

Notes of Key Decisions/Actions

Meeting: Council

Date: Wednesday, 18 November 2020

Agenda Item	Decision
1 Minutes	The minutes of the meeting held on 16 September 2020 were agreed by the members present and will be signed by the Mayor at the next available opportunity.
2 Declarations of Interest	There were no declarations of interest.
3 Public Participation	<p>1. Questions from Graham Bright (Grove Fields Residents Association) to Councillor Williams:</p> <p><u>Q1:</u> I note that the Leader of the Council is being requested to write to the Ministry of Housing, Communities and Local Government asking that the figure of 922 houses per annum for Dacorum be revised downwards. You state that this because this Council believes that the Government's centrally-determined targets for housing development in the Borough will adversely affect the development of the Dacorum Local Plan, forcing high levels of new housing onto green belt land. If the motion is agreed, please can you confirm that Dacorum will wait for the central government response to this letter before commencing the public consultation?</p> <p><u>Response:</u> I don't believe that the motion and the item before us this evening in relation to the local plan are mutually exclusive and we will consider both of these in due course this evening, and members will contribute to the reasons why they support the motion and/or the consultation. I do not believe that we cannot do both. We currently have a figure, the latest from the government, of 922 as stated by Mr Bright. As you will see from the motion when we discuss it that's not a figure that we necessarily think is appropriate. We don't know the course of the government's reiterations, and not forgetting the ONS figures have not yet been accepted as the figure that should be used. We will still be looking nationally for potentially the 300,000 that has been quoted on several occasions. I still think it's appropriate for us to consult with our residents because I think we need the evidence base if we are to contest the 922, and if that figure is not reduced over time and we need to contest at 922 I think having consulted with our residents will strengthen the argument should our local plan not be in conformity with the numbers required. So in essence, I don't think that agreeing to one includes the other.</p> <p><u>Q2:</u> I note that the authority has delegated to make changes to the Emerging Strategy for Growth , including anything necessary to reflect the Cabinet's and/or Council discussions and decision, to the Assistant</p>

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	<p>Director Planning, Development and Infrastructure in consultation with the Portfolio Holder for Planning and Infrastructure. Please can you confirm that the FINAL Local Plan, once amended as a consequence of the public consultation, will be voted on by local councillors?</p> <p><u>Response:</u> Yes, absolutely. The delegation to the director in consultation with the portfolio holder only relates to minor changes to wording or to reflect any decisions taken by our councillors at this stage in amending our draft consultation. Any final decision will still be subject to the process of the scrutiny committee and the cabinet, and only the full council has the authority to agree a local plan. So yes, the final decision has to be one taken by full council.</p> <p>2. Questions from Malcolm Allen to Councillor Williams:</p> <p><u>Q1:</u> How can the ancient Market Town of Berkhamsted cope with 2230 new homes, in addition to the hundreds already under construction, and a possible population rise of 41% when our current infrastructure is inadequate? In particular how will the southern side of Berkhamsted, which carries the bulk of this expansion handle the enormous increase in traffic flow primarily along Shootersway which is already a rat run for the sole access to the A41 and which suffers large back up of traffic at rush hour even now. Backups which pollute the air as children walk to the four schools served by this route. A further hazard is the narrowing of the road between Kings Road and Crossoak Road causing a hazard when two HGVs pass with their wing mirrors hanging over the pavement thus endangering pedestrians. This plan detracts from the character of the area, destroys Green Belt, damages bio-diversity and converts a sorely needed playing field, Haslam's, into a housing estate. We will need new signs for our town stating 'welcome to Berkhamsted, a modern example of inglorious sprawl.' Are you happy taking responsibility for that?</p> <p><u>Response:</u> I'm happy to take responsibility for the fact that this council needs to go out and consult on the local plan. I'm under no illusions that Berkhamsted like many parts of the borough is under considerable constraint in terms of the amount of development it can take, and this consultation will inform that level of development which is appropriate for a particular area. All of the local plan process will be backed up by transport infrastructure studies which will give a very clear indication of the level of development that can be taken in a particular area given the amount of infrastructure that is either affordable or possible to provide given the constraints of any particular location. As an authority we take responsibility for the plan and as we develop the plan we will ensure that the constraints of a particular area, the infrastructure requirements of an area, or indeed the infrastructure limits of an area are taken into account when coming to a final figure for any particular level of development.</p> <p>3. Question from Antony Harbidge to Councillor Williams:</p>

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	<p><u>Q1:</u> How is it in the best interests of the public, specifically the residents of Dacorum who you represent, to put the Draft Local Plan out for consultation during a pandemic when there is no reasonable prospect of engaging in normal democratic processes?</p> <p><u>Response:</u> We recognise that additional restrictions will be in place until 2 December and the current health situation does make consultation different to what it would be previously, but the fact that we're all here this evening using this different form of technology to hold his meeting and have more people engaged in this meeting than normally would be is an indication that there are ways in which we can consult and engage the public other than by direct meetings, which of course I recognise during this consultation we will not be in a position to have more traditional public meetings in halls and community centres etc. and we have very clear government advice that we should not allow the current situation to stop the progress of local plans. There is an expectation from government that the planning process will continue and that we make use of available technologies in order to do so. The council is seeking to start the consultation in late November, and traditionally these consultations run for six weeks. We planned this one for eight weeks and as we will come on to later we intend to extend that further to be well clear of the Christmas and new year period and allow people to engage. The Council is seeking to make the consultation as accessible as possible and will be undertaking the following activities:</p> <ul style="list-style-type: none"> - Extending the consultation for 10 weeks, instead of the statutory 6 weeks - Hosting a permanent 'virtual' exhibition on our website throughout the consultation. The exhibition will allow people to leave questions for Officers. - Providing copies of the documents for inspection at the Forum (where an appointment can be made to view the document) - Providing copies of the documents to libraries where these will be available for loan. - Produced a video advertising the consultation - Published articles in both the Dacorum Digest (63,000 copies) and the digital digest (11,400 subscribers) <p><u>Q2:</u> Why can't you afford your constituents that you represent by equal respect that delaying consultation to a post pandemic time which will also allow correspondence with government MP's as well as allowing the latest ONS data to be incorporated into the evidence base which is isn't at present.</p> <p><u>Response:</u> The decision to go for a full review is not a decision taken solely by the assistant director but by the council. The plan was approved in 2013 as I'm sure Mr Harbidge who I know takes a keen interest in these matters is aware. This plan was challenged through the courts and the judge came to a view that he would support our plan as did the inspector subject to us</p>

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	<p>understanding an early partial review. Although the plan runs until 2031 the government requirement is that the plans are reviewed every five years. So whilst we could have gone for a partial review we would have been straight into a full review almost before we finished the partial reviews so the view was taken that it would be better to do a full review because by 2018 we would have been well in to doing that anyway. Similarly if we got to the point where this plan, which we're currently at the draft stage, was adopted and takes us through to 2038, we will still be doing a full review of that plan in 2026/2027 assuming we adopt in 2022. We are required to do a full review every five years. So once we got to 2017 and we have delayed this process because of confusions and uncertainties over government numbers and there's no uncertainty that the latest ONS figures will be embedded in the governments requirements. The ONS figures as I'm sure you're aware are considerably lower than the manifesto commitments of all the major political parties to deliver an increasing number of homes. It's possibly the case that the government may, through looking at reconfiguring the algorithm, redistribute that requirement elsewhere. It is not yet clear that requirement is going to reduce and I, as leader of this council, want us to get to a position where we are in the best possible shape to defend our plan should we come under a requirement to produce more homes than we think is acceptable. I'm sure you're aware our figure a while ago was 1025 and is being reduced to 922. There's no guarantee when the government reconstitute those figures that it won't go up or down, so we need to be in a position to be absolutely resolute in our defence of that position.</p>
<p>4 Announcements</p>	<p>4.1 By the Mayor:</p> <p>Welcome to the new Chief Executive of Dacorum Borough Council, Claire Hamilton.</p> <p>4.2 By the Chief Executive:</p> <p>The Chief Executive thanked the Mayor for the introduction and welcome and said she looked forward to meeting everyone in person as soon as she was able to.</p> <p>4.3 By the Group Leaders:</p> <p>Councillor Williams gave apologies on behalf of Councillor Arslan.</p> <p>4.4 Council Leader and Members of the Cabinet:</p> <p>(Full details are in the minutes under Announcements of the Leader and Cabinet).</p>
<p>5 Local Plan</p>	<p>A motion was proposed by Councillor Tindall and seconded by Councillor Taylor. An amendment to the motion was proposed by Councillor Williams and seconded by Councillor Griffiths which was accepted by Councillor</p>

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	<p>Tindall. Therefore, the substantive motion proposed (as amended) was as follows:</p> <p>Local Plan</p> <p>In the 2019 General Election both the Conservative and Liberal Democrat Manifestos promised to deliver 300,000 new homes a year to address the national housing shortage.</p> <p>This Council believes that this target is in excess of the ONS projections of housing need and will lead to higher levels of Green Belt development in the Dacorum Local Plan than is necessary to meet our housing need.</p> <p>This Council therefore requests</p> <ul style="list-style-type: none"> • the Leader of the Council to write to the Ministry of Housing, Communities and Local Government asking that the figure of 922 per annum be revised in line with the figures from the Office of National Statistics which project a need for between 170-200,000 new homes to be started per annum significantly below the 300,000 proposed in the manifesto, and • A copy of that letter be sent to the Borough's two Members of Parliament with a request that they make representations to the Secretary of State in support of the Council's position <p>A vote was held:</p> <p>43 for, 0 against, 0 abstentions,</p> <p>Therefore the motion was carried.</p>
<p>5 Feeding Hungry Children</p>	<p>The following Motion was <u>withdrawn</u> by Councillor Symington:</p> <p>Feeding Hungry Children</p> <p>1. This Council notes:</p> <p>a. That numbers of pupils entitled to Free School Meals are rising fast.</p> <p>b. That every child who is entitled to Free School Meals is a sign of a</p>

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	<p>family under significant financial pressure.</p> <p>c. That this picture of increasing child poverty is supported by the rapid rise in the number of families dependent on food banks.</p> <p>d. That children who are hungry are less able to learn and thrive at school.</p> <p>e. That the extension of the school meals voucher scheme (campaigned for by Marcus Rashford) to cover the period of the summer holiday was incredibly important and valuable to families in food poverty.</p> <p>f. The very welcome commitment from Education Minister in the Welsh Assembly, Kirsty Williams, to guarantee free school meal provision for school holidays until at least Easter 2021.</p> <p>2. This Council recognises that the second lockdown will lead to further increases in child poverty and</p> <p>a. supports the calls by the Child Food Poverty Task Force, supported by Marcus Rashford and many leading food suppliers and producers, for the expansion of free school meals provision to every child whose family is in receipt of Universal Credit or equivalent, or with a low-income and no recourse to public funds.</p> <p>b. calls for the provision of food vouchers to cover school holidays and periods of lockdown for all families in receipt of Universal Credit or with low-income and no recourse to public funds.</p> <p>c. asks that Healthy Start vouchers should be increased in value to £4.25, and expanded to be made available to all those in receipt of Universal Credit or with a low-income and no recourse to public funds.</p> <p>3. Therefore this Council resolves to write to the Secretary of State for Education and the Chancellor of the Exchequer to call for</p> <p>a. extend eligibility for free school meals to every pupil whose parents or guardians are in receipt of Universal Credit</p> <p>b. food vouchers for every one of those pupils in every school holiday and during any period of lockdown in which schools are closed</p> <p>c. extended eligibility for free school meals to pupils from low-income families whose parents or guardians have no recourse to public funds or who are destitute asylum seekers under s4 of the Immigration and Asylum Act 1999</p>

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<p>6 Questions</p>	<p>1. Question to Councillor Williams from Councillor Tindall:</p> <p><u>Q1:</u> Given the misinformation and falsehoods that abound on Facebook and other Social Media, it would be good for the Council to ensure that residents of Dacorum have the opportunity to access accurate knowledge of the Council's proceedings and deliberations. Please can the Leader of the Council inform us when video film of those proceedings and deliberations will be made available on the Council's website, or on other means accessible to residents?</p> <p><u>Response:</u> I do agree that there's lots of misinformation and rumours can start on social media and in some cases that's not helpful when people who do have access to that information post stuff which they could research and get more accurate information before posting. But that is the nature of social media. The recording and showing of council meetings and procedure is something which I discussed with the previous Chief Executive and you might recall at the beginning of this year we talked about trying a recording of a council meeting and found that the equipment in the council chamber wasn't sufficient to enable that to be done with any degree of quality that residents would find useful to follow. I agreed with the previous Chief Executive that we would upgrade the equipment in the council chamber and conference rooms one and two. That work has been completed in the last couple of days and we now have the capacity to record and broadcast meetings live. We also have the capacity within the new system to hold hybrid meetings where some members of the council can be in the chamber and some members can be remote. So we are in a position now to broadcast and have the equipment for that but of course that is dependent on us being able to get back into what you might consider to be a more normal routine of proceedings. Whilst we're currently using Microsoft Teams and we're very grateful for this so that we can order some degree of normality and business to proceed, I do not think the quality of nature of these recordings are sufficient for our website as records of our proceedings. It is our intention when we begin to move forward with a more normal cycle of meetings to make use of the newly installed equipment and make those meetings available in both live and recorded forms.</p> <p>2. Question to Councillor Williams from Councillor Symington:</p> <p><u>Q1:</u> Given the recent advice from the Dacorum Borough Council Legal Department regarding the Council's responsibility to maintain the unadopted road at Broadwater, Berkhamsted, could the portfolio holder assure the residents, other landowners and users of the DBC-owned car park that the Council will commit to a clear, transparent and long term resolution to the recurring maintenance issue?</p> <p><u>Response:</u> As Councillor Symington has referred to legal advice received from our legal department, advice that she has benefitted from that I</p>

