

MINUTES

CABINET

15 FEBRUARY 2022

Present:

Members:

Councillors: Williams (Leader)
Griffiths (Deputy
Leader)
Anderson
Banks
Barrett

Officers:	Mark Brookes	Assistant Director - Corporate and Contracted Services
	David Barrett	Group Manager - Housing Development
	Robin Barton	Strategic Director - Corporate and Commercial
	Nigel Howcutt	Chief Finance Officer (S151)
	Jody Nason	Strategic Director - People and Transformation
	Alex Robinson	Interim Group Manager - Planning and Development

Also Attendance:

The meeting began at 7.30 pm

CA/1/21 **MINUTES**

The minutes of the meeting held on 14 December were agreed by Members present and signed by the Chair

CA/2/21 **APOLOGIES FOR ABSENCE**

Apologies were received from Cllr Elliot and Claire Hamilton.

CA/3/21 **DECLARATIONS OF INTEREST**

None

CA/4/21 **PUBLIC PARTICIPATION**

None

CA/5/21 REFERRALS TO CABINET

None

CA/6/21 CABINET FORWARD PLAN

Noted

CA/7/21 SENIOR OFFICER PAY POLICY

Decision

- (1) That Cabinet recommends to Council that it adopt the Pay Policy for 2022/23 as set out in appendix 1 to this report.
- (2) That Cabinet recommends to Council that authority be delegated to the Chief Executive in conjunction with the Council's Monitoring Officer to approve any amendments to the Pay Policy throughout the financial year 2022/2023, which may be required as a result of legislative changes

Corporate Objectives

The Council's policies in respect of pay and terms and conditions support all five of the Council's strategic objectives as part of ensuring that services to the community can be delivered to the required standards and with due regard to economy, efficiency and effectiveness..

Statutory Officer Comments:

Deputy Monitoring Officer:

The Senior Pay Policy is required by virtue of section 38 of the Localism Act 2011 and this Pay Policy complies with the statutory requirement and associated guidance.

Deputy S.151 Officer:

No further comments to add to this report

Advice

Cllr Williams advised this was a standard report that comes to Cabinet every year; there was requirement for Council to approve the Senior Officer Pay Policy.

RESOLVED TO RECOMMEND

- (1) That Council that it adopts the Pay Policy for 2022/23 as set out in appendix 1 to this report.
- (2) That Council that authority be delegated to the Chief Executive in conjunction with the Council's Monitoring Officer to approve any amendments to the Pay Policy throughout the financial year 2022/2023, which may be required as a result of legislative changes.

CA/8/21 DACORUM BOROUGH LOCAL PLAN 2021-2038: REVIEW OF THE LOCAL DEVELOPMENT SCHEME

Decision

- (1) That Cabinet notes the work being undertaken on the Local Plan.
- (2) That Cabinet approves the revised timetable for the Local Plan as detailed in the Local Development Scheme appended to this report and delegates authority to the Strategic Director (Place) to make any final minor editorial and typographical revisions to the document including any necessary to reflect the Cabinet's discussions and decision.

Corporate Objectives

The Council's Local Plan helps support all 6 corporate objectives:

- A clean, safe and enjoyable environment: e.g. contains policies relating to the design and layout of new development that promote security and safe access;
- Building strong and vibrant communities: e.g. contains policies and sites to support new and enhanced facilities, while seeking to protect the vitality and viability of our town centres.
- Ensuring economic growth and prosperity: e.g. identifies and safeguards land to deliver future economic growth across the borough.
- Providing good quality affordable homes: e.g. sets the Borough's overall housing target and the proportion of new homes that must be affordable;
- Ensuring efficient, effective and modern service delivery: e.g. provides a clear framework upon which planning decisions can be made; and
- Meeting the challenges of the climate emergency: through an overarching environmental objective and direct policy action.

Statutory Officer Comments:

Deputy Monitoring Officer:

Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) requires local planning authorities to review their local plans once every five years from their adoption date. In addition to this, local planning authorities are required, through the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011), to produce a Local Development scheme (LDS).

