and disposal of any physical information. It is also worth highlighting that in Q4 there will be an internal audit on our approach to data security.

Changes to legislation could negatively affect the medium to long term viability of the HRA Business Plan.

| | | | | | |
|---|--|--|---|---|----------------------------|
| Category: Financial | Corporate Priority: Affordable Housing | Risk Owner: Mark Gaynor | Portfolio Holder: Cllr Margaret Griffiths | Tolerance: Treating | |
| Inherent Probability | Inherent Impact | Inherent Risk Score | Residual Probability | Residual Impact | Residual Risk Score |
| 4 Very Likely | 4 Severe | 16 Red | 4 Very Likely | 3 High | 12 Red |
| Consequences | | Current Controls | | Assurance | |
| <p>Since the 'once and for all' settlement with government on the self financing of the HRA there have been major legislative and policy changes which, overall, have impacted detrimentally on the HRA Business Plan:</p> <ul style="list-style-type: none"> • The re-invigoration of the RTB which has increased sales from around 15-20 per year to well over 100 • The parallel introduction of the RTB 'one for one' replacement scheme where the Council can use receipts to build new homes but only to pay for 30% of costs (leaving the other 70% to be sourced) | | <p>Elements of the changes are yet to apply (the rent changes start from April 2016) and the current controls – proper business planning, the disciplines of the MTFS, project and programme management arrangements, effective contract management, annual efficiency programmes and so on – reflect on the existing position and could provide sufficient mitigation to the long term business plan. The controls proposed for the new changes – if the proposed legislation is enacted – will only mitigate the impact to an extent as the scale of</p> | | <p>A remodelling of the HRA Business Plan has been made to take account of the impact of the changes which will be considered by Cabinet (initially in November 2015 and periodically thereafter). This has demonstrated that the current new build programme can be completed. The ability to extend this further will depend on the success of the mitigations above.</p> | |

STRATEGIC RISK REGISTER

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• A change to national rent policy which moved from RPI + 0.5% to CPI + 1% and ending the process of reaching target rents (leaving 60% of DBC properties below target)

The government now propose two further changes which, if enacted, will further constrain the capacity of the HRA Business Plan viability:

• A rent reduction of 1% per year for four years and a complete inability to make any progress towards convergence to target rents (a reduction of income of £30M over the first four years and over £500M over the lifetime of the HRA Business Plan)

• Enforced sales of 'high value' council homes as they become vacant to fund Housing Association RTB
The first of these changes is already in draft legislation and the assumption must be that it will happen. The consequences are very significant, and even with mitigation will continue to be so:

The financial viability of the HRA to meet its current business plan objectives in full cannot be made due to loss of income and economies of scale as stock numbers diminish.

Services to tenants will have to reduce, including proposed investment in the existing stock, to deal with the scale of resource reduction.

The new build programme at its proposed scale will have to reduce, and possibly cease, in order to provide services to tenants and balance the books.

That resources provided through RTB one for one replacement will be unused and lost to the Borough as it

change, compounded with previous changes, are so significant. The controls are as follows:

A complete review of the HRA Business Plan to spread the impacts over activities and over time. Initially, in order to deliver the current new build programme, this will be focused on a slowing down of the investment into current stock.

Reducing the costs of running the service through efficiency and service redesign (in partnership with tenants and leaseholders).

Improved procurement of services and renegotiation of existing contracts (though these have been procured within the last year or so and will restrict potential). This would include seeking shared services with other partners and models of operation which reduce the overheads of the HRA.

Maximising the income to the HRA by altering use of parts of the stock (increased use of HRA stock for temporary accommodation and provision of low level care as part of a tenancy where rent controls do not apply).

Altering the tenure mix of the current new build programme to include shared ownership and market sale in order to cross subsidise new rented provision. This could incorporate an element of affordable rent to increase revenue.

Development of a partnership approach to use of RTB one for one replacement funding with local Housing Associations in order to minimise losses of resource to the Borough and to increase supply of new homes.

STRATEGIC RISK REGISTER

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is returned to the Treasury as a result of the Council's inability to provide the 70% match funding and as Housing Associations reduce their supply of new affordable homes (as a result of the same legislative changes impacting on the Council).
The Council's housing stock will progressively reduce through RTB, enforced sales and reduction in new build which will reduce its ability to meet the housing needs in the Borough and achieving the strategic objective of increasing the supply of affordable homes.

Fully exploring the potential of a Local Housing Company to improve the cost of delivery of new homes alongside the benefits to the General Fund.

Lobbying of government regarding the disproportionately severe impacts of the changes, though historical reasons, on DBC seeking some local amelioration.

Ensuring that our intelligence on the changing position and on developments within the sector are fully up to date through membership of ARCH, liaison with CIH and other key bodies.