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	<p>haven't, I think it would be inappropriate of me to make any comment upon the situation or the advice which she has received before also seeing that advice. He requested a copy of that document from the legal department so he could be in a position to reply to Councillor Symington in writing.</p> <p>Councillor Symington advised that she had two supplementary questions that she would also like answered by Councillor Williams once he had sought advice from the legal department, which were as follows:</p> <p><u>Q2:</u> Now that the potholes have been fixed and the road is on a good state of repair, would the Portfolio Holder be willing to enter into discussions with Herts County Council about having the road adopted? (the poor state of repair was given by HCC as a reason for not considering adoption).</p> <p><u>Q3:</u> What are the Portfolio Holder's intentions for the longer term use of the car park (viz: charges, free parking allowance – currently 4 hours- etc) and how will he work with other stakeholders (such as the tennis and bowls clubs who need the free parking) to find an inclusive way forward?</p> <p>3. Question to Councillor Graham Sutton from Councillor Symington:</p> <p><u>Q1.</u> What can the portfolio holder do to help expedite the delivery of the now HCC-owned Durrants Lane pitches for use by the community given that DBC was originally taking on the lease and subsequently decided not to?</p> <p><u>Response:</u> Councillor G Sutton said he would need to provide Councillor Symington with a written response.</p> <p>Councillor Symington advised that she had two supplementary questions that she would also like answered by Councillor G Sutton, which were as follows:</p> <p><u>Q2.</u> Could the portfolio holder explain the reasons for the council deciding in July 2020 that it would not take the lease from HCC for the playing fields on behalf of the community, thereby failing to provide much needed additional football pitches for youth clubs?</p> <p><u>Q3.</u> How does the portfolio holder intend to restore the resident's confidence in the planning process and delivery of Section 106 agreements in light of the failure of this one?</p>
<p>7 Business from the last council meeting</p>	<p>None.</p>

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<p>8 Cabinet referrals</p>	<p><u>Resolved:</u></p> <p>That the following be approved:</p> <p><u>22 September 2020</u></p> <p><u>8.1 CA/076/20 Budget Monitoring Q1 report</u></p> <p><u>Decision</u></p> <ol style="list-style-type: none"> 1. Recommend to Council approval of the revised capital programme to move £7.3m slippage identified at Quarter 1 into financial year 2021/22 as detailed in Appendix C. 2. Recommend to Council approval of supplementary revenue budgets as follows: <ul style="list-style-type: none"> • Supplementary budget of £140k in The Forum premises budget to fund the costs of ensuring the building is safe for staff to return under Coronavirus. • Supplementary budget of £60k in the Premises Insurance budget to fund additional costs of Uninsured Losses, to be funded from the Uninsured Losses reserve. • Supplementary budget of £253k in the Building Control service to fund the final settlement of Work in Progress following the transfer of the service to Hertfordshire Building Control. This is to be funded from the Management of Change reserve. • Supplementary budget of £33k in the Garage service, funded from the Invest to Save reserve, to fund a specialist project manager to lead on improvements to the garage letting process. 3. Recommend to Council approval of supplementary capital budgets as follows: <ul style="list-style-type: none"> • A capital budget of £90k in the Waste and Recycling Capital budgets for new Wheeled Bins. • Additional budget of £400k in the Fleet Replacement Budget, to fund additional vehicles. • Capital budgets of £24k and £19k to fund electrical upgrade works at Berkhamsted Civic Centre and Victoria Hall Tring respectively. • Capital budget of £15k for essential roofing improvements at The Denes.

