

CABINET AGENDA



TUESDAY 14 DECEMBER 2021 AT 7.30 PM

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 Griffiths (Deputy Leader)
Councillor Elliot

Councillor Anderson
Councillor Banks
Councillor Barrett

For further information, please contact Corporate and Democratic Support or 01442 228209

AGENDA

1. MINUTES (Pages 3 - 12)

To confirm the minutes of the meeting held on 23 November 2021

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 13)

7. COUNCIL TAX BASE REPORT (Pages 14 - 20)

8. STRATEGIC RISK REGISTER Q2 (Pages 21 - 35)

9. BROWNFIELD LAND REGISTER (Pages 36 - 43)

10. 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.

11. APPOINTMENT OF CONTRACTOR FOR HOUSING DEVELOPMENT (Pages 44 - 95)

MINUTES

CABINET

23 November 2021

Cabinet Members

Cllr Williams
Cllr Barratt
Cllr Anderson
Cllr Banks
Cllr Griffith
Cllr Elliott

Other Councillors in attendance:

Cllr Tindall
Cllr Douris

Officers

Mark Gaynor
Mark Brookes
Melanie Parr
Nigel Howcutt
David Barratt
Claire Hamilton

Guests

Richard Thompson

1 Adjustment to the agenda

Cllr Williams announced an adjustment to item 11, whereby in addition to considering the appointment of contractors for Aragon Close, the council would also consider contractors for Tring Road. Cllr Williams apologised that was missing from the original agenda.

CA/083/21– minutes of the last meeting

Cllr Williams asked the council if they agreed the minutes from the previous meeting on 19th October. Council agreed.

CA/084/21– Apologies

Cllr Williams noted there were no apologies for absence.

CA/085/21– Declarations of interest

Cllr Williams declared though not adjacent or close to the site, he lives on Woodall Farm estate, which is where the Aragon Close development is.

CA/086/21– Public participation

Nothing to note.

CA/087/21– Referrals to cabinet

Nothing to note.

CA/088/21– Cabinet forward plan

Cllr Williams asked if anybody had anything to update on this. Nobody had anything to note.

CA/089/21– Climate and ecological emergency strategy

Cllr Williams handed over to Mark Gaynor and Melanie Parr. Mark explained this comprehensive report sets out the strategy for the borough, how it intends to meet the 2030 pledges for scopes 1 and 2, the 2050 pledges for scope 3, and to stimulate action amongst residents and businesses. The report details which high-level actions are being looked at, pursued, and draft estimate costings for these. Mark noted the need for greater government clarity on how much funding they will get. He noted the report is not finalised at this stage. The process of beginning to incorporate actions and costings will be commencing soon, and will be in the service and budget planning for '22/'23. Recommendation 4 indicates that short-term actions begin in the near future, and council officers will now begin to work on the short, medium and long term plans to incorporate these actions and costings into the budgets at the appropriate points. Mark asked if anyone had any questions.

Cllr Tindall asked if they could provide some intermediate details, timings and dates, given the large number of different factors and types of mitigation in the whole strategy,

to give them a better idea of next steps and stages and help with target monitoring. He asked if they could include a Gantt chart.

Mark responded that the work is underway on the short, medium and long term plans to provide that. He noted that it is not clear yet which solutions will emerge as the most effective, for example installing zero carbon heating in buildings. They will not start putting it in new houses until they know it is the most energy efficient it can be, but work is underway on this. Mark also gave the example of finding a zero carbon option to replace refuse freighters. Their current fleet has a life until 2028, and it is not clear yet if the solution will be electric or hydrogen. Mark believes with bigger lorries it is likely to be hydrogen as overall more efficient, but they are not clear yet. With air source heat pumps, there are similar issues that need to be worked out, for example ensuring homes are properly insulated so they will work efficiently, and improving supply chain and installations to allow for more than the current capacity of 60,000 a year. Mark also noted that longer-term plans may change as technology improves, for example battery storage in solar heating. The information is not ready yet for a full 10 or 30-year plan, however the work is being started, with the aim to provide this in the next few months.

Melanie noted that she would be happy to make a Gantt chart for the short, medium and long-term action plans they currently have. She drew attention to page 53 of the report, where it states an annual report will be created to help clarify objectives and if anything had changed. For example, on Monday they found out it will be law next year for electric vehicle charging points to be on new builds, so they will now need to look at that. Therefore, their approach is to review things quarterly as well as producing the annual overview report of their action plan.

Cllr Elliott thanked Mark for the report. He noted the point that the carbon footprint of DBC was about 1% of the whole borough, therefore the bigger thing to do is to change the behaviour of residents. He also noted that bigger countries like China, Russia and the USA also need to change their behaviour.

Mark agreed that the bigger challenge is the borough as a whole, and mentioned Mel's work in establishing Dacorum Climate Action Network (CAN). He noted that a big focus would be on young people, because they have more reason to want to help with climate action than some others do. Mark passed over to Mel to explain more about the CAN and the event held 2 weeks previous.

Melanie agreed on the importance of behavioural change, noting that they have included information in the strategy on what the council are doing to support and influence others, and what the public can do. Once this is published and promoted, this will help push the message to encourage people to get involved. She noted the point about China is valid, however they buy things from China, so everyone is a consumer and needs to take responsibility.

The Dacorum CAN was launched at the end of September, and has grown quickly, with over 150 people and 35 organisations signed up. Mel explained that there will be a monthly newsletter, a quarterly meeting and annual event. This year's event was timed to be at the same time as COP26. It was well attended, with over 100 people in person and 30 online. They have also been holding a climate change art exhibition in the Marlowes shopping centre, to engage more local people and schools. Green Community Grants was also recently launched, where community projects can apply for up to £3,000

from a pot of £20,000. Melanie noted that today, Mark signed a contract on the Hertfordshire energy efficiency app, and they are the first local authority in the UK to work with the Energy Saving Trust on that. Melanie stated that though they have lots going on, they are always welcome to other ideas.

Cllr Griffiths thanked Mark and Melanie for their contributions. She agreed on the importance of engaging the public in adopting green principles in their own lifestyles. She noted that you get better engagement if it is a conversation rather than telling people what to do, and congratulated Melanie on Dacorum CAN for allowing people to come with their ideas and engage. Cllr Griffiths believes that if the residents know CAN are a reliable source for information, help and ideas that will go a long way.

Cllr Barratt echoed the previous sentiments, and commended Melanie and Mark on the report.

Cllr Williams agreed that the CAN event was a good launch. He noted that it is difficult to inspire residents when they read things about other countries, and what he said at the event on this was misinterpreted, as you should not do anything because China and Russia are not, but this was not his meaning behind this. He believes it is important to set examples and send clear messages to residents, so they need to be aware of this. Cllr Williams noted that the government often launch pots of funding for schemes with short notice; therefore, he wanted to ensure they have work going on on some projects that puts them in a position to bid for funding quickly if necessary, particularly in the area of social housing stock. He noted it is difficult to predict the future, with the fast pace of advances in technology, but that at every stage, they need to be prepared.

Mark noted that they have been very diligent on collecting information required in a range of areas. They have had work completed by CLS looking at the energy efficiency of some of their council buildings, which may fit into the kind of programmes the government may launch funding for. Mark noted that the government are focussing on lower EPCs, and commended the council on not having very many of those, theirs tend to be around the C to D category. For Mark, it is important to focus on all areas of housing, including renting and owner occupation. For example, they know more about their own council housing stock, however if they get more funding from the Green Homes Energy grant, they could focus some of it on advising people what things to consider. Mark believes that they can probably meet the costs within the existing budget for climate change going into 2023, but wishes the government would cease to make bidding for funding a competition, as it needs addressing across the whole country.

Cllr Williams agreed it might be simpler that way, but the amount of money needed is going to be more than what is available, therefore they need to be ready to bid for it. Cllr Williams asked the council if they agreed recommendations 1 to 4 on page 10 and 11 on the agenda. Council agreed.

Mark leaving the council

Mark G mentioned this was his last cabinet meeting, and wanted to make sure the climate emergency report got approved. He thanked the members of the council for their help, and expressed his pleasure at how much has been achieved over his 11 years in post.

Cllr Williams agreed with Mark, and noted his significant contribution to the council, for example on the successful council house building programme. He wished Mark all the best in his future endeavours, and thanked him for his time and commitment to DBC.

CA/090/21– Treasury management outturn 2020/21

Cllr Elliott stated that the annual outturn position for the council's treasury activities shows their cash position and how they manage it. He stated that for security reasons, they do not put their cash with foreign organisations, but with the Bank of England. They then look at liquidity and how quickly they can get hold of their cash. He noted they get no return at the moment due to the 0.01% rate, but that it is more important to have security and liquidity in place over a high return. Cllr Elliott passed over to Nigel.

Nigel H added that in the statutory return, the performance figures have gone through the audit process, and all the credential indicators in the treasury management strategy were adhered to this year. He noted that the return on investment was reduced by 70% due to reduction in interest rates, which is something they would like to improve on this coming year.

Cllr Barratt asked how the authorised limit of £410 million was calculated.

Nigel explained they set it, and it needs to match with their capital programme, investment strategy, and whether they can finance that level of borrowing. He noted that they may increase it next year, as about 90% of their borrowing is HRA related, and their HRA programme is expanding, creating the need to borrow more money.

Cllr Elliott added that other councils have gone above that to invest in shopping centres etc, but that is not their strategy. Their strategy is housing.

Cllr Williams asked the council if they agreed recommendations 1 and 2 here. Council agreed.

CA/091/21– Budget management in quarter 2 of 2021/22

Cllr Elliott noted it had been through scrutiny, and the recommendations were that they draw down from their economic reserve of £700,000 which was set up for pandemic costs, and to put in a budget of £200,000 for extra funding for waste services fleet personnel. There is also a new filming trading account being set up, to identify outflows of the filming industry since they had Spielberg's and Ricky Gervais' programmes there.

Cllr Williams added that the filming account is temporary, to help them see what income they have from filming in the area rather than just adding it into different budgets. This will make it clearer for them to see the benefits and potential benefits that filming is bringing to the borough. In addition to this, it will allow them to offer support to areas where trade is disrupted by filming such as the Old Town. Cllr Williams asked if council agrees recommendations 1 to 5, page 89 and 90. Council agreed.

CA/092/21– Berkhamsted Sports Centre

Cllr Williams stated that they have been asked to move onto the next stage of this process, into more detailed design and costings.

Mark Brookes presented the updated report to council, in which they have developed site options, preferred facility mix and created an outline cost and revenue business plan. Mark believes this plan will meet the requirements of sporting groups and the public, and is adaptable to changing user demands over time. Subject to cabinet authorising this report, the project will proceed to stage 3, which is public consultation, detailed design development for planning applications, and the first stage of contractor procurement. During this stage, the final position of the 3G pitches, opportunities for residential development and sustainability measures will be worked on. Mark stated that a report to update members will be produced at the end of this stage, with a further report at the end of stage 4, the technical design stage. This stage is where greater clarity will be achieved on contractor costs and revenue projections for the contract with Everyone Active. At this point, members will need to commit financially to the scheme. Mark introduced Richard, a project manager from the consultancy team, and asked for any questions.