The following controls are in place already with regard to the financial and strategic management of the HRA Business Plan:

- An annual refresh of the HRA Business Plan reported both to CMT and to Cabinet
- Monthly meeting between budget holders and accountants monitoring progress against original timeframes and costs
- Regular meetings of the Corporate New Build Group considering performance and new schemes
- CMT receive a fortnightly update on the new build programme
- Performance Board comprising Chief Officers and cabinet members receive a report on progress before each cabinet meeting
- Reports on HRA performance go the Overview and Scrutiny every quarter
- The HRA is reported as part of the overall corporate financial reporting process

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STRATEGIC RISK REGISTER

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Sign Off and Comments

Sign Off Complete

Cabinet has approved the updated Housing Revenue acciunt Business Plan to take account of the changes. The passage of the two Bills that impact on the HRA through Parliament is being monitored, together with any further infomation that becomes available.

F7 - Funding and income is not sufficient to deliver the Council's corporate objectives

| | | | | | |
|---|--|--|--|---|----------------------------|
| Category: Financial | Corporate Priority: Dacorum Delivers | Risk Owner: James Deane | Portfolio Holder: Cllr Graeme Elliot | Tolerance: Treating | |
| Inherent Probability | Inherent Impact | Inherent Risk Score | Residual Probability | Residual Impact | Residual Risk Score |
| 4 Very Likely | 4 Severe | 16 Red | 3 Likely | 3 High | 9 Amber |
| Consequences | | Current Controls | | Assurance | |
| <p>The government's austerity programme has led to reduced Local Authority funding over the last five years, resulting in the Council's need to find savings of £5m since 2010/11. Further funding reductions in excess of £3m are forecast over the next four years, which increase the risk of the Council being unable to deliver its vision for the borough, as detailed in the Corporate Plan. (http://www.dacorum.gov.uk/docs/default-source/council-democracy/dacorum_corporateplan_web.pdf?sfvrsn=2)</p> <p>Sustained funding reductions of this magnitude are not only a risk to the Council's capacity to grow and enhance the community, but more fundamentally they are a risk</p> | | <p>The Council's Medium Term Financial Strategy and the HRA Business Plan are controls that mitigate the likelihood of this risk crystallising through the effective modelling of the future financial environment, which allows for more effective forward planning. These controls are detailed below, and have resulted in my reducing the inherent risk score from '4', Very Likely, to '3', 'Likely'.</p> <p>The Council's Medium Term Financial Strategy (MTFS) details the financial implications of the Corporate Plan over a five-year period. It ensures that the Council is able to forecast likely income pressures in the medium-term, and optimise the balance between its financial resources and the delivery of its priorities. The MTFS is</p> | | <p>There were three internal audit reviews undertaken by Mazars during 2014/15, which provide an external view of the effectiveness of the controls implemented by the Council to manage the financial risks to delivering its priorities.</p> <p>The audits on 'Efficiency Savings' and 'Main Accounting' received a Full level of assurance (the highest available), and the audit on 'Budgetary Control' received a Substantial level of assurance (the second highest available).</p> <p>These internal audit opinions provide assurance that the Council is effectively controlling the processes that will enable it to derive value for money from its available</p> | |

STRATEGIC RISK REGISTER

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to the continued provision of high quality frontline services to residents.

If the Council is unable to deliver its vision or to protect its frontline service provision, it risks the following consequences:

Increased community hardship as the services provided to the most vulnerable residents in the borough are impacted, leading to delays in their accessing financial and residential help.

The impact of reducing standards of environmental services across the borough could lead to a less attractive environment and a loss of community identity and civic pride for residents.

Reputational damage as residents become dissatisfied with their experience of interacting with the Council. This risk is exacerbated by the growth of social media and the ability of residents to share their experiences with large numbers of people instantaneously.

reviewed at least annually and is approved by Full Council, thereby providing the opportunity for Members to make informed amendments to the Corporate Plan on the basis of likely funding constraints. The current version is accessible via the following link:

<http://www.dacorum.gov.uk/docs/default-source/council-democracy/mtfs-july-cabinet-2015.pdf?sfvrsn=0>

The Council's Housing Revenue Account (HRA) Business Plan maps planned income and expenditure over a thirty-year period. Government legislation that can affect the Council's delivery of social housing is incorporated within the plan and forms the basis for informed strategic decision-making.

The Council's reviewing of its Corporate Plan together with its Communications Strategy mitigate the impact of this risk, should it occur, by keeping residents informed of the pressures faced by the Council, and consequently by managing aspiration and expectation (detail below). On this basis, I have reduced the Impact score from '4', Severe, to '3', 'High.