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	<p data-bbox="432 300 1378 371"><u>8.2 CA/078/20 Loan agreement with West Herts Crematorium Committee</u></p> <p data-bbox="432 416 560 450"><u>Decision</u></p> <ol data-bbox="480 495 1406 707" style="list-style-type: none"> 1. A £6m loan to the partner authorities of the West Herts Crematorium Joint Committee (WHCJC), and a supporting Deed of Contribution and Indemnity and delegate authority to the Corporate Director, Finance and Operations in consultation with the Portfolio Holder for Finance and Resources to finalise terms of the required legal documentation. <p data-bbox="432 770 663 804"><u>20 October 2020</u></p> <p data-bbox="432 848 1142 882"><u>8.3 CA/087/20 Treasury Management Report</u></p> <p data-bbox="432 927 560 960"><u>Decision</u></p> <p data-bbox="432 1005 1362 1072">The acceptance of the report on Treasury Management performance in 2019/20 and the Prudential Indicators for 2019/20.</p> <p data-bbox="432 1144 1179 1178"><u>8.4 CA/088/20 Medium Term Financial Strategy</u></p> <p data-bbox="432 1223 560 1256"><u>Decision</u></p> <p data-bbox="432 1301 1410 1413">The approval of the revised Medium Term Financial Strategy for the period 2020/21 – 2024/25, including the recommendations at Section 2 of the Strategy.</p> <p data-bbox="432 1480 1166 1514"><u>8.5 CA/089/20 Local Plan Consultation Report</u></p> <p data-bbox="432 1559 560 1592"><u>Decision</u></p> <ol data-bbox="480 1637 1418 2007" style="list-style-type: none"> 1. That the Emerging Strategy for Growth (Appendix 1) is published for consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). 2. That authority is delegated to make changes to the Emerging Strategy for Growth , including any necessary to reflect the Cabinet's and/or Council discussions and decision, to the Assistant Director Planning, Development and Infrastructure in consultation with the Portfolio Holder for Planning and Infrastructure.

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	<p><u>A recorded vote was held:</u></p> <p><u>For:</u> Adeleke, Anderson, Banks, Barrett, Bassadone, Beauchamp, Bhinder, Birnie, Durrant, Elliot, Griffiths, Guest, Hearn, Imarni, Maddern, Mahmood (Sobaan), Mahmood (Suqlain), Peter, Riddick, Rogers, Silwal, Sinha, G Sutton, R Sutton, Timmis, Williams, Wyatt-Lowe (27)</p> <p><u>Against:</u> Allen, Barry, Claughton, England, Freedman, Hobson, Hollinghurst, Link, McDowell, Pringle, Ransley, Stevens, Symington, Taylor, Tindall, Townsend, Uttley, Woolner (18)</p> <p><u>Abstain:</u> Mayor (1)</p> <p>Therefore the decision was agreed.</p> <p><u>8.6 CA/091/20 Car Parking Supplementary Planning Document</u></p> <p><u>Decision</u></p> <p>That the draft SPD is adopted.</p> <p><u>8.7 CA/092/20 Herts Growth Board – Section 101 Committee</u></p> <p><u>Decision</u></p> <p>(1) Agree to the establishment of the Hertfordshire Growth Board Joint Committee and Hertfordshire Growth Board Scrutiny Joint Committee and delegate such functions to the committees as set out in the annexed Hertfordshire Growth Board - Integrated Governance Framework and annexed Terms of Reference and Standing Orders for each committee.</p> <p>(2) Adopt the Hertfordshire Growth Board - Integrated Governance Framework into the Councils own constitutional framework and delegate authority to the Assistant Director, Corporate and Contracted Services to make any required changes to the Council's constitution to give effect to the Governance Framework.</p> <p>(3) Agree that the Council's nominated representative on the Hertfordshire Growth Board Committee shall be Councillor Andrew Williams as Leader of the Council and the approved substitute shall be Councillor Margaret Griffiths as Deputy Leader</p> <p>(4) Delegate authority to the Leader of the Council to nominate the Council's representative on the Hertfordshire Growth Board Scrutiny Joint Committee and approved substitute.</p>
<p>9 Overview and</p>	<p>None.</p>

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Scrutiny referrals	
10 Changes to committee membership	None.
11 Change to committee dates	An additional meeting of the Finance and Resources Overview and Scrutiny Committee scheduled for 25 November was agreed.
12 Review of Statement of Licensing Policy - Licensing Act 2003	That Council adopts and publishes in accordance with statutory requirements:- The draft Statement of Licensing Policy as the Council's 'Statement of Licensing Policy' for the five-year period from 7 January 2021 to 6 January 2026.

The meeting ended at 10.14 pm