Cllr Tindall asked about paragraphs 3.6 and 3.7 on page 116, which pertain to football provision and Langley Meadow, whether these issues will be part of the public consultation.

Mark B responded yes, but they are only trying to improve the Langley Meadow site rather than developing on it, so they will keep the grass pitch, but the discussion around on or off site will be part of the public consultation.

Cllr Elliott asked about page 128, the financial assumptions, and whether the baseline hybrid facility mix is the worst case scenario, and where the figures have come from.

Mark B replied it is a combination of taking existing pre-Covid numbers, national data on income for facilities of this type, and projections for 3 years' time when they hope the recovery will have continued. He assured that they will monitor the recovery on a monthly basis, and report back in the next stage, but they do expect an uplift due to the new facilities that will be provided.

Cllr Elliott asked about the income figure for the spa, and questioned whether the residents of Berkhamsted would use it due to competition in the area with private operations.

Mark B answered that they have mapped out all the competition in the area, and found that actually what they will provide will go beyond what is already in that area. He noted there is a similar spa facility at Westminster Lodge in St Albans, so there is one comparison there.

Richard added that the St Albans facility is Everyone Active as well, and they are also opening another Lifestyle Centre in Amersham, therefore as the same operator will have all 3, the intention is for them to be complementary rather than competing. KKP, the business planner, has been involved in both schemes, which has informed their business projections here.

Cllr Griffiths expressed that personally, she sees it as a facility for the whole of Dacorum, as there is not a spa at the Hemel Hempstead Sports Centre, so the draw is bigger than just Berkhamsted. She believes that it could be marketed for the average person in

Dacorum, not as an exclusive club, and she would definitely use it, so declared her interest in this.

Cllr Tindall asked if there was an opportunity for residents of Dacorum to have an annual card or a preferential price to encourage usage.

Mark answered that Everyone Active have a membership where you can use all their facilities, so any Dacorum members would already have access, with an enhanced price for using the spa on top.

The meeting moved into Part 2

Please see part 2 minutes for details.

CA/093/21– Appointment of contractors for Aragon Close and

CA/094/21 - Appointment of Principal Contractor for Wilstone Village site (Land Rear of 36-44 Tring Road), Wilstone, Tring Housing Development

Cllr Griffiths stated that the principal contractors are Podular, a self-contained pod accommodation, which she has been out to see and approves of. It comes with everything inside, and they are also getting funding from the government for this. She added she and David Barratt would take any questions on this.

Cllr Elliott thinks the pods are a great idea, but commented that he would not want stigma to be attached to it, so they might need to think about how they dress it up.

Cllr Griffiths acknowledged this comment, but she believes that it might work the other way, they might look so nice that the rest of the area looks not as nice in comparison.

David Barratt agreed, stating that the area will be given a separate name and street address to keep it separate. He noted that normally he would come for approval with a planning approval in place, but that is on the agenda for the committee to discuss on the 2nd December. In order to realise the funding, they need to move on ahead, so subject to a successful planning committee outcome, they will be in a position to place the order immediately to get the funding. David also noted that the contractor, Hills, have a charitable foundation that have gifted a unit to them for the project, so the contract sum will reduce, which they are currently finalising.

Cllr Griffiths mentioned that the site was put forward for housing about 10 or 15 years ago, so there have been challenges with the site, but finally they have been able to secure a development that works that Willstone Parish Council are happy with. She expressed her support of this.

Cllr Anderson asked if there was a location plan they can provide.

David explained it is to the right of the pub in the main road, close to the garages. The location map was displayed on screen. David explained that there are 6 houses planned there, one of which is wheelchair accessible, with increased sustainability, electric vehicle charging, air source heat pumps, and insulation to a high standard.

Cllr Barratt asked about the square footage of each house.

David stated he cannot do that now, but will get it to Cllr Barratt, however it is designed in accordance with national state standards.

Cllr Barratt asked if they are all 3 bed properties.

David answered they are a combination of 2 bed and 3 bed properties.

Cllr Williams stated the recommendation on this one is to award the contract to Life Build Solutions, and asked if this one already has planning permission.

David confirmed that is correct.

14 Final recommendations and closing remarks

Cllr Williams asked if council is content with those recommendations. Council agreed. Cllr Williams asked if they could agree the recommendation to note item 13, the financial aspects of Ottering Road, Willstone. Council agreed. Cllr Williams concluded the meeting.

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

Document is Restricted

CABINET FORWARD PLAN

	DATE	MATTERS FOR CONSIDERATION	Decision Making Processes	Reports to Monitoring Officer/ S.151 Officer	CONTACT DETAILS	BACKGROUND INFORMATION
	25/01/22	Climate Emergency Expenditure		06/01/22	TBC	To be provided
	25/01/22	Treasury Management 2021/22 Mid-Year review		06/01/22	Nigel Howcutt, Assistant Director Finance & Resources 01442 228662 Nigel.howcutt@dacorum.gov.uk	To be provided
	25/01/22	Benchmark review of Osbourne contract		25/11/21	Fiona Williamson Assistant Director Housing fiona.williamson@dacorum.gov.uk	Deferred date TBC
	25/01/22	Customer Strategy Report		25/11/21	Linda Roberts - Assistant Director – People, Performance and Innovation Linda.roberts@dacorum.gov.uk	To be provided
	15/02/22	Senior Officer Pay Policy		27/01/22	Matt Rawdon – Group Manager – People Matt.rawdon@dacorum.gov.uk	To be provided
	15/02/22	Homes England Funding		27/01/22	David Barratt – Group Manager – Housing Development David.barratt@dacorum.gov.uk	To be provided

Agenda Item 7

AGENDA ITEM:

SUMMARY



Report for:	Cabinet
Date of meeting:	14 December 2021
PART:	I
If Part II, reason:	

Title of report:	Council Tax Base 2022/23 and Forecast Council Tax Position as at 31 March 2022
Contact:	Cllr Graeme Elliot, Portfolio Holder for Finance & Resources Nigel Howcutt, Chief Finance Officer Fiona Jump, Group Manager (Financial Services)
Purpose of report:	1. To agree the estimated Collection Fund surplus or deficit as at 31 March 2022. 2. To determine the Council Tax Base for 2022/23.

<p>Recommendations:</p>	<ol style="list-style-type: none"> 1. That Cabinet approves the Collection Fund deficit estimate of £962,542.04 as at 31 March 2022. The Dacorum Borough Council share of this deficit is £115,000.26. 2. That Cabinet approve the payment profile for the deficit identified at 1) above and contained at section 2.8 to this report (Table 3). 3. That Cabinet approves the calculation of the Council's tax base for the year 2022/23 incorporating an estimated collection rate of 99.4%. 4. That, in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012, the amount calculated by the Council as its tax base for the year 2022/23 shall be 59,328.3 and its constituent elements shall be: <p>Table 1 Taxbase 2022/23</p> <table border="1" data-bbox="587 1003 1294 1877"> <thead> <tr> <th>Part of Area - Parished and Non Parished</th> <th>100% Tax base</th> <th>99.4% Tax base</th> </tr> </thead> <tbody> <tr><td>Hemel Hempstead</td><td>31,748.5</td><td>31,558.1</td></tr> <tr><td>Aldbury</td><td>480.7</td><td>477.8</td></tr> <tr><td>Berkhamsted</td><td>8,654.3</td><td>8,602.4</td></tr> <tr><td>Bovingdon</td><td>2,161.3</td><td>2,148.3</td></tr> <tr><td>Chipperfield</td><td>880.8</td><td>875.5</td></tr> <tr><td>Flamstead</td><td>667.7</td><td>663.7</td></tr> <tr><td>Flaunden</td><td>185.8</td><td>184.7</td></tr> <tr><td>Great Gaddesden</td><td>462.5</td><td>459.7</td></tr> <tr><td>Kings Langley</td><td>2,358.6</td><td>2,344.4</td></tr> <tr><td>Little Gaddesden</td><td>651.1</td><td>647.2</td></tr> <tr><td>Markyate</td><td>1,363.6</td><td>1,355.4</td></tr> <tr><td>Nash Mills</td><td>1,268.1</td><td>1,260.5</td></tr> <tr><td>Nettleden with Potten End</td><td>809.7</td><td>804.8</td></tr> <tr><td>Northchurch</td><td>1,372.6</td><td>1,364.4</td></tr> <tr><td>Tring Rural</td><td>691.0</td><td>686.9</td></tr> <tr><td>Tring Town</td><td>5,253.5</td><td>5,222.0</td></tr> <tr><td>Wigginton</td><td>676.6</td><td>672.5</td></tr> <tr> <td>Total</td> <td>59,686.4</td> <td>59,328.3</td> </tr> </tbody> </table>	Part of Area - Parished and Non Parished	100% Tax base	99.4% Tax base	Hemel Hempstead	31,748.5	31,558.1	Aldbury	480.7	477.8	Berkhamsted	8,654.3	8,602.4	Bovingdon	2,161.3	2,148.3	Chipperfield	880.8	875.5	Flamstead	667.7	663.7	Flaunden	185.8	184.7	Great Gaddesden	462.5	459.7	Kings Langley	2,358.6	2,344.4	Little Gaddesden	651.1	647.2	Markyate	1,363.6	1,355.4	Nash Mills	1,268.1	1,260.5	Nettleden with Potten End	809.7	804.8	Northchurch	1,372.6	1,364.4	Tring Rural	691.0	686.9	Tring Town	5,253.5	5,222.0	Wigginton	676.6	672.5	Total	59,686.4	59,328.3
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<p>Corporate objectives:</p>	<p>Agreement of the Council Tax Base 2022/23 and the Council Tax deficit as at 31 March 2022 supports sound financial planning and achievement of the corporate</p>																																																									

	objective of ensuring efficient, effective and modern service delivery.
Implications:	<p>Financial</p> <p>Providing details of the Collection Fund deficit estimated as at 31 March 2022 assists the Council and precepting authorities in the setting of their Council Tax for 2022/23.</p> <p>The recommended Council Tax Base shows a 634.6 increase on the 2021/22 Taxbase Band D equivalent dwellings in the Borough.</p> <p>Legal</p> <p>Cabinet has delegated authority to set the Council Tax Base by virtue of Section 67 Local Government Finance Act 2012 and the resolution of Council dated 19 January 2005.</p> <p>Value for money</p> <p>Agreement of the Council Tax Base 2022/23 and the Council Tax deficit estimated as at 31 March 2022 supports sound financial planning within the authority.</p>
'Value for money' implications:	
Risk Implications:	Failure to agree a tax base for 2022/23 would compromise the Council's ability to set its Council Tax for 2022/23.
Community Impact Assessment:	Not applicable.
Health and Safety Implications:	There are no Health and Safety implications arising from this report.
Statutory Officer Comments:	<p>Deputy Monitoring Officer</p> <p>No comments to add to the report.</p> <p>Deputy Section 151 Officer</p> <p>This is a Deputy Section 151 officer report.</p>
Consultees:	Not applicable
Background papers:	None.
Glossary of acronyms and any	None

other abbreviations used in this report:	
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1. **Executive Summary**

- 1.1 The Council is required to set the Council Tax Base for 2022/23 so that it can be used in budget preparations and for formal setting of Council Tax by Full Council in February 2022. It is also necessary to approve the estimated Council Tax Collection Fund surplus or deficit as at 31 March 2022.

2. **Declaration of Council Tax Collection Fund Surplus or Deficit**

How does a surplus or deficit occur?

- 2.1 The income collected from Council Tax goes into the Collection Fund. Throughout the year the actual number of properties in the borough (as well as allowances for exemptions, discounts or appeals) inevitably varies from the figure estimated at the start of the year. This leads to a change in the amount of Council Tax collected. Despite this variation in *collection*, the amount *paid* to the preceptors remains the same as the amounts specified at the start of the year, and does not reflect in-year changes to the amount of Council Tax. It is this emergent variance which creates a surplus or deficit on the Collection Fund.
- 2.2 The key driver in respect of the surplus or deficit position is the timing of when anticipated developments are completed. If there are more than expected, or they are completed more quickly, a surplus will arise; but if there are fewer, or they take longer to complete, then a deficit will result. The coronavirus pandemic has also contributed to the final Council Tax deficit for 2020/21 (see 2.4 below). Any surplus or deficit is shared between the major preceptors (i.e. Hertfordshire County Council, the Police and Crime Commissioner and the Borough) in proportion to their precepts for relevant years.

Declaration of Surplus or Deficit

- 2.3 The actual surplus or deficit as at 31 March 2021, together with an estimate of the surplus or deficit for the current year 2022/23 (the 'in- year' surplus or deficit), is required to be approved by Cabinet on behalf of the Council.
- 2.4 The actual deficit balance on the Council Tax Collection Fund as at 31 March 2021 was £949,037.95 compared to an anticipated surplus of £43,362.84 forecast during 2020/21; a difference of £992,400.79. There is an unusually large difference between the actual deficit and forecast surplus due to the impact of the coronavirus pandemic in 2020/21 on Council Tax. The actual deficit is 0.9% of the value of the precepts declared when the Council Tax for 2020/21 was set. The Council will pay its share of this deficit in 2021/22.
- 2.5 The economic implications of the coronavirus pandemic mean that many local authorities reported in-year Council Tax deficits during 2020/21. In recognition

of this and the associated burden on local authority budgets, the Government introduced new regulations: Collection Fund: Surplus and Deficit (Coronavirus) (England) Regulations 2020. These regulations require local authorities to spread the 2020/21 forecast in- year deficit over a three- year period, commencing 2021/22, in instalments of equal thirds. This is referred to as the 'spreading adjustment'. The Council's total share of the forecast in- year 2020/21 deficit is £3,877.42. The Council funded one third of this during 2021/22. A further third will be funded in 2022/23 and is included within the Council's share of the estimated deficit figure in Table 3 below. The final third will be funded in 2023/24.

- 2.6 In 2021/22, the Collection Fund is estimated to achieve a total projected in-year surplus of £40,497.23. The surplus is 0.04% of the value of the precepts declared when the Council Tax was set.
- 2.7 The projected total deficit on the Council Tax Collection Fund as at 31 March 2022 is £962,542.04. This is made up as follows:

Table 2 Estimated Council Tax deficit as at 31 March 2022

	£
The difference between the forecast surplus and the actual deficit as at 31 March 2021, excluding any 'spreading adjustment'.	992,400.79
The 2022/23 impact of the 'spreading adjustment' required under statute, relating to the 2020/21 deficit.	10,638.48
The 2021/22 forecast in-year surplus.	(40,497.23)
Total estimated deficit as at 31 March 2022	962,542.04

- 2.8 The proportion and profile of this total deficit that each of the Major Preceptors and the Borough will have to fund when calculating the 2022/23 Council Tax is as follows:

Table 3 Estimated Council Tax deficit as at 31 March 2022- Authority Shares

Precepting or Billing Authority	£
Dacorum Borough Council	115,000.26
Hertfordshire County Council	740,351.84
Police and Crime Commissioner for Hertfordshire	107,189.94
Total estimated deficit as at 31 March 2022	962,542.04

- 2.9 Cabinet approval of the Collection Fund deficit estimated at 31 March 2022 is sought in Recommendation 1. Approval of the surplus distribution profile at 2.8 is sought in Recommendation 2.

3. Council Tax Base 2022/23

- 3.1 On an annual basis, all local authorities are required to calculate a Council Tax Base which is used to set the level of Council Tax. The process is governed by the Local Authorities' (Calculation of Tax Base) Regulations 2012.
- 3.2 The tax base is set having regard to:
- The Valuation List;
 - Current exemptions, reductions and discounts;
 - Discretionary discounts;
 - Anticipated developments that may occur during the year;
 - Expected long term collection rate.
- 3.3 The basic methodology for calculating the tax base is as follows:
- Calculations are made of the 'relevant amount' for the year in respect of the valuation bands shown in the Council's Valuation List. For each band, this amount represents the estimated full year equivalent number of chargeable dwellings listed in the band after taking into account the impact of disabled band reductions and discounts (including Council Tax Support).
 - The 'relevant amounts' for each band are then aggregated and expressed as an equivalent number of band D dwellings.
 - The Council then multiplies this aggregate of all relevant amounts by the estimated collection rate for the year. The resulting figure is the Council Tax Base for the year.
 - The rules for calculating the Council Tax Base for any part of a Council's area (e.g. a parish, or that part of its area to which a levy or special levy relates) are the same as the rules for calculating the Council Tax Base for the whole of its area for that year, and the same estimated collection rate must be used.
- 3.4 The estimate of the collection rate is the only area over which the Council has any discretion. A collection rate of 99.4% was adopted upon implementation of the Council Tax Support Scheme, and from the performance data collected so far, there is no reason to deviate from this assumption; but this will continue to be monitored closely particularly in light of the economic implications of the coronavirus pandemic. Recommendation 3 seeks Cabinet approval for an estimated collection rate of 99.4%.
- 3.5 Collection rates will be continually monitored and any adjustments will be reflected in the calculation of the 2022/23 surplus or deficit.
- 3.6 The tax base for 2021/22 was 58,693.7 (after adjusting for the estimated impact of Council Tax Support and a 99.4% collection rate), the proposed tax base for 2022/23 is 59,328.3. This represents an increase of 634.6 Band D equivalent

properties, or 1.08% on the tax base. Recommendation 4 seeks approval for this proposed tax base for 2022/23.

4. Notification of Tax Base

4.1 Major Precepting Authorities, are required to request their tax base figure (and notify any changes to their tax base area), from the Council, before the end of December 2021. The Council must give notification of all requested tax base figures by the end of January 2022.

5. Conclusions and recommendations

5.1 Cabinet has delegated authority to set the Council Tax Base for 2022/23.

5.2 It is recommended that Cabinet approves the following:

- The Collection Fund deficit estimate of £962,542.04 as at 31 March 2022 and the payment profile of this deficit as set out at 2.8 of this report.
- That calculation of the Council's tax base for the year 2022/23 incorporating an estimated collection rate of 99.4%.
- In accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012, the amount calculated by the Council as its tax base for the year 2022/23 be 59,328.3.



AGENDA ITEM:

SUMMARY

Report for:	Cabinet
Date of meeting:	14 December 2021
PART:	1
If Part II, reason:	

Title of report:	Strategic Risk Register Quarter 2 2021/22
Contact:	Cllr Graeme Elliot, Portfolio Holder Finance & Resources Nigel Howcutt, Chief Finance Officer Linda Dargue, Lead Officer, Insurance & Risk
Purpose of report:	To provide the quarter 2 update on the Strategic Risk Register for 2021/22.
Recommendations	That the position on the Strategic Risk Register, as at the end of quarter 2, 2021/22 be noted.
Corporate objectives:	All. Risk management is an essential part of ensuring that the Council meets all its corporate objectives
Implications: 'Value For Money Implications'	<u>Financial</u> There are no direct financial implications arising from this report. The financial implications of any activity required to mitigate the incidence and impact of risks identified is communicated to Members separately as appropriate. <u>Value for Money</u> Risk management is closely linked to the Council's commitment to ensure that all resources are used efficiently and forms part of effective financial planning. The Council also needs to ensure that adequate provisions are in place to address anticipated risks but that these are no greater than necessary so that maximum resources are applied to services as required. To this end, the Council sets minimum target working balances for both the general fund and HRA and at the date of this report, these minimum balances are secured.
Risk Implications	Effective risk management is an important factor in all policymaking, planning and decision-making.

	Failure to manage risk effectively could have serious consequences for the Council leading to increased costs, wasted resources, prosecution and criticism under external assessments
Community Impact Assessment	The content of this report does not require a Community Impact Assessment to be undertaken. Project and policy proposals identified to mitigate the risks on the Strategic Risk Register will be subject to individual Community Impact Assessments. These will be reported to Members on an individual basis.
Health And Safety Implications	Not applicable.
Statutory Officer Comments:	<p>Deputy Section 151 Officer:</p> <p>This is a Deputy Section 151 Officer report.</p> <p>Monitoring Officer:</p> <p>No comments to add to the report.</p>
Consultees:	<p>Senior Leadership Team</p> <p>Audit Committee – 10 November 2021</p>
Background papers:	Cabinet, October 2014, Agenda Item 10

1. Background

The purpose of this report is to present the Strategic Risk Register as at quarter 2, 2021/22.

2. Executive summary

The revised Strategic Risk Register showing the position at the end of quarter 2 2021/22 is attached at Appendix A.

3. Changes since the last update

There have been no changes to the risk ratings contained within the register since it was last presented to Members. A quarterly narrative update is provided against each identified risk.

This report was presented to Audit Committee at its meeting of 10 November 2021 for review, comment and feedback to Cabinet. Comments from Audit Committee will be given verbally at the meeting.

4. Recommendation

That the position on the Strategic Risk Register, as at the end of quarter 2, 2021/22, be noted.

Risk Register Summary Table

Risk Name	Risk Owner	30 Sep 2021			
		RM01 Risk Consequence	RM02 Risk Likelihood	Status	
		Actual	Actual	Actual	Update
Cyber Attack	Linda Roberts	3	2	6	The Council continues to prioritise Cyber Security and preparations are in hand for annual third-party penetration testing in November 2021, a formal stage in the Public Sector Network (PSN) re-certification. The Council's approach to cyber security to Remote Access was recently audited by Internal Audit and the report found no urgent issues and two important ones.
Failure to secure sufficient investment in essential infrastructure required	Mark Gaynor	3	3	9	No Movement since Q1 2021
Funding and income is not sufficient to deliver the Council's Corporate Objectives	James Deane	3	3	9	No Movement since Q1 2021
Social media risk	Claire Hamilton	3	2	6	
The Council is unable to recruit and retain the staff required	Linda Roberts	3	2	6	As with many other organisations the Council is suffering from a lack of HGV driver availability. Current HGV drivers, in particular Waste Service drivers, are being approached by external organisations with significant increased pay offers. The Council has sought to mitigate this by training more staff to be HGV drivers and offering a retention bonus with appropriate clauses of £5k per driver.
The Council will be unable to ensure that sufficient good quality and affordable homes can be delivered	Mark Gaynor	3	3	9	No Movement since Q1 2021
Uncertainty around Brexit negotiations could result in additional demand for council services.	Mark Brookes	2	4	8	No Movement since Q1 2021

Risk Register Details Table

Risk Name		30 Sep 2021
Detail		Status
Page 25	Cyber Attack	Linda Roberts
	Risk Owner	Linda Roberts
	Risk Description	Risk of cyber attack or ransomwear.
	Comments	The Council continues to prioritise Cyber Security and preparations are in hand for annual third-party penetration testing in November 2021, a formal stage in the Public Sector Network (PSN) re-certification. The Council's approach to cyber security to Remote Access was recently audited by Internal Audit and the report found no urgent issues and two important ones.
	Controls & Assurances	<p>The Council monitors and protects against threats with particular attention to the following, in line with the Government's Cyber Essentials direction:</p> <ul style="list-style-type: none"> • Boundary firewalls and internet gateways • Secure configuration • Access control • Malware protection • Patch management <p>The Council also ensures that system and operational data is backed up securely and regularly, and the process of restoring from those back-ups is tested regularly.</p>
	Evidence Risk is being managed	Adherence to National Cyber Security Centre (NCSC) Cyber Essentials (formally audited 2017); Public Sector Network (PSN) Compliance (including annual vulnerabilities assessment by approved cyber security consultancy)
Consequences / Impacts	<p>At least 263 million cyber-attacks were carried out on UK local authorities in the first half of 2019 alone. Nearly half of all local authorities had experienced an attempted cyber-attack on their IT systems since 2017 and 37% of them had experienced cyber-attacks in the first half of 2019.</p> <p>The Council's ICT team is aware that its network is the subject of attempted cyber-attacks on a daily basis from a range of sources, likely to include organised crime and state operators.</p> <p>The potential consequences of a successful cyber-attack are extremely damaging to any organisation. In the public sector, cyber-attacks on NHS trusts have led to cancelled operations, including the WannaCry attack in 2017 that affected 45 NHS organisations. In 2016 Lincolnshire County Council were hit with a £1M demand following a ransomware infection and in 2020 Hackney Council was profoundly affected by a similar ransomware attack.</p> <p>Within Dacorum, a successful and extensive cyber-attack has the potential to impair the delivery of all services to its residents as well as the potential publication of sensitive and personal data. Any successful Cyber Attack could significantly impact the Council's reputation, as residents may lose confidence in the management of electronic records.</p>	
Failure to secure sufficient investment in essential infrastructure	Risk Owner	Mark Gaynor
	Risk Description	That the Borough does not secure sufficient investment in essential infrastructure that is required for continued and improved economic performance and housing delivery that is sustainable and fit for the future
	Comments	No Movement since Q1 2021

Risk Name	Detail	30 Sep 2021 Status
required	Controls & Assurances	<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> • Ensuring that the Local Plan (and its component elements such as site allocations, supporting policies and so on 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. • Working with other South West Herts councils and HCC to make a case at national level for strategically important infrastructure • Bidding into government funding pots such as the Housing Infrastructure Fund where possible. • Use of masterplanning which supports what is required to be delivered to produce sustainability on larger sites and formalising as a Special Planning Document where appropriate to give it more 'teeth'. • 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 that local people want. • Operating an '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 the Enterprise Zone making 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 Hemel Garden Communities with the Crown Estate, St Albans and City Council, HCC, the LEP and the Enterprise Zone.
	Evidence Risk is being managed	<p>These controls are exercised and reported within the following:</p> <ul style="list-style-type: none"> • Regular reporting to the Growth and Infrastructure Group, CMT, Cabinet and Overview and Scrutiny Committee • 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 <p>The process for setting out development delivered is through the Authority Monitoring Report. The agreed process for CIL will see an annual report setting out income due, income achieved and expenditure made on agreed infrastructure. Regular reports are made as set out above.</p>

Risk Name	Detail	30 Sep 2021 Status
	Consequences / Impacts	<p>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. The risk is, therefore, that new development at a scale not experienced in Dacorum since the New Town development will not be matched with the infrastructure that a healthy and thriving community depends upon.</p> <p>Failure to provide this infrastructure will have a number of damaging consequences:</p> <ul style="list-style-type: none"> • 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 prosperity of local people • reduced financial 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. <p>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.</p>
Funding and income is not sufficient to deliver the Council's Corporate Objectives	Risk Owner	James Deane
	Risk Description	Funding and income is not sufficient to deliver the Council's Corporate Objectives
	Comments	No Movement since Q1 2021

Risk Name	Detail	30 Sep 2021 Status
	Controls & Assurances	<p>The Council's Medium Term Financial Strategy (MTFS) and the HRA Business Plan are controls that mitigate the likelihood of this risk crystallising through the effective modelling of the future financial environment. Sound financial planning maximises the opportunity for the Council to identify funding risks in advance, and therefore grants more time for it to plan to provide its services differently in order to continue delivering its corporate priorities. The Council's sound financial planning processes, detailed below, have resulted in my reducing the inherent probability score from '4', Very Likely, to a residual probability score of '3', Likely.</p> <p>The 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 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.</p> <p>The 2020 MTFS refresh was delayed from its usual July publication until October (approved by Council in November) in order to optimise the evidence base for Covid-related forecasts into the medium-term. The Strategy adopted a two-pronged approach to combine the Council's need to 1) continue driving the efficiencies required to ensure underlying sustainability; and, 2) to protect frontline services in the face of the time-bound Covid pressures.</p> <p>The approved MTFS can be viewed on the October 2020 Cabinet Agenda, Item 8: (Public Pack)Agenda Document for Cabinet, 20/10/2020 19:30 (dacorum.gov.uk)</p> <p>In addition to a modified approach to the MTFS, quarterly Covid Updates have been reported to Cabinet throughout the year outlining the constantly evolving of the financial implications of the pandemic and the expected recession. The forecasts are kept under constant review and any updated forecasts that threaten the viability of the approved MTFS will be reported back to Members together with updated recommendations.</p> <p>As part of its Transformation Programme, the Council is seeking to deliver its Service Plans differently from 2021 – using a more cross-directorate approach and covering a longer period than the traditional one year. The closer alignment of the MTFS and Service Plans over a multi-year period should strengthen the Council's financial planning, and the cross-directorate approach unlock corporate opportunities that would be less clear under an individual approach to service planning.</p> <p>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.</p> <p>By keeping the Corporate Plan and Communications Strategy under review the Council is able to 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.</p>

Risk Name	Detail	30 Sep 2021 Status
	Evidence Risk is being managed	<p>Internal Audit</p> <p>In recent months, the Council has received two independent, third-party audit reviews of the financial processes that contribute to the management of this risk:</p> <p>The 'Budgetary Control' process was audited by the Council's new Internal Auditors, TIAA, in October 2020, and received the highest level of assurance, with no recommendations or action points to follow up. This followed an audit by the outgoing Internal Auditors, Mazars, in March 2020 on 'Core Financial Systems and Budgetary Control' which also gave the highest level of assurance with no recommendations or action points.</p> <p>External Audit</p> <p>The 'Value for Money' opinion issued in Grant Thornton's 'Audit Findings' report in September 2020, was based on evaluation of the MTFS; the budget-setting process; the reserves policy and use; and, the Council's forecasting of the Covid threat and plans to deal with it. Grant Thornton's conclusion was:</p> <p>'Based on the work we performed to address the significant risks, we are satisfied that the Council had proper arrangements for securing economy, efficiency and effectiveness in its use of resources.'</p> <p>Internal validation</p> <p>The fact that the Council was in a position to approve an MTFS which is capable of funding forecast Covid pressures from reserves, is practical validation of its approach to managing the MTFS and reserves over recent years. Although the planned use of reserves will inevitably reduce the amount available for future investment in the borough, it has meant that the Council is able to protect the delivery of its frontline services into the medium-term.</p>
	Consequences / Impacts	<p>The Council is currently facing two fronts of significant financial uncertainty that both hamper planning and risk deliverability of the objectives within the Corporate Plan into the medium-term: 1) the ongoing uncertainty around future Government funding of local authorities, and 2) the financial implications of Covid.</p> <p>Government Funding</p> <p>The Council is currently operating on a one-year Finance Settlement from Government, the second in succession, following the conclusion of the 4-year deal in April 2019. One-year Settlements, and the planning challenges that accompany them, are expected to continue until Government implements its new funding allocation model following the completion of its Fair Funding Review As yet there is no certainty over the level of funding that Dacorum or any other authority can expect in the future, post-review. However, there is a strong belief across the sector that the new model will divert funding away from lower tier authorities in favour of those authorities with responsibility for the provision of social care. The Council must ensure that it's in a position to adapt to significant funding reductions at potentially short notice when the new model is announced.</p> <p>Covid Implications</p> <p>The Council faces significant expenditure and income pressures as a result of Covid. The pattern of expenditure pressures have thus far tended to be more-directly lock-down related and, therefore, are likely to be more short-term. Income pressures on the other hand, have a short-term element, e.g. dramatic loss of car parking income during lock-down, but also potentially an even more significant long-term effect through a recessionary impact on the Council's primary income generating services, e.g. commercial property.</p> <p>The magnitude of the potential Covid-related losses, combined with uncertainty around the duration of the pandemic and the unknown timing and severity of the expected recession creates a significant financial threat to the Council's in-year budget. In addition it adds further complexity and risk to the already challenging medium-term planning environment arising from one-year Government funding settlements.</p>

Risk Name	Detail	30 Sep 2021
		Status
Social media risk	Risk Owner	Claire Hamilton
	Risk Description	Confidentiality and reputational issues
	Comments	
	Controls & Assurances	<p>The Council monitors and protects its social media presence through a Social Media Management Platform (Social SignIn). Social SignIn provides management options for automatic moderation of abusive messages and other risk mitigation tools.</p> <p>All staff are required to read and sign up to a range of policies including:</p> <ul style="list-style-type: none"> • 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
	Evidence Risk is being managed	<p>An audit of DBC's internal controls in strategy and governance, training and awareness, processes and technology, found that there is a sound system of internal control designed to achieve the system objectives.</p> <p>The communications team carry out training for new staff members and refresher training when needed.</p> <p>Social Media remains a key role in sending information and engaging with our residents/customers. This remains controlled and well managed as we experience very few instances where this causes issues for the Council.</p>
	Consequences / Impacts	<p>"Almost nine in ten (86%) of UK adults now have internet access at home, and this is highest among those aged under 55. Facebook continues to be the largest social network service in the UK. In April 2016, it attracted a digital audience of 38.9 million (more than three-quarters of active internet users).</p> <p>This was larger than that of LinkedIn (21.8 million) and Twitter (20.9 million)" (Ofcom report 2016).</p> <p>By design, social media is widely accessible and offers users easy electronic communication of personal information and other content, such as news, videos and photos. With public participation and exchange of content so readily available, this introduces a certain level of risk.</p> <p>The consequences of using social media include members of the public, pressure groups or employees using DBC social media accounts to raise negative, confidential, incorrect or abusive statements/campaigns aimed at damaging the reputation of DBC. Similarly, the risk of DBC not using social media will exclude a large proportion of residents and key demographic groups including younger residents and businesses.</p>
The Council is unable to recruit and retain the staff required	Risk Owner	Linda Roberts
	Risk Description	The Council is unable to recruit and retain the staff required to progress as a Modern and Efficient Council
	Comments	As with many other organisations the Council is suffering from a lack of HGV driver availability. Current HGV drivers, in particular Waste Service drivers, are being approached by external organisations with significant increased pay offers. The Council has sought to mitigate this by training more staff to be HGV drivers and offering a retention bonus with appropriate clauses of £5k per driver.

Risk Name	Detail	30 Sep 2021 Status
	Controls & Assurances	<p>A programme of work has been developed to enhance our ability to recruit and retain staff:</p> <ul style="list-style-type: none"> - Terms and conditions have already been reviewed to develop a range of benefits within the remuneration package - Flexible working arrangements are in place to ensure staff achieve a good work/life balance. <p>Further measures currently being developed and implemented include:</p> <ul style="list-style-type: none"> - Enhanced and expanded Graduate/apprenticeship scheme to create up to 8 new posts within areas experiencing recruitment and retention difficulties, this will be supported by a planned approach to utilising the Council's apprenticeship levy to support some of the professional training costs -SLT has agreed a further three graduates for 2021/22 from the National Graduate Development Programme (hosted by the Local Government Association) - Succession planning approach embedded into appraisals and service plans with supported by the career development plans. - Implementation of more robust management information which will be enabled by the implementation of a new Human Resources technology system - Streamlining of recruitment campaigns and modernisation of recruitment web pages including video clips; further develop the use of social media platforms for recruitment. - Hosting of recruitment days to generate interest in high volume recruitment service areas and retain CV's for future reference to fast track the filling of vacancies - Establish DBC as employer of choice by presence at careers fairs, developing links with Schools, Colleges and Universities. - As with many other organisations the Council is suffering from a lack of HGV driver availability. Current HGV drivers, in particular Waste Service drivers, are being approached by external organisations with significant increased pay offers. The Council has sought to mitigate this by training more staff to be HGV drivers and offering a retention bonus with appropriate clauses of £5k per driver.
	Evidence Risk is being managed	<p>Turnover remains reasonably low and it is infrequent that posts are re-advertised.</p> <p>Graduates have been appointed and we are working for LGA to appoint the next batch of three. HR will be working with services with recruitment challenges to ensure the graduates to support these areas in the first instance.</p>

Risk Name	Detail	30 Sep 2021 Status
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 32</p> <p>The Council will be unable to ensure that sufficient good quality and affordable</p>	Consequences / Impacts	<p>The Council is currently finding it challenging to recruit and retain staff with the appropriate skills to deliver all of its services, particularly within professional areas such as Legal, Finance, Surveyors, Environmental Health and Planning etc.</p> <p>This challenge has grown significantly over recent years – as the economy has emerged from the worst of the recession, the private sector employment market has become relatively more buoyant due to the continued constraints on public sector funding. General competition with the private sector for skilled employees is exacerbated for Dacorum by its close proximity to the higher salaries of the London market.</p> <p>This has resulted in the appointment of some agency staff across the Council in order to maintain service delivery. A reliance on agency staff brings a number of specific risks:</p> <ul style="list-style-type: none"> • Statutory – staff shortages can put delivery of the Council’s statutory services at risk, e.g. Environmental Health, Housing repairs and Fire safety, and Building Control; • Resilience – any need for agency staff leaves the Council vulnerable to potential higher turnover and loss of knowledge which can affect continuity of service provision; • Financial – the cost of agency staff is higher than for permanent staff, which can pressurise budgets in several areas across the Council. • Staff Morale - could be affected in areas which are carrying vacancies, due to increased workload pressure and as a result of lack of team rapport <p>This challenge affects all public sector organisations within the region, and a solution is high on the agenda for county-wide working groups of which DBC is a member</p>
	Risk Owner	Mark Gaynor
	Risk Description	The Council will be unable to ensure that sufficient good quality and affordable homes can be delivered, particularly for those most in need
	Comments	No Movement since Q1 2021

Risk Name	Detail	30 Sep 2021 Status
homes can be delive	Controls & Assurances	<p>The Local Plan is currently under development and is likely to go out for public consultation in the summer of 2019. This will incorporate a very high level of housing growth and the plan needs to ensure that the sites are identified and are likely to be delivered in the timescales identified. There will be a strong affordable housing policy, building on the current one, which will require at least 35% affordable homes on every scheme above 10 units. The council is strengthening its expertise in Planning on robustly testing developers viability submissions. This will include no longer accepting developer arguments that the cost of land prevents or reduces the amount of affordable they can deliver – they should take account of the council’s policy when agreeing the price.</p> <p>Ensuring good masterplanning of the larger sites emerging from the Local Plan will mean that they are more likely to be built out as planned and will be more attractive for potential buyers.</p> <p>The Private Housing Service in Housing, which includes Private Renting, has been reshaped and is geared up to the licensing of up to 900 Houses in Multiple Occupation and addressing issue of disrepair and harassment in the sector. It will work with and support landlords who are prepared to grant longer tenancies which will allow families more security and stability.</p> <p>There is already a new build council home programme of 370 new homes by 2022 that is just starting. The government has announced that the cap on the HRA borrowing will be ended in April 2019 and the programme will be further expanded. A full assessment of the capacity of the HRA to move to an output of around 100-200 new homes per year will be made in the very near future and will gear up for that level of delivery. This will help, though not solve, the shortage of affordable homes for rent. Housing Associations will be encouraged to include social rented homes at lower rent levels than affordable to be built as grant is now available from Homes England for this aim.</p> <p>The introduction of the Homeless Reduction Act has allowed the Council to be geared up to dealing with an increased number of homeless households with the initial aim of preventing the homelessness from happening. One important route will be working with those private landlords that have a desire to help those in housing need, and there are many, to be able to continue renting without losing income.</p>
	Evidence Risk is being managed	<p>The process for setting out development delivered is through the Authority 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.</p> <p>Regular reports will also made to the Housing and Community Overview and Scrutiny Committee on new build council homes, homeliness performance, and Private Renting sector performance.</p>

Risk Name	Detail	30 Sep 2021 Status
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 34</p>	<p>Consequences / Impacts</p>	<p>Housing costs in Dacorum are already extremely high and among the highest in the country outside of London. The impact of this is that local people (and potential new residents) face considerable difficulties accessing decent and affordable homes. This has potential risks in increased homelessness, difficulties in attracting new business and inward investment and breakdown of family support networks if people have to move away or have to stay longer in parental homes than is desirable.</p> <p>The causes for this are complex and varied, and some are outside of the Council's control, but include:</p> <ul style="list-style-type: none"> • The high cost of owner occupation due to location, local income levels, market shortage and increasing demand from people moving out from London. <p>This can mean owner occupation is well beyond the reach of a large number of local people.</p> <ul style="list-style-type: none"> • The Private Rented Sector is not focused on providing homes of quality to those on low incomes with short 6 months tenancies and often in poor condition. • The planning system does not have the levers to require new homes to be built and with respect of providing affordable homes the rented product – usually affordable rent at 80% of market rent - they are too expensive for those on low incomes. • There are still cuts being made to the benefits systems and Universal Credit has seen a dramatic increase in the levels of rent arrears in those areas that have already had the full roll out. This will cause further difficulty for low income households to afford rent and would lead to still further homelessness. <p>The key risks this raises for the Council are:</p> <ul style="list-style-type: none"> • The supply of homes is unable to match demand • An increase in the levels of homelessness resulting from landlords in private renting seeking to maximise their rents • The impact of Universal Credit roll out leading to increased arrears, debt and homelessness • A general risk that the construction industry may not have the capacity to meet the level of demand for development • The HRA will not be able to access sufficient funds to fulfil the Council's programme of social rented housing

Risk Name	Detail	30 Sep 2021
		Status
Uncertainty around Brexit negotiations could result additional demand for council services.	Risk Owner	Mark Brookes
	Risk Description	Uncertainty around Brexit negotiations could result in the Council facing additional demand for its services in the short to medium-ter
	Comments	No Movement since Q1 2021
	Controls & Assurances	<p>The Chief Executive prepared a report to Members outlining the sector's view on where the key Brexit risks currently lie.</p> <p>The Senior Leadership Team (SLT) has received a report from the Assistant Director (Corporate and Contracted Services), who is leading on Brexit risk, highlighting key risk areas for the Council which continue to be monitored with the wide Corporate Leadership Team . All service areas are represented at SLT, and the majority of SLTT members operate within county- and nation-wide professional groups. This means that the knowledge reach of the group is wide and varied, meaning that emerging issues are likely to be raised for discussion around impact as they arise.</p> <p>The Assistant Director, Corporate and Contracted Services also sits on a multi-agency county wide Tactical Coordination Group which monitors the EU Transition period although as the risk has reduced in early 2021 and this group was stood down in February 2021.</p> <p>SLT has also ensured that all service areas revisit their Business Continuity plans to ensure that they remain up-to-date and capable of mitigating known and emerging risks.</p> <p>SLT also review and update the Corporate Brexit risk register.</p> <p>The Leader of the Council and the Chief Executive have taken part in webinars hosted by MHCLG with various Government departments in preparation for Brexit.</p>
	Evidence Risk is being managed	The subject of Brexit is reviewed by SLT if there are any specific issues or impacts for discussion. Members will be kept advised as more information becomes available.
	Consequences / Impacts	<p>On 23rd June 2016, the UK voted in a referendum to leave the European Union (EU). Article 50 was triggered on 27th March 2017 starting a two year formal process for leaving the EU. The UK left the EU on 31 January 2020 with a withdrawal agreement which is subject to a transition period ending on 31st December 2020. The UK have now reached agreement on how the future relationship will work, including trade, energy, transport, social security, law enforcement, health and scientific collaboration and dispute settlement.</p> <p>The agreement now reached gives the Council greater certainty and there has been no noticeable increased demand for its services in 2021 as a direct result of Brexit.</p> <p>Brexit does still pose a strategic threat to the Council primarily because there is lack of clarity over how or to what extent the outcome may threaten achievement of its corporate priorities. In the absence of more detail, the Council is, in general terms, planning to 'be prepared'.</p> <p>In addition, there is the possibility that the Council may be required to carry out functions under its Civil Contingencies responsibilities, although in early 2021 this threat has not come to fruition to date.</p>

Agenda Item 9



AGENDA ITEM:

SUMMARY

Report for:	Cabinet
Date of meeting:	14 December 2021
Part:	1
If Part II, reason:	

Title of report:	Brownfield Land Register
Contact:	Cllr Alan Anderson, Portfolio Holder for Planning & Infrastructure Author/Responsible Officer: James Doe, Assistant Director, Planning, Development and Regeneration. Stephen Mendham, Strategic Planning & Regeneration Officer, Strategic Planning and Regeneration.
Purpose of report:	To consider the content of the Brownfield Land Register 2021 for the Borough of Dacorum.
Recommendations	That Cabinet approves the sites listed in Part 1 of the Brownfield Land Register (BLR) as drafted in Appendix 1 and delegates authority to the Assistant Director (Planning, Development and Regeneration) to finalise the site-specific information before publication and notes that no sites are recommended for inclusion in Part 2.
Corporate Objectives:	<i>A clean, safe and enjoyable environment; Building strong and vibrant communities; Ensuring economic growth and prosperity; Providing good quality affordable homes; Delivering an efficient and modern council;</i> The Brownfield Register will assist in more housing led sites becoming available for development This will provide more local housing, improved communities and economic growth.

Implications:	<p><u>Financial</u></p> <p>The then DCLG provided a new burdens grant to assist Local Authorities to produce their BLR. £14,645 was given for 16/17 (paid to DBC 31/3/16), with further grants of £30,000 and £5,485 (paid to the Council on 29/03/18); £1,775 and £575 (paid to the Council in March 2019) and £1,775 and £575 (paid to the Council in March 2020). It is unclear what period this is intended to cover or whether any further grant is expected for future years. No grant was received in March 2021. The figures and timescales going forward are as yet unknown making it difficult for Local Authorities to budget effectively.</p> <p><u>Value for Money</u></p> <p>None specific, other than the grant finance from central Government assists in lessening the pressure on Council resources.</p>
'Value For Money Implications'	None specific, other than the grant finance from central Government assists in lessening the pressure on Council resources.
Risk Implications	Risk Assessment included within the PID for this area of work.
Community Impact Assessment	Community Impact Assessment carried out and is at Appendix 2 to this report.
Health And Safety Implications	None arising from this report.
Monitoring Officer/S.151 Officer Comments	<p>Deputy Monitoring Officer:</p> <p>This report considers the Council's statutory requirement to review its Brownfield Land Register at least once every year. It is noted that no sites are recommended for approval in Part 2 of the register and therefore approval of Part 1 remains an Executive decision to be made by the Council's Cabinet.</p> <p>Deputy S.151 Officer: There are no direct financial considerations arising from this report.</p>
Consultees:	<p>Mark Gaynor, Corporate Director, Housing and Regeneration</p> <p>James Doe, Assistant Director, Planning Development and Regeneration</p> <p>Corporate Property Management Board</p> <p>Cllr Alan Anderson, Portfolio Holder, Planning and Infrastructure</p>
Background papers:	Dacorum Borough Brownfield Land Register as approved (at http://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/brownfield-land-register)
Glossary of acronyms and any other abbreviations used in this report:	<p>BLR – Brownfield Land Register</p> <p>CPMB – Corporate Property Management Board</p> <p>DBC – Dacorum Borough Council</p> <p>DCLG - Department for Communities and Local Government</p> <p>LA – Local Authority</p> <p>PIP – Permission in Principle</p> <p>SHLAA - Strategic Housing Land Availability Assessment</p> <p>TDC – Technical Details Consent</p>

Background

1. The Government, in its efforts to boost the supply and availability of land for housing-led developments, and to limit use of greenfield land, has required that all Councils prepare a register of brownfield land within their areas, of sizes from 0.25ha or capable of accommodating 5 dwellings or more. At their discretion, smaller sites can be included.
2. Legislation was issued in April 2017 (The Town and Country Planning (Brownfield Land Register) Regulations 2017) with additional guidance issued July 2017. All LA's are required to review and maintain their BLR's at least once each year from first publication. The register is formed of two parts:
 - a. Part 1 includes all brownfield sites that are suitable for housing but in order to develop the site will still need to go through the full planning application process to achieve a consent.
 - b. Part 2 includes sites for which Permission in Principle (PIP) has been granted, following prescribed publicity, notification and consultation requirements.
3. PIP settles the principle of development including its use, location and the quantum of development. However, work cannot commence until a Technical Details Consent (TDC) is obtained and this requires an application to be submitted to the local planning authority to enable them to assess the detailed design and ensure mitigation and contributions to infrastructure are secured, via conditions and planning obligations. Community Infrastructure Levy may also be payable.
4. The 2017 Regulations do not contain any mandatory consultation for Part 1. Part 2 contains mandatory consultation requirements.
5. The draft BLR for consideration by Cabinet is at Appendix 1. This is in the format as required by the regulations.
6. It will be noted that Part 1 of the BLR includes sites already agreed by Council in September 2018, 2019 and 2020. These comprise sites taken from the Council's existing Strategic Housing Land Availability Assessment (SHLAA)/Site Allocation sites (Site Refs: BLR/001 to BLR/033 in Appendix 1). Further sites were added to Part 1 of the BLR in 2019 comprising site refs: BLR/034 to BLR/037 in Appendix 1. Yet further sites were added in 2020 comprising site refs BLR/038 to BLR/040. These have been reviewed and minor updates incorporated, (e.g. where planning permissions have subsequently been granted or a definitive net minimum dwellings figure is now available). It will be noted that none of the sites are proposed for inclusion in Part 2 of the register. No sites are being recommended for PIP in 2021.
7. The Council is currently undertaking a Call for Sites and progressing further work on its Urban Capacity Study. This work is currently ongoing and, accordingly, no new sites are proposed under this review. Any new sites will be considered as part of the review of the BLR to be undertaken in 2022.
8. CPMB, which is a cross-service group of senior officers to review issues relating to Council owned property and assets, has endorsed the following four sites for removal from the BLR:
 - a. Button House, Pix Farm Lane (BLR/028)- works have commenced.
 - b. Hemel Hempstead Garden Centre (BLR/028) – constraints on availability and deliverability.
 - c. Chipperfield Garden Centre (BLR/027) – constraints on availability and deliverability.
 - d. Former Martindale School Site (BLR/016) – site built out.

These removals are noted on the BLR by completion of the end date column of the BLR.

Government guidance on the BLR states that sites should remain on the BLR for historic reasons and their “removal” is signified by completion of the End Date on the BLR.

9. In accordance with the Council’s constitution, the resolution of the Cabinet on the BLR will be put to Full Council for final endorsement.

Recommendations

Please see the recommendations on page 1 abov

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Organisat	SiteRefere	SiteNameAddress	StiefplanUf	GeoY	GeoX	Hectares	Ownership	Planning/	Permissio	PermisioDate	PlanningHistory	Deliverabi	NetDwellii	NetDwellii	Hazardous	Notes	FirstAddedDate	LastUpdatedDate	EndDate	Notes
http://poe	BLR001	West Herts College site and Civic Zone Marlowes	http://h/	-0.47384	51.7556	5.7	owned by: permisio: full plana	17/03/17	http://www.dacorum.gov.u	yes	300					31/12/17	16/08/18		Part permissioned as applications only received for parts of the site - i.a. West Herts College, Forum, Land around Forum. Outline planning permission granted for latter on 29/06/15. Full planning permission granted for Forum on 10/02/15	
http://poe	BLR002	Hemel Hempstead Hospital site Hillfield Road	http://h/	-0.46776	51.7674	11.71	owned by: not permissioned		http://www.dacorum.gov.u	yes	400					31/12/17	16/08/18		Application has expired	
http://poe	BLR003	Parasite/Wood Lane Hemel Hempstead	http://h/	-0.48834	51.74889	3	mixed own not permissioned		http://www.dacorum.gov.u	yes	75					31/12/17	16/08/18		4/00087/17/MFA withdrawn at last second	
http://poe	BLR004	Hemel Hempstead Station Gateway Station Road	http://h/	-0.48835	51.74241	4.32	mixed own not permissioned		http://www.dacorum.gov.u	yes	140					31/12/17	16/08/18			
http://poe	BLR005	Gossoms End / Billie Lane Berkhamstead	http://h/	-0.57927	51.7657	0.63	not owned permisio: full plana	25/06/18	http://www.dacorum.gov.u	yes	32					31/12/17	14/10/19			
http://poe	BLR006	Berkhamstead Civic Centre and land to rear of High Street Berkhamstead	http://h/	-0.56473	51.75949	0.4	owned by: not permissioned		http://www.dacorum.gov.u	yes	23					31/12/17	16/08/18		Application has expired	
http://poe	BLR007	Market Squares Hemel Hempstead	http://h/	-0.47128	51.75261	0.5	owned by: not permissioned		http://www.dacorum.gov.u	yes	5					31/12/17	29/10/21			
http://poe	BLR008	Land rear of 186-202 Betswain Lane	http://h/	-0.45628	51.73203	0.32	not owned not permissioned		http://www.dacorum.gov.u	yes	10					31/12/17	16/08/18			
http://poe	BLR009	National Grid land 339-333 London Road Hemel Hempstead	http://h/	-0.48021	51.74992	4.32	not owned not permissioned		http://www.dacorum.gov.u	yes	350					31/12/17	29/10/21		PP granted for demolition. PP	
http://poe	BLR010	Ebbwens Road Hemel Hempstead	http://h/	-0.46623	51.73849	1	not owned permisio: full plana	12/04/16	http://www.dacorum.gov.u	yes	30					31/12/17	16/08/18		Part permissioned as application not received for remaining part of site. Full Permission granted for Drew House and the Factory on 21/08/15	
http://poe	BLR011	Former Hewden Hire site Two Waters Road Hemel Hempstead	http://h/	-0.4718	51.74095	0.3	not owned permisio: full plana	27/08/19	http://www.dacorum.gov.u	yes	39					31/12/17	14/10/19			
http://poe	BLR012	Lewinston Green Tennis Club Granmere Close Hemel Hempstead	http://h/	-0.43833	51.74629	1.16	not owned not permissioned		http://www.dacorum.gov.u	yes	25					31/12/17	16/08/18		4/00516/17/PPE	
http://poe	BLR013	233 London Road Hemel Hempstead	http://h/	-0.47207	51.73889	0.11	not owned not permissioned		http://www.dacorum.gov.u	yes	10					31/12/17	11/12/18		Application has expired	
http://poe	BLR014	Aspiky Paper Trail land London Road	http://h/	-0.46242	51.7339	0.31	owned by: not permissioned		http://www.dacorum.gov.u	yes	31					31/12/17	16/08/18		4/00675/14/PPE	
http://poe	BLR015	The Home (former garage) (ring station) Two Waters Road Hemel Hempstead	http://h/	-0.47286	51.74555	0.15	owned by: not permissioned		http://www.dacorum.gov.u	yes	25					31/12/17	16/08/18		4/03216/13/PPE	
http://poe	BLR016	Former Martinlake School Boxed Road Hemel Hempstead	http://h/	-0.49828	51.76075	1.41	owned by: permisio: full plana	16/10/17	http://www.dacorum.gov.u	yes	65					31/12/17	29/10/21		29/10/21 Built out	
http://poe	BLR017	Freemore Road Hemel Hempstead	http://h/	-0.46609	51.73815	2.93	not owned not permissioned		http://www.dacorum.gov.u	yes	100					31/12/17	16/08/18		4/03224/16/PPE	
http://poe	BLR018	Corner of High Street / Faving Gate Lane Berkhamstead	http://h/	-0.55603	51.75142	0.1	owned by: permisio: full plana	20/06/15	http://www.dacorum.gov.u	yes	11					31/12/17	16/08/18			
http://poe	BLR019	Western Road Trine	http://h/	-0.68847	51.79205	0.47	not owned not permissioned		http://www.dacorum.gov.u	yes	25					31/12/17	16/08/18			
http://poe	BLR020	Dooce land Lansdon Street Trine	http://h/	-0.68386	51.79330	0.22	not owned permisio: full plana	18/05/18	http://www.dacorum.gov.u	yes	10					31/12/17	16/08/18		06/03/18	
http://poe	BLR021	Walling Street (rear of Hicks Road/High Street) Markyate	http://h/	-0.48827	51.83659	0.31	not owned permisio: full plana	02/11/15	http://www.dacorum.gov.u	yes	9					31/12/17	28/10/21			
http://poe	BLR022	Garden Scene Nursery Chapel Croft Chipperfield	http://h/	-0.49115	51.70739	0.81	not owned permisio: full plana	29/07/19	http://www.dacorum.gov.u	yes	15					31/12/17	14/10/19		4/00780/14/PPE 4/02659/06/PPE 4/00369/93/4 refer to simmonds nursery	
http://poe	BLR023	Bourne End Mills Bourne End Lane	http://h/	-0.5261	51.74296	3.98	not owned permisio: reserved in	17/07/17	http://www.dacorum.gov.u	yes	45					31/12/17	16/08/18		inland application granted outline / part full permission on 9/03/16	
http://poe	BLR024	St Mary's Convent Green End Road Bomoor	http://h/	-0.49194	51.74707	0.81	not owned permisio: full plana	13/06/16	http://www.dacorum.gov.u	yes	20					31/12/17	16/08/18		L&C granted 13/06/16	
http://poe	BLR025	Former Sapfo Coach Mills St Francis Or Sales Preparatory School	http://h/	-0.45143	51.7287	6.67	not owned permisio: full plana	19/10/15	http://www.dacorum.gov.u	yes	38					31/12/17	16/08/18		Port permissioned as applications not received for part of site to south of Red Lion Lane. CofI of Blocks I and K granted 2/04/13. 450 dwellings plus care home, community use, A3, B1 and Day Nursery, etc granted 12/05/10	
http://poe	BLR026	Arlebury Road	http://h/	-0.69931	51.83448	0.69	not owned permisio: full plana	09/03/18	http://www.dacorum.gov.u	yes	40					31/12/17	14/10/19		Query whether this constitutes previously developed land	
http://poe	BLR027	Chipperfield Garden Centre, Chipperfield	http://h/	-0.50745	51.71278	3.22	not owned not permissioned		http://www.dacorum.gov.u	no	71					17/08/18	29/10/21		29/10/21	
http://poe	BLR028	Hemel Hempstead Garden Centre, Great paddesden	http://h/	-0.50674	51.79204	2.44	not owned permisio: full plana	20/09/19	http://www.dacorum.gov.u	no	74					17/08/18	29/10/21		29/10/21	
http://poe	BLR029	Marchmont Farm, Link Road, hemel	http://h/	-0.474	51.76204	0.65	not owned not permissioned		http://www.dacorum.gov.u	yes	6					17/08/18	14/10/19			
http://poe	BLR030	Former Bobbighigh Hotel, Bovington	http://h/	-0.52699	51.72837	1.4	not owned not permissioned		http://www.dacorum.gov.u	yes	61					17/08/18	14/10/19			
http://poe	BLR031	Caddington Hall, Markyate	http://h/	-0.45207	51.8439	4.65	not owned not permissioned		http://www.dacorum.gov.u	yes	10					17/08/18	14/10/19			
http://poe	BLR032	Diary House, Hillfield Road	http://h/	-0.47051	51.75301	0.05	not owned not permissioned		http://www.dacorum.gov.u	yes	5					17/08/18	14/10/19			
http://poe	BLR033	Leys Road (No 121)	http://h/	-0.45641	51.74272	0.15	not owned permisio: full plana	21/10/21	http://www.dacorum.gov.u	yes	3					17/08/18	28/10/21		PP granted	
http://poe	BLR034	Button House, Pix Farm Lane, Hemel Hempstead	http://h/	-0.51948	51.74793	2.55	not owned permisio: full plana	05/03/19	http://www.dacorum.gov.u	yes	56	38				14/10/19	29/10/21		Works have commenced	
http://poe	BLR035	Hor site, Malands Avenue	http://h/	-0.49758	51.75657	1.1	not owned not permissioned		http://www.dacorum.gov.u	yes	6	9				14/10/19	28/10/21		01/11/21	
http://poe	BLR036	The Old Mill Public House	http://h/	-0.5204	51.75677	0.18	not owned not permissioned		http://www.dacorum.gov.u	yes	6					14/10/19	14/10/19		Previous part of CPS1	
http://poe	BLR037	Hillfield Road	http://h/	-0.47123	51.75296	0.22	not owned not permissioned		http://www.dacorum.gov.u	yes	28	45				14/10/19	29/10/21		Previously part of HMC47 No	
http://poe	BLR038	Land at West Herts College	http://h/	-0.4748	51.75649	0.88	not owned permisio: reserved in	26/03/19	http://www.dacorum.gov.u	yes	106	106				24/11/20	28/10/21		Part of existing MUJ1 allocations	
http://poe	BLR039	Symbol Site, Whitelad Road	http://h/	-0.47633	51.73993	0.22	not owned not permissioned		http://www.dacorum.gov.u	yes	55	180				24/11/20	28/10/21		Old UCS H88	
http://poe	BLR040	66 and 72 Wood Lane End	http://h/	-0.48663	51.75817	1.88	not owned not permissioned	26/08/21	http://www.dacorum.gov.u	yes	150	169				24/11/20	28/10/21		Old UCS H887	



November 2021

1. About the Project, service change or policy development

Responsible officer	Stephen Mendham
Name and description of project, service or policy	
<ol style="list-style-type: none">1. The Government, in its efforts to boost the supply and availability of land for housing-led developments and to limit use of greenfield land, has required that all Councils prepare a register of brownfield land within their areas, of sizes from 0.25ha or capable of accommodating 5 dwellings or more.2. Legislation was issued in April 2017 (The Town and Country Planning (Brownfield Land Register) Regulations 2017) with additional guidance issued July 2017. All LA's are required to review and maintain their BLR's at least once each year from first publication. The register is formed of two parts:<ol style="list-style-type: none">a. Part 1 includes all brownfield sites that are suitable for housing but in order to develop the site will still need to go through the full planning application process to achieve a consent.b. Part 2 includes sites for which Permission in Principle (PIP) has been granted, following prescribed publicity, notification and consultation requirements.3. The 2017 Regulations do not contain any mandatory consultation for Part 1. Part 2 contains mandatory consultation requirements, however, no sites are included in Part 2 of the Register.4. The Register can assist in the delivery of new homes, including affordable homes, to meet housing need and also provide employment space for all members of the community.5. Recycling and re-purposing land is an important element of land use and can be an important tool in regenerating and creating vibrant and sustainable communities. Using brownfield land for development also assists in protecting existing greenfield land from development.	

2. Identifying the community impact

What impacts will this change have on the community?			
Information which might be useful in thinking about this includes our equality profiles , available for a number of demographic groups in Dacorum, and Spotlight on Dacorum , which provides information about the Borough as a whole and signposts users to detailed statistics at ward / postcode level through neighbourhood statistics.			
	Positive	Negative	What are the positive and negative impacts? How will the positive impacts be enhanced? How will the negative impacts minimised/eliminated?
The community in general e.g. social or economic benefits or negative impacts	✓		The Register can assist in the delivery of new homes, including affordable homes and to meet housing need for all members of the community. Recycling and re-purposing land is an important element of land use and can be an important tool in regenerating and creating vibrant and sustainable communities. Using brownfield land also assists in protecting existing greenfield land from development.
On DBC as an organisation e.g. on staff or operations	✓		The Register can assist in the assessment of applications for development.
The specific demographic considerations or characteristics e.g. age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation - specify where impacts are different for different considerations	✓		The Register can assist in the delivery of new homes to meet housing need for all members of the community.
The environment e.g. effects on the climate, trees, amenity space, biodiversity, water, energy, waste, material use, air quality	✓		Recycling and re-purposing land is an important element of land use and can be an important tool in regenerating and creating vibrant and sustainable communities. Using brownfield land for development also assists in protecting existing greenfield land from development.
Any community issues identified for this location , if the project is based in a specific area – state if this is not applicable e.g. if there are no specific issues for this location or if the project is district-wide	✓		The project is district wide.

What evidence have you used to assess the impact on the community?
 What baselines have been established and what data will be used to monitor the impact?

This Community Impact Assessment has not identified any potential for discrimination or negative impact and all opportunities to advance equality have been taken. This is an update of the existing Register and the fundamental principles which we have historically applied to its review have not changed.

What steps have you taken or plan to take to consult the whole community or specific groups affected by the service or policy development?
 E.g. on-line consultation, focus groups, consultation with representative groups?

Sites included on the Register are taken from a number of sources, including the Council's existing Strategic Housing Land Availability Assessment / Site Allocation sites and Urban Capacity Studies. Those sites included on Part 1 of the Register must be deemed by the Council to be 'suitable', 'available' and 'achievable' to deliver residential led development of 5 or more dwellings and have been previously developed.

The annual review of the Register is a statutory obligation and for sites listed in Part 1 consultation is not mandatory.

Sites to be included in the Register were considered at a meeting of the Corporate Property Management Board on 3 November 2020.

3. Review

How will you review the impact, positive or negative once the service or policy has been implemented?		
<i>Action</i>	<i>By when</i>	<i>By who</i>
The annual review of the Register is a statutory obligation.	December 2022	Strategic Policy team

Name of responsible officer:

Reviewed and signed off by: (relevant Group Manager)

Stephen Mendham

Alex Robinson

Role: Strategic Planning Officer
 Development)

Role: Interim Group Manager (Planning and

Date: 17 November 2021

Date: 17 November 2021

Agenda Item 11



Report for:	Cabinet
Date of meeting:	14th December 2021
Part:	I
If Part II, reason:	

Title of report:	Appointment of Principal Contractor for the redevelopment of five garage sites in Hemel Hempstead and Kings Langley
Contact:	<p>Cllr Margaret Griffiths, Portfolio Holder for Housing</p> <p>James Doe, Strategic Director of Place</p> <p>Fiona Williamson, Assistant Director Housing</p> <p>Nigel Howcutt, Assistant Director Finance and Resources</p> <p>David Barrett, Housing Development Group Manager</p> <p>Farida Hussain, Group Manager (Legal and Corporate Services), Legal Governance Management</p> <p>Andrew Linden, Team Leader, Commissioning, Procurement & Compliance</p>
Purpose of report:	<p>To be read in conjunction with Part II.</p> <ol style="list-style-type: none"> 1. To seek approval to award the main contract and appoint a Principal Contractor to construct houses and flats at the following garage sites (totalling 25 units): <ul style="list-style-type: none"> • Housewood End, Hemel Hempstead • Dione Road, Hemel Hempstead • Sleddale, Hemel Hempstead • Sempill Road (West), Hemel Hempstead • Beechfield, Kings Langley 2. To provide delegated authority to the Council's Assistant Director (Corporate and Contracted Services) to execute and complete all legal agreements ancillary to the JCT Design & Build Contract 2016 and/or reasonably required to complete the Project, including (but not limited to):

	<ul style="list-style-type: none"> a. all professional appointments; b. collateral warranties; and c. Agreements under S.38, & S.278, of the Highways Act 1980; S.247, Part III of the Town and Country Planning Act 1990; S.104 of the Water Industry Act 1991, and S.50 of the New Roads and Street Works Act 1991.
Recommendations:	<ol style="list-style-type: none"> 1. That the main contract to construct 25 social rented units at five garage site locations in Hemel Hempstead and Kings Langley be awarded to Bugler Developments Limited. 2. That delegated authority be approved to the Council's Assistant Director (Corporate and Contracted Services) to execute and complete all legal agreements ancillary to the JCT Design & Build Contract 2016 and/or reasonably required to complete the Project, including (but not limited to): <ul style="list-style-type: none"> a. all professional appointments; b. collateral warranties; and c. Agreements under S.38, & S.278, of the Highways Act 1980; S.247, Part III of the Town and Country Planning Act 1990; S.104 of the Water Industry Act 1991, and S.50 of the New Roads and Street Works Act 1991.
Period for post policy/project review	There will be a 12-month defect liability period after practical completion. A 2-year review period is therefore recommended for this project.
Corporate Objectives:	Delivering Affordable Housing
Implications:	<u>Financial</u>
'Value For Money Implications'	<p>The overall development budget is reviewed strategically as part of the annual review of the Housing Revenue Account Business Plan. Each individual scheme, following contract award, is subject to close financial monitoring with any variances agreed formally through a change control process</p> <p><u>Value for Money</u></p> <p>This has been achieved through a procurement programme involving a tender process using an existing Framework managed by Catalyst Housing.</p>
Risk Implications	Risk assessments are completed within the new build Project Initiation Document (PID) and are reviewed and updated on Project Management Office, on a monthly basis.

	A risk assessment is completed for this project by the Project Manager / Employers Agent and reviewed monthly from the award of the contract.
Community Impact Assessment	A Community Impact assessment is not required. Homes are developed and allocated in line with the demand for social housing and replicate the criteria for assessment, as set out in the Council's Allocation Policy, which has had a full assessment.
Health And Safety Implications	<p>Each new build scheme has in place a Principal Designer and Construction Design and Management Regulations (CDM) Advisor. Contractors are required to comply with the Council's Health and Safety (H&S) policy along with Considerate Constructors requirements.</p> <p>Health & Safety is identified as a key risk of the Housing Service and is reported to the Council's Housing and Communities Overview and Scrutiny Committee on a quarterly basis. To ensure compliance, monthly site checks carried out on behalf of DBC as the client to ensure adherence to H&S procedures.</p>
Monitoring Officer/S.151 Officer Comments	<p>Deputy Monitoring Officer: The proposed contract award follows a competitive and compliant tender process which demonstrates that the Council is receiving value for money for the contract.</p> <p>Deputy S.151 Officer The award of this contract follows a tender process via an existing framework managed by Catalyst Housing. The award is to be made to the bid representing the greatest value for money.</p> <p>The contract award is in excess of the pre-tender estimates due to the increasing pressures on the construction sector. The scheme is part of the HRA business plan and remains affordable within existing new build development budgets.</p> <p>The HRA business plan is carefully monitored and updated on at least an annual basis. The impact of increasing construction costs on the overall new build development programme is kept under close review and will be reflected in the plan as appropriate.</p>
<p>Consultees:</p> <p>(including summary feedback from Scrutiny where</p>	<p>James Doe, Strategic Director of Place</p> <p>Fiona Williamson, Assistant Director Housing</p> <p>Nigel Howcutt, Assistant Director Finance and Resources</p>

appropriate)	David Barrett, Group Manager, Housing Development Farida Hussain, Group Manager (Legal and Corporate Services), Legal Governance Management Andrew Linden, Team Leader, Commissioning, Procurement & Compliance
Background papers:	Appendix A - Consultant's Report dated 24th November 2021 Appendix B – Existing and proposed plans
Glossary of acronyms and any other abbreviations used in this report:	HRA Housing Revenue Account ITT Invitation to Tender JCT Joint Contract Tribunal SQ Separate Pre- Qualification PID Project Initiation Document CDM Construction Design and Management Regulations H&S Health and Safety PV – Photo Voltaic

1. Executive Summary

- 1.1 After conducting a tender process via the Catalyst Housing Framework, Bugler Developments Ltd is recommended for appointment as Principal Contractor to develop the five sites (Housewood End, Hemel Hempstead, Dione Road, Hemel Hempstead, Sleddale, Hemel Hempstead, Sempill Road (West), Hemel Hempstead and Beechfield, Kings Langley).

2. Background

- 2.1 Since 2013 the Council has delivered 338 new Council homes in the Borough.

Table 1. Properties delivered to date

Scheme	Tenure	No. of units	Completion	Site source
The Elms	TA	41	2015	Private
Longlands	Social rent	6	2015	Council
Farm Place	Social rent	26	2015	Council
St Peters	Social rent	9	2015	Private
Aspen Court	Social rent	36	2016	Private
Queen Street	Social rent	6	2016	Council
Able House	Social rent	14	2017	Private
Kylina Court	Social rent	79	2019	Private
Corn Mill Court	Social rent	12	2019	Private
Williams House	TA	6	2020	Council
Howe Grove House	TA	6	2020	Council
Magenta Court	Social rent	29	2020	Private
West Dean	Social Rent	3	2020	Council
Martindale	Social Rent	44	2020	Private

	Sale	21		
TOTAL		338		

- 2.2 The Council already has a good record of delivering new homes to date and a strong pipeline of new schemes programmed. The lifting of the borrowing cap on the HRA has presented an opportunity to accelerate delivery and enable a sustainable ongoing development programme.

Table 2. Properties currently in construction

Scheme	Tenure	No. of units	Completion	Site source
Coniston Road	Social Rent	10	Spring 2022	Council
Eastwick Row	Social Rent	36	Winter 2022/23	Council
TOTAL		46		

Table 3. Planning Permissions Granted

Scheme	Tenure	No. of units	Scheduled for Completion	Site Source
Paradise Fields (Mountbatten View)	Social Rent	58	2023	Private
Randall's Ride	Social Rent	30	2023	Council
Dione Road Garage Site	Social Rent	4	2023	Council
Housewood End Garage Site	Social Rent	3	2023	Council
Beechfields Garage Site	Social Rent	4	2023	Council
Sempill Road (West) Garage Site	Social Rent	6	2023	Council
Sleddale Garage Site	Social Rent	8	2023	Council
Wilstone	Social Rent	6	2023	Council
TOTAL		119		

3. Garage Sites in Hemel Hempstead and Kings Langley

- 3.1 This report seeks approval for the appointment of the Principal Contractor at five garage sites in Hemel Hempstead and Kings Langley. The sites identified are Housewood End - Hemel Hempstead, Dione Road - Hemel Hempstead, Sleddale - Hemel Hempstead, Sempill Road (West) - Hemel Hempstead and Beechfield - Kings Langley.
- 3.1 The proposals include the delivery of 25 new one and two homes which are a mix of flats and houses on garage sites appropriated from the general fund using housing revenue account resource. The proposal will provide an ongoing revenue stream for rental income.

- 3.2 After a public consultation, planning applications were submitted for each site. These comprised 25 No. one and two bed houses / apartments over the five sites. The proposed developments include communal areas and adequate parking spaces to meet Dacorum Borough Council's Parking Standards. Planning permissions for each site were granted between April – August 2021.
- 3.3 The design of these schemes will maximise the energy efficiency performance of the building fabric, reducing the energy demand for space heating. The new homes have been designed to utilise offsite timber frame manufacturing supporting the Hertfordshire Offsite Manufacturing Consortium.
- 3.4 Please see **Appendix B** for a proposed site layout of the scheme.
- 3.5 As the estimated construction cost was over £4.7m, an OJEU compliant tender process was required. Following a review of the options with the Council's Procurement Officer, it was agreed that the contract would be tendered using an existing Framework managed by Catalyst Housing.
- 3.6 In March 2021, an Expressions of Interest was advertised on the Framework and three responses were received. Following an evaluation process and financial checks, all three contractors were eligible to proceed to ITT.
- 3.7 In August 2021 an ITT was issued to the three contractors and two tenders were returned. These were scored in line with scoring methodology as set out in the tender documentation. The scoring was completed by the Housing Development Team and the Council's Employers Agent, Summers Inman. Final clarifications were received from all the bidders and as a result of a robust scoring process of the qualitative responses, it was recommended that the bidders would be invited for a tender clarification interview.
- 3.8 The highest scoring bid was from Bugler Developments Limited, who submitted a compliant submission subject to negotiation of the contract amendments.
- 3.9 A financial assessment was carried out by the Council's Finance Department based on the bidders set of accounts (last 3 financial years) and a credit reference report. The recommended successful bidder passed this financial assessment.
- 3.10 The scoring methodology to adjudicate tenders relate to quality and technical merit (equating to 60% of the overall marks available) and the pricing element (equating to 40% of the overall marks available).

4. Conclusion

- 4.1 After an open tender procurement process, 2 compliant tenders were returned and evaluated on both price and quality. The process included an assessment of the contractors' experience, knowledge and compliance. The highest scoring tender was returned by Bugler Development Limited.

5. Recommendations

- 5.1 To award the main contract to construct 25 No. social rented units at five garage sites in Hemel Hempstead and Kings Langley to Bugler Development Limited.

- 5.2 To approve delegated authority to the Council's Assistant Director (Corporate and Contracted Services) to execute and complete all legal agreements ancillary to the JCT Design & Build Contract 2016 and/or reasonably required to complete the Project, including (but not limited to):
- all professional appointments;
 - collateral warranties; and
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