The Council reviews its Corporate Plan periodically to ensure that the vision for the borough remains relevant and realistic within the financial constraints outlined within the MTFS and the HRA plan. The aspirations of the Council and the

resources, and therefore to maximise the opportunity for delivering its corporate objectives.

STRATEGIC RISK REGISTER

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community are managed through the Council's Communications Strategy both through social media, the local press and Digest.

Sign Off and Comments

Sign Off Complete

The Local Government Finance Settlement delivered by Central Government in December 2015, indicated that the level of grant funding for the Council will be reduced more quickly than is reflected in the currently approved Medium Term Financial Strategy. The Council's savings target for 2016/17 has increased by around £500k, with an additional £2m of savings to be found over the life of the MTFs (up to £5.1m).

The Council was expecting the savings targets to be higher than those within the most recently approved MTFs, and Budget Review Group had already approved a savings roadmap for officers to begin work on identifying £5m of savings over the next three years. This roadmap was a key element for the officer element of the budget-setting exercise for 2016/17.

On the basis that the Settlement does not change the practical savings targets on which officers are already working, I have not increased the rating on this risk.

As part of the 2016 Finance Settlement, Councils have been given the option to accept an indicative four year funding deal which would provide funding certainty over the period. At the time of writing the details of the 4-year deal are not available. Members will be consulted at the point a decision is required.

13 - The Borough does not secure sufficient investment in infrastructure to ensure that housing delivery and economic and community growth is sustainable in the longer term.

| | | | | | |
|------------------------------------|--|-----------------------------------|--|-------------------------------|----------------------------|
| Category: Infrastructure | Corporate Priority: Affordable Housing | Risk Owner: Mark Gaynor | Portfolio Holder: Cllr Graham Sutton | Tolerance: Treating | |
| Inherent Probability | Inherent Impact | Inherent Risk Score | Residual Probability | Residual Impact | Residual Risk Score |
| 4 Very Likely | 4 Severe | 16 Red | 3 Likely | 3 High | 9 Amber |
| Consequences | | Current Controls | | Assurance | |

STRATEGIC RISK REGISTER

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The provision of infrastructure such as schools, health, transport and other facilities is crucial to sustainability of the local community and economy. Its funding, however, is increasingly complex and difficult as central government moves away from direct provision and expects the development process and local partnerships to deliver it. Failure to provide this infrastructure will have a number of damaging consequences:

A reduction in the quality of life and opportunities for people in the Borough

A serious constraint to economic growth with the impact on the contribution to service provision through Business Rates growth

Increased community opposition to new developments, particularly housing, on the grounds that existing infrastructure will not cope

Damage to the image of the area, worsening of community pride and social cohesion and reputational damage to the Council

Infrastructure is provided through the development process (s106 and Community Infrastructure Levy) and elements of funding which comes from central government (increasingly through the LEP, bidding and HCC). The responsibility for some infrastructure elements is through privatised arrangements (utilities) or arms-length government agencies such as Network Rail. The ability of the Council to control these processes is limited.

The Council is able to promote the quantum, nature and timing of growth making it more likely that the infrastructure will be delivered. It is also able to promote partnerships and use its asset base and influence to stimulate desired development. Current controls include:

Ensuring that the Local Plan (and its component elements such as the Core Strategy, site allocations, supporting policies and so on) is up to date and sets out very clearly the requirements of proposed development. This promotes sustainable development by design, access and movement, materials. Use of masterplanning supports what is required to be delivered to produce sustainability on larger sites. The approved Council's Community Infrastructure Levy Policy and schedule (CIL) provides for the levels of contributions that must be made by developers and the purpose for which they will be spent. This also includes an element of CIL which can be spent by local communities and act to link growth directly with infrastructure provision local people want.

The process for setting out development delivered is through the Annual Monitoring Report. The agreed process for CIL will see an annual report setting out income due, achieved and expenditure made on agreed infrastructure.

Regular reports are made as set out above in controls.

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Operating a 'open for business' approach to how the Council deals with potential development with a presumption of making acceptable development easier to deliver by proactive advice through the planning process. Allied to this is ensuring that the development management service is capable of achieving decision making within required time limits.

Stimulating required growth through the Council's own regeneration activity, including Hemel Evolution, Gade Zone and Heart of Maylands resulting in inward investment being more likely.

Increasing inward investment through initiatives such as Dacorum Look no Further, Ambassadors, direct provision of business advice and a supportive approach to new development.

Good market intelligence through regular liaison with local employers, landowners, developers, institutional investors and land agents regarding demand and expected assistance.