Deputy S.151 Officer

A specific approved annual revenue budget along with approved reserve draw downs from the LDF reserve are in place to finance this programme of work. If this programme requires additional budget, requests for funds will need to be made in line with current financial regulations.

Advice

Cllr Anderson introduced the report and said, as members would be aware the Local Development Scheme was the timetable of development of the new Local plan, its potentially controversial as they have a lot of developers that want their scheme and develop first and ask questions later. Also it could be controversial as they have large sections of the communities that are strongly opposed to the proposals.

They went through the first draft of the Local plan some time ago now and they were required by legislation to meet their full allocation of housing, this had caused quite a lot of controversy with a record number of complaints and comments by the public. These comments were helpful in terms of facilitating the strategy they have to minimise development in the green belt and they are helpful in fighting our corner in terms of impact from the local area. Had they not done the consultation, arguing the consequences would have been quite serious in that it would not be possible to defend their development proposals.

Last July the Council paused developing the Local plan because of a number of issues. The Government also reformed the planning system so they are dealing with moving plates almost. They need to understand how the emerging legislation is going to work, however they have been taking grants from Government to pioneer and lead some of the reform and improvements to the planning system. They also need to find out how there is bodies involved in lobbying to get the calculation of the house building targets changes as they were not the only local authority that has been struggling with a very high housing allocation that they could not achieve.

They had then had the pandemic and the lasting effects of that. They have had the climate change agenda, which effects everything that the Council does, this is particularly important in terms of planning for the future of the borough.

As part of the development of the Local Plan they have to develop an infrastructure development plan, undertake transport studies, they have to look at urban capacities, which again will have been altered significantly due to the pandemic. They have to undertake a number of ecological studies for example looks the Chiltern Beachwood Special Area of Conservation. That would be an enormous piece of work. There had been good progress however, the council needs more time to complete and that will be necessary before they can continue any further with the Local Plan.

In terms of meeting their goal and minimising the amount of greenbelt development in the future moving forward and the changes locally are likely in the first draft of the Local plan, he wanted to stress the next stage of the consultation in June 2023 will be a regulation 18 consultation and not a regulation 19. That plan will contain the kind of development levels that they seriously think can be delivered in the borough

whilst negotiating the 2 limits he spoke about previously. They need to find more housing locally but at the same time; they have to protect the greenbelt as much as they can.

He was happy to propose the new timetable laid out in the report.

Cllr Tindall asked that they had a number of developers in the area now and he wondered where this leaves them in relation to fighting them off in terms of the five-year land supply.

A Robinson responded that the sites that are designated as greenbelt and therefore any application that is designated in the green belt has to satisfy very special circumstances, case law and planning precedent up until now has confirmed that housing need alone does not justify very special circumstances.

Cllr Tindall asked if he could take from that that he was reasonably confident that they would be able to hold them at bay until we could get our Local Plan into production.

A Robinson said that he was reasonably confident that they would have the backing of national policy to defend applications. He was also in no doubt that, there would be applications and developers that would try to test that. What he did say is that there were cases elsewhere in the country where local authorities with aged Local plans not too far away where inspectors have taken a slightly different view on whether sites should come forward. He did stress that considerations on those sites were individual circumstances and therefore any decision that was reached by inspectors on the greenbelt in another authority does not necessarily apply to their situation.

Cllr Williams asked if the government were to change the figure for them to deliver, would that effect the five year supply figure. He looked at the delivery test figures issued a few weeks ago from the Government and the figure for Dacorum was in excess of 600 as a target, which does not seem to relate to the current local plan or any other figures that they had seen projected. He wondered if there was a direct correlation between those two things.

A Robinson said that the housing delivery test targets are based on the standard methodology figure, for them that would be 1023 but in the preceding year the government adjusted that figure to take into account Covid so the figure were lower as a result of that.

Cllr Williams wanted confirmation that the five year supply change if the government's 1023 became a different figure.

A Robinson confirmed it would.

Recommendations agreed

- (1) Cabinet noted the work being undertaken on the Local Plan.
- (2) Cabinet approved the revised timetable for the Local Plan as detailed in the Local Development Scheme appended to this report and delegates authority to the Strategic Director (Place) to make any final minor editorial and

typographical revisions to the document including any necessary to reflect the Cabinet's discussions and decision.

CA/9/21 HOMES ENGLAND FUNDING

Decision

That Cabinet agrees to delegate authority to the Chief Finance Officer and Strategic Director of Place, following consultation with the Portfolio Holders for Housing and Finance and Resources, to draw down grant funding in relation to all successful bids for funding via the Affordable Homes Programme 2021 to 2026 which is administered by Homes England.

Corporate Objectives

Delivering Affordable Housing

Deputy Monitoring Officer:

Officers should ensure that any grant agreement entered into is reviewed by Legal and that compliance with grant conditions is monitored.

S.151 Officer

The housing Service applies for Homes England Grants on all eligible developments and the Council utilises any grant funds in conjunction with other funding streams to maximise the use of available resources.

Advice

Cllr Griffiths introduced the report and was happy to take questions.

There were no questions.

Recommendation Agreed

To delegate authority to the Chief Finance Officer and Strategic Director of Place, following consultation with the Portfolio Holders for Housing and Finance and Resources, to draw down grant funding in relation to all successful bids for funding via the Affordable Homes Programme 2021 to 2026 which is administered by Homes England.

CA/10/21 CUSTOMER STRATEGY REPORT

Decision

- (1) Reviews and approves the draft Customer Strategy completed in phase one.
- (2) Approves the outline plan for phase two implementation and **recommends to Council** the drawdown from reserves of £150,000 to complete the phase 2 work.

- (3) Approves the principle of a new Head of Transformation post to lead the on-going transformational change programme, including the Customer Strategy, and recommends to Council the drawdown from reserves of £180,000 to fund the post.

Corporate Objectives:

Ensuring efficient, effective and modern service delivery

Statutory Officer Comments

Monitoring Officer

As noted in the report, a procurement process to be conducted in accordance with the Council's procurement standing orders, must be followed when procuring consultants for the phase 2 work.

S151 Officer

These projects require one-off funding of £330k over the next 2 years to ensure these transformational projects can be delivered.

As the financial requirement is one off in nature and the project aims to deliver change improvements these funds will be drawn down from the Management of Change Reserve.

Advice

JNason introduced the report, she advised this report requests that Cabinet reviews and approves the strategy that completes part of phase 1 which is appendix 1, also an outline plan for phase 2 implementation and the funds that are required to complete work and the principle that the Head of Transformation post is recruited to oversee this and other parts of the transformation programme. To summarise the work that had been undertaken to date and the next steps, the draft strategy which they seek to implement across the council. The vision was co-developed with staff and shared with members before Christmas with an activity analysis. The contact points had been mapped for customers across the organisation and alongside technology that had been assessed. Essentially what phase 2 would do was embed that vision and strategy and work alongside them for requirements and ultimately the procurement of a customer relationship management tool to support with the front line facing services.

Cllr Griffiths said she thought this was a good strategy, which cover all the bases that they'd been looking at for quite a few years and pulling it all together. She would be relived and excited when the council get a CRM system, which they had been talking about for a very long time. She knows that they do already split out so they know how many MP enquiries they get but she requested that in future they would be able to know how many councillor enquiries they get as she thought that would be useful information to feed into the whole of this strategy, looking at complaints or compliments that they are getting. She said that would be a useful tool.

JNason said that she would include that in her piece of work, a CRM system where they can include councillor enquiries as well as MP and FOI's. The idea is that it would capture the background information for officers to respond so that they can then report on management information where it is captured.

Cllr Anderson said that he thought this was a good improvement.

Recommendation agreed

CABINET REVIEWED AND APPROVED

(4) The draft Customer Strategy completed in phase one.

RESOLVED TO RECOMMEND

(5) Approved the outline plan for phase two implementation and recommends to Council the drawdown from reserves of £150,000 to complete the phase 2 work.

(6) Approved the principle of a new Head of Transformation post to lead the on-going transformational change programme, including the Customer Strategy, and recommends to Council the drawdown from reserves of £180,000 to fund the post.

CA/11/21 TREASURY MANAGEMENT 2021/22 MID-YEAR REVIEW

Decision

That Cabinet recommends to Council acceptance of this report on mid-year treasury management performance and prudential indicators for 2021/22.

Corporate Objectives:

Ensuring efficient, effective and modern service delivery

Statutory Officer Comments

Monitoring Officer:

No comments to add to the report.

Deputy S.151 Officer

This is a Deputy Section 151 Officer Report.

Advice

NHowcutt introduced the report and said it is the statutory report mid-year performance on the treasury performance, advising it had been through scrutiny.

Performance is in line with what they had been expecting that revenue monitoring and all statutory prudential indicators had been achieved in year. In terms of their security and treasury governance, they had stuck to their principles based on security and then liquidity and finally yield. They were seeing improvements in interest rates and some projections increase further in 22/23, overall performance of this service would improve.

RESOLVED TO RECOMMEND

That Council accepts this report on mid-year treasury management performance and prudential indicators for 2021/22.

CA/12/21 BUDGET REPORT

Decision

General Fund Revenue Estimate

- a) set a Dacorum Borough Council General Fund Council Tax requirement of £12.836m, and a provisional amount of £13.851m for the combined Borough Council and Parish Councils' requirement for 2022/23;
- b) approve a Band D Council Tax increase of £5 (2.4%) for Dacorum Borough Council;
- c) approve the base estimates for 2022/23, as shown in Appendix A1, and the indicative budget forecasts for 2022/23 – 2025/26, as shown in Appendix A2;
- d) approve the forecast balances of Revenue Reserves as shown in Appendix J, and approve section 11 of this report as the updated Reserves Strategy;
- e) approve increases in Fees and Charges for 2022/23 as set out in Appendices C3, D3, and E3;
- f) approve and adopt the Treasury Management Strategy for 2022/23, attached at Appendix K;
- g) approve and adopt the Capital Strategy for 2022/23, attached at Appendix L;
- h) note that this budget paper, if approved by Council, will form part of the Medium Term Financial Strategy.

Capital Programme

- i) approve the Capital Programme for 2022/23 to 2026/27, as detailed in Appendix I;
- j) approve the financing proposals in Appendix I subject to an annual review of the financing options by the Chief Finance Officer, in consultation with the

Portfolio Holder for Finance and Resources, during the preparation of the Statement of Accounts.

Housing Revenue Account (HRA)

- k) set dwelling rents according to the new MHCLG Rent Standard, which provides for a rent increase of CPI+1% (4.1% in total). The average dwelling rents is proposed to be £111.23 in 2022/23 (based on 52 weeks);
- l) approve the HRA estimate for 2022/23 as shown in Appendix F.

Employer Terms and Conditions

- m) note that the hourly rate of all Council employees continues to exceed the rate proposed by the rates of the Living Wage Foundation, for 2022/23 (to be reviewed annually thereafter).

Statement by Chief Finance Officer

- n) approve the statement by the Chief Finance Officer regarding the robustness of the budget estimates and level of reserves as set out in Appendix M.

Corporate Objectives:

All of the Council's corporate objectives are reflected in the Budget proposals.

Monitoring Officer:

Under the Council's Constitution it is the responsibility of Cabinet to draw up firm proposals for the Budget, having regard to the responses to the consultation, and to present those proposals to Full Council for approval. Once Full Council has approved the Budget it is the responsibility of Cabinet to implement it.

S.151 Officer:

Comments contained in body of report. Chief Finance Officer Statement contained in Appendix M of the report.

Advice

Cllr Williams said that this had been through scrutiny and asked if NHowcutt had anything to add.

NHowcutt agreed it had been through scrutiny and that nothing notable to add.

Cllr Williams advised that during the scrutiny committees there were proposals put forward by the Liberal Democrat group, at the time he expressed gratitude to Cllr Tindall, during that discussion he noted that he would reflect on those and make its thoughts this evening.

Two of those items were in relation to home insulation from the general fund and creating a specific reserve to support the introduction of an electric fleet. Neither of those they feel it would be necessary to create specific reserves for, they have a fleet reserve and if need be they could vire cross reserves to support that fleet reserve for the purchase of electric vehicles. He had already discussed at length with the Chief Executive about how important his view was that they move towards a different method of powering the commercial fleet vehicles, at this stage electric was being considered by the organisation.

In relation to the insulation of properties, they have had some good news this week that they have received funding from the HRA to create a project in Northend to insulate 4 blocks of flats.

Cllr Williams asked Cllr Anderson to comment on a 3rd proposal from the Liberal Democrats.

Cllr Anderson said that he wanted to propose that a Cabinet proposal goes forward to Full Council. That proposal would be that they grant the Wendover Canal trust £25000 of the £135000 towards the costs and that they hold the remaining £110000 in reserve so they can contribute to the restoration of the Canal as and when the trust achieves the funding elsewhere to complete the project.

Cllr Williams clarified that the proposal is that the £110000 should be in reserve which they could release when they can match funding.

Cllr Anderson agreed and said they could protect the taxpayer against anything going wrong at the same time demonstrating that they are doing what they can to support.

Cllr Tindall thanked Cllr Anderson on what he had proposed, in relation to the other items he would report back to his group and they will reflect on the decision of the Cabinet and they may bring forward an amendment at Full Council depending on the outcomes of their discussion.

Cllr Williams pointed out that this was a recommendation of Cabinet and not a decision and the final decision rests with Full Council. An amendment can be introduced if its felt there would be a forceful difference to the view they had expressed.

RESOLVED TO RECOMMEND

General Fund Revenue Estimate

a) set a Dacorum Borough Council General Fund Council Tax requirement of £12.836m, and a provisional amount of £13.851m for the combined Borough Council and Parish Councils' requirement for 2022/23;

b) approve a Band D Council Tax increase of £5 (2.4%) for Dacorum Borough Council;

- c) approve the base estimates for 2022/23, as shown in Appendix A1, and the indicative budget forecasts for 2022/23 – 2025/26, as shown in Appendix A2;
- d) approve the forecast balances of Revenue Reserves as shown in Appendix J, and approve section 11 of this report as the updated Reserves Strategy;
- e) approve increases in Fees and Charges for 2022/23 as set out in Appendices C3, D3, and E3;
- f) approve and adopt the Treasury Management Strategy for 2022/23, attached at Appendix K;
- g) approve and adopt the Capital Strategy for 2022/23, attached at Appendix L;
- h) note that this budget paper, if approved by Council, will form part of the Medium Term Financial Strategy.

Capital Programme

- i) approve the Capital Programme for 2022/23 to 2026/27, as detailed in Appendix I;
- j) approve the financing proposals in Appendix I subject to an annual review of the financing options by the Chief Finance Officer, in consultation with the Portfolio Holder for Finance and Resources, during the preparation of the Statement of Accounts.

Housing Revenue Account (HRA)

- k) set dwelling rents according to the new MHCLG Rent Standard, which provides for a rent increase of CPI+1% (4.1% in total). The average dwelling rents is proposed to be £111.23 in 2022/23 (based on 52 weeks);
- l) approve the HRA estimate for 2022/23 as shown in Appendix F.

Employer Terms and Conditions

- m) note that the hourly rate of all Council employees continues to exceed the rate proposed by the rates of the Living Wage Foundation, for 2022/23 (to be reviewed annually thereafter).

Statement by Chief Finance Officer

- n) approve the statement by the Chief Finance Officer regarding the robustness of the budget estimates and level of reserves as set out in Appendix M.

In addition, Cabinet agreed the following recommendation:

Cabinet resolved to recommend to Council that Dacorum Borough Council is to set aside £135k towards the Wendover Canal Trust restoration project. This is made up of a £25k initial payment to the trust and £110k that will be set aside to fund the final £110k once all other funding requirements have been achieved

CA/13/21 QUARTER 3 FINANCIAL PERFORMANCE

Decision

It is recommended that Cabinet considers the budget monitoring position for each of the above accounts and:

- (1) **Recommends to Council approval** of the revised capital programme to move £5.78m slippage identified at Quarter 3 into financial year 2022/23 as detailed in Appendix C.
- (2) Approves a capital virement of £0.08m to vire budget from the Dacorum Athletics track works budget to the Town Centre Access Improvements project budget.

Corporate Objectives:

Ensuring efficient, effective and modern service delivery.

Statutory Officer Comments

Section 151 Officer:

This is a S.151 Officer report.

Monitoring Officer:

No comments to add to the report.

Advice

NHowcutt said that in terms of their financial position they were showing a slight pressure on the general fund with £130000 pressure. In terms of numbers that was less than 1% of their net costs of service, a small issue however they hope to have resolved this between now and year end. Turning to the housing revenue account, he said the current forecast is showing deficit in year, they've had significant changes to capital charges, depreciation as well as some of the losses that the general fund had suffered such as investment income, which had resulted in a bottom line pressure.

The news story in this report was additional capital slippage both in the general fund and in the HRA. At the moment they are looking at those in detail for 22/23 in understanding not only what should be slipped but what would be achievable in 22/23. They have some big challenges in that area at the moment particularly around delays on planning proposals as well as the issues in the construction sector around resource and materials so they are trying to put realistic proposals together that will be achievable for 22/23 including that slippage.

He said that this would go to scrutiny post Cabinet which is unusual but this was because they had budget Cabinet in February.

Recommendation agreed

Cabinet considered the budget monitoring position for each of the accounts and:

RESOLVED TO RECOMMEND

- (3) The Council approval of the revised capital programme to move £5.78m slippage identified at Quarter 3 into financial year 2022/23 as detailed in Appendix C.

Cabinet Approved

- (4) A capital virement of £0.08m to vire budget from the Dacorum Athletics track works budget to the Town Centre Access Improvements project budget.

CA/14/21 MEMBERS CODE OF CONDUCT

Decision

That Cabinet recommends Council approves the annexed Code of Conduct for Councillors

Corporate Objectives:

The promotion and maintenance of high standards of conduct by Members of the Council will assist the Council to achieve all of its corporate priorities.

Statutory Officer Comments

Monitoring Officer

This is a report prepared by the Assistant Director, Corporate and Contracted Services in his capacity as Monitoring Officer.

Section 151 Officer

No Further comments to add to this report.

Advice

MBrookes introduced the report and said that this was a new code of conduct for councillors, which was presented for approval before being referred to Council. He was following a recommendation from the government committee on standards in public life, The Local Government Association developed a new model code of conduct that they recommended Councils consider. The aim of the code was to add a level of consistency and national standard expected of local councillors.

The Standards committee has considered the model code on two occasions and the committee had recommended adoption in part. The committee recommended retaining most of the model code in respects of expected behaviours but have recommended that the Council would retain all of the existing provisions in our code in respect of registration and declaration of interest. He referred to appendix B of the code which is with the report. The reason for retaining the existing provision was because they were familiar to members and they felt that the model code provision were unnecessarily confusing. They felt that the existing provisions work well and suggested they were retained.

MBrookes was happy to take any questions.

Cllr Williams said that having an updated code of conduct was a good thing, if it lifts out the LGA rules.

Cllr Griffiths presumed that them leaving in our piece of the Code of Conduct it does not detract from what the LGA's model code of conduct was.

MBrookes said he does not believe so; the behaviours in the model code will be pretty much presented in the LGA code. He was happy that that was satisfactory, he felt it made sense to retain existing provisions in relation to declarations as members are used to them so it made sense to have a hybrid version.

RESOLVED TO RECOMMEND

That Council approves the annexed Code of Conduct for Councillors.

CA/15/21 COMMITTEE TIMETABLE 2022/23

Decision

That Cabinet recommends that Council approve the Meeting Timetable for 2022/23 as set out in Appendix A to this report.

Corporate Objectives:

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

Statutory Officer Comments

Deputy Monitoring Officer:

Further to Schedule 12 of the Local Government Act 1972, the Council is required to determine the date and time of any meetings of its Committees, Sub-Committees and Panels.

Deputy S.151 Officer:

No further comments

Advice

No Further comments

RESOLVED TO RECOMMEND

That Council approve the Meeting Timetable for 2022/23 as set out in Appendix A to this report.

The Meeting ended at 7.54 pm