Partnership with the LEP as the main route for additional funding for infrastructure through influencing the Strategic Growth Plan (in which Hemel Hempstead and the M1 corridor is a priority) and bidding for resources for infrastructure (such as the £5M achieved for West Herts College)

Working to create key partnerships to bring forward development capable of funding major infrastructure (such as Gorhambury)

These controls are exercised within the following:

- Monthly reporting to Hemel Evolution Board and

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| | Corporate Regeneration Group <ul style="list-style-type: none"> • Fortnightly reporting on key projects to CMT • Reporting to Performance Board before each Cabinet Meeting • A clear programme for the Local Development Framework and CIL • Quarterly reporting to Overview and Scrutiny • Regular reporting to Cabinet • Adherence to the agreed performance and project management processes | |
| Sign Off and Comments | | |
| Sign Off Complete The Government has recently issued a consultation paper on the operation of CIL and it is intended to respond via the Portfolio Holder. | | |

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|--|--|---|--------------------------------------|---|-------------------------------|
| R5 - The Council does not embrace the increased use of social media as a tool for social engagement and increased community engagement. | | | | | |
| Category: Reputational | Corporate Priority: Dacorum Delivers | | Risk Owner: Sally Marshall | Portfolio Holder: Cllr Neil Harden | Tolerance: Treating |
| Inherent Probability | Inherent Impact | Inherent Risk Score | Residual Probability | Residual Impact | Residual Risk Score |
| 3 Likely | 3 High | 9 Amber | 2 Unlikely | 3 High | 6 Amber |
| Consequences | | Current Controls | | Assurance | |
| The risk of not using social media - This will mean that our approach to engagement (i.e. letters, workshops, printed magazines) is likely to exclude key demographic groups including younger residents and those who are more technologically | | In order to mitigate these risks we have put in place a number of controls: The risk of not using social media - Our social media strategy sets out how we will | | o Corporate Information Security Management Policy o Corporate Information Technology Security Policy o Data Protection Act Policy o Freedom of Information Policy o PSN/Government Connect (GSx) Acceptable Usage Policy | |

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| <p>minded.</p> <ul style="list-style-type: none"> - We will not be able to respond to negative posts or views which could cause significant reputational damage or risk. - We will have less opportunity to influence Government and media through the use of targeted campaigns and communications. - The organisation may not be viewed as 'technologically forward thinking' which could lead to reputational risks. This includes more difficulty in attracting hi-tech investment or exclusion from innovation pilots. <p>Managing the risk of social media</p> <ul style="list-style-type: none"> - Members of the public can use DBC's profile to raise negative or incorrect statements that damage the reputation of DBC. - Employees may breach data security rules regarding the management of private or confidential information. - Inappropriate or unacceptable content posted by employees - Our social media accounts are 'identity jacked' which occurs when fake accounts are set up to look like those of DBC. This is a risk because the fake accounts can post | <p>proactively engage with residents through Twitter, Facebook, Linked In, Instagram and using online videos.</p> <ul style="list-style-type: none"> - We have 13 social media accounts covering corporate and operational services including from the CSU. - We regularly use social media to actively promote campaigns, events and messages. - We interact with partners and other third parties (eg HCC) to promote joint initiatives via social media - We generate reports and analysis on scale and content of Facebook and Twitter posts. <p>Managing the risk of social media</p> <ul style="list-style-type: none"> - We employ the Crowd Control system to enable the Communications team to manage and authorise services posts and tweets. - The Crowd Control system also enables the Communications team to monitor and respond to any negative posts. - Our system provides automatic moderation of abusive messages. - We provide in-house training for all staff posting on DBC social media accounts. | <ul style="list-style-type: none"> o Information Security Incident Procedure o Social Media Strategy o Facebook and Twitter accounts o Social Media Management System |
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incorrect or inappropriate information which is then associated with DBC.

- Weak authentication in the use of social media accounts can lead to them being hacked. The hacked accounts are then used to post inappropriate, derogatory or libellous comments.

- The use of social media can make it easier for 'pressure groups' to generate support behind negative campaigns.

- We use a subscription service that manages and secures accounts.

- All staff are required to read and sign-up to a range of policies including:

- Corporate Information Security Management Policy
- Corporate Information Technology Security Policy
- Data Protection Act Policy
- Freedom of Information Policy
- PSN/Government Connect (GSx) Acceptable Usage Policy
- Information Security Incident Procedure

Sign Off and Comments

Sign Off Complete

Over the last three months we have continued to manage our social media presence in line with our Social Media Strategy and ICT and security policies. We have promoted a number of social media activities via our 9 online accounts including supporting events, sharing information and running corporate and service specific campaigns. One example included our campaign to 'encourage people to help family and friends get online'. A Chief Executive and Directors note was also sent out to remind all staff of their responsibilities in relation to social media posts/comments. We also looked at social media security as part of our new communication and consultation strategy.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted