

## MINUTES

### CABINET

14 FEBRUARY 2023

**Present:**

**Members:**

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

**Officers:**

C Hamilton	Chief Executive
J Doe	Strategic Director (Place)
N Howcutt	Chief Finance Officer
D Welsh	Chief Housing Officer
H Nicol	Assistant Chief Legal Officer (HCC)
A Robinson	Assistant Director (Planning)
T Pugh	Interim Assistant Director (Neighbourhood Delivery)
D Barrett	Assistant Director (Strategic Housing & Delivery)
S Choudhury	Head of Transformation
P Gohil	Human Resources Team Leader
H Peacock	PMO Team Leader
L Fowell	Corporate and Democratic Support Officer

**Also Attendance: Cllr Tindall**

The meeting began at 7.30 pm

**CA/12/21 MINUTES**

The minutes of the meeting held on 24 January were agreed by Members present and signed by the Chair.

**CA/13/21 APOLOGIES FOR ABSENCE**

There were apologies from MBrookes, C Silva Donayre

**CA/14/21 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**CA/15/21 PUBLIC PARTICIPATION**

There was no public participation

### **CA/16/21      REFERRALS TO CABINET**

There were no referrals to Cabinet.

### **CA/17/21      CABINET FORWARD PLAN**

The forward plan was noted with once change; the Hemel Place Strategy will move from 21<sup>st</sup> March to after the Election due to Purdah.

### **CA/18/21      Q3 FINANCIAL MONITORING REPORT**

#### **Decision**

1. Cabinet noted the revenue financial outturn position for the General Fund and Housing Revenue account as forecast at Quarter 3.
2. Cabinet **RESOLVED TO RECOMMEND TO COUNCIL** the following revenue reserve movements:
  - a. To draw down from General Fund revenues reserves as follows:
    - £0.719m from the Pensions Reserve to cover the cost of the 2022/23 pay award.
    - £0.284m from the Inflationary Pressures service to cover fuel costs.
    - £0.657m from the Dacorum Development Reserve between 2023/24 -2025/26; (£0.303m in 2023/2024, £0.314m 2024/2025 and £0.04m in 25/26) to fund the Place Communities and Infrastructure restructure.
  - b. To transfer to General Fund revenue reserves as follows:
    - £0.300m to be transferred to a newly created Leisure Reserve.
3. Cabinet **RESOLVED TO RECOMMEND TO COUNCIL** that the forecast Housing Revenue Account (HRA) deficit of £4.113m be supported by a draw down from HRA revenue reserves of £0.830m. The balance of the deficit will be met by a reduction in revenue contributions to the HRA capital programme.
4. Cabinet noted the Council's capital programme is forecast on budget, with additional slippage of £2.009m on General Fund schemes and

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#### **Statutory Officer Comments:**

#### **Monitoring Officer:**

This report forms part of the Council's governance arrangements and provides an overview of the current financial position for member's review and approval.

**Deputy S151 Officer:**

This is a Deputy s151 Officer report.

**Advice**

Cllr Elliot introduced the item and the recommendations as set out in the report.

There were no questions.

**Recommendation agreed**

**CA/19/21      UPDATE ON NEW PERFORMANCE MANAGEMENT FRAMEWORK AND PROPOSED REVISIONS TO KEY PERFORMANCE INDICATORS**

**Decision**

1. Cabinet noted the new Performance Management Framework and approves the KPIs, as set out in Appendix 4, for Overview and Scrutiny Committee reporting.
2. Cabinet delegates authority to SLT to finalise the suite of KPIs for implementation in 23/24 following further consultation through the Overview and Scrutiny process.

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**Statutory Officer Comments:**

**Monitoring Officer:**

An effective framework for managing performance is essential to ensure that the Council can measure and monitor performance across all its statutory and discretionary services.

**S151 Officer:**

There is no direct budgetary impact as a result of this framework. An effective performance framework working in conjunction with financial performance reporting assists greatly in both service delivery review and good financial stewardship, resulting in good value for money.

**Advice**

Cllr Elliot introduced the report as set out in the agenda.

There were no questions.

**RECOMMENDATIONS AGREED**

**CA/20/21      BUDGET REPORT**

## **Decision**

Cabinet **RESOLVED TO RECOMMEND TO COUNCIL to:**

### **General Fund Revenue Estimate;**

1. Set a Dacorum Borough Council General Fund Council Tax requirement of £13.341m, and a provisional amount of £14.574m for the combined Borough Council and Parish Councils' requirement for 2023/24;
2. Approve a Band D Council Tax increase of £6.27 (2.9%) for Dacorum Borough Council;
3. Approve the base estimates for 2023/24, as shown in Appendix A1, and the indicative budget forecasts for 2023/24 – 2026/27, as shown in Appendix A2;
4. Approve the forecast balances of Revenue Reserves as shown in Appendix J, and approve section 11 of this report as the updated Reserves Strategy;
5. Approve increases in Fees and Charges for 2023/24 as set out in Appendices C3, D3, and E3;
6. Approve and adopt the Treasury Management Strategy for 2023/24, attached at Appendix K;
7. Approve and adopt the Capital Strategy for 2023/24, attached at Appendix L;
8. Note that this budget paper, if approved by Council, will form part of the Medium Term Financial Strategy.

### **Capital Programme;**

9. Approve the Capital Programme for 2023/24 to 2027/28, as detailed in Appendix I;
10. 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);**

11. Set dwelling rents according to the new DLUHC guidance, which provides for a rent increase of 7%. The average dwelling rent is proposed to be £118.62 in 2023/24 (based on 52 weeks);
12. Approve the HRA budget for 2023/24 as shown in Appendix F.

### **Employer Terms and Conditions;**

13. Note that the hourly rate of all Council employees continues to exceed the rate proposed by the rates of the Living Wage Foundation, for 2023/24 (to be reviewed annually thereafter).

### **Statement by Chief Finance Officer;**

14. 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.

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**Statutory Officer Comments:**

**Monitoring Officer:**

In accordance with the Council's Constitution, it is the responsibility of the Cabinet to agree proposals for the Budget, and to present those proposals to the full Council for approval. Once full Council approve the Budget it is the responsibility of Cabinet to implement it.

**S151 Officer:**

This is a s151 Officer report.

**Advice**

Cllr Elliot introduced the report as set out in the agenda.

NHowcutt advised this has been many months of planning for our budget for next year and has been considered by Overview & Scrutiny; this is the outcome of the hard work of both officers & Members. Provides a balanced and robust budget which is deliverable.

There were no questions.

**RECOMMENDATIONS AGREED**

**CA/21/21     MARKET FORCES PAY POLICY**

**Decision**

Cabinet approved the Market Forces Supplements Policy and Procedure.

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**Statutory Officer Comments:**

**Monitoring Officer:**

The policy should help to ensure that the Council can recruit and retain staff in key areas and therefore help to ensure that the Council meets of all its statutory requirements.

**Deputy S151 Officer:**

The policy aims to increase staff retention and hence reduce the need to recruit or employ interim resources, which should see a reduction in Council staffing spend and recruitment costs. The project has a baseline budget of £200k proposed as part of the 2023/24 draft budget that will be monitored and reported on.

## **Advice**

Cllr Elliot introduced the report, which sets out the situation with recruiting and retaining staff against the private sector and how we remunerate and retain staff in certain areas.

Cllr Banks asked; has this been based on any other policies that have been successful, is there an evidence base?

CHamilton advised this is one of a number of tools to develop a solution, been developed alongside the Heads of HR group across Councils within the County. Our proximity to London is challenging in relation to staff being able to get better salaries for similar roles in London.

Cllr Anderson commented that the Council has done something similar in the past and it has helped.

Cllr Tindall commented; he has previous experience of this sort of policy, they do work but they need to be regularly monitored to ensure they are not regarded as just an additional pay that is retained indefinitely.

Cllr Douris referred to pg. 156 of the report (impact assessment), stating this was discussed at Finance & Resource Overview & Scrutiny where he asked, and it was agreed, to add in the column to the left that we would include 'care leavers', this change has been omitted, Cllr Douris asked if that could please be included.

## **RECOMMENDATIONS AGREED**

### **CA/22/21     AIR QUALITY ACTION PLAN AND AIR QUALITY MANAGEMENT AREA REVIEW**

#### **Decision**

1. Cabinet agreed the content of the Air Quality Action Plan 2019-24 be noted.
2. Cabinet gave agreement to begin the revocation process for the Northchurch Air Quality Management Area.
3. Cabinet gave agreement to widening air quality monitoring to include PM 2.5 using portable units.

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#### **Statutory Officer Comments:**

#### **Monitoring Officer:**

The evidence submitted in the report makes it clear that the Northchurch AQMA is consistently below the objective levels and it is therefore appropriate that the AQMA be revoked.

**S151 Officer:**

The actions outlined in this report can be undertaken utilising existing approved budgets.

**Advice**

Cllr Banks introduced the report and invited questions.

Cllr Elliot referred to the fact that levels of nitrous oxide in UK are lowest they have been since the 1970's. He then queried; the report refers to 30k electric cars in Dacorum by 2023, asking where did that figure come from? How did we come to that?

TPugh responded to advise that it was a projection taken from a in a recent strategy paper.

Cllr Anderson advised that he attended the scrutiny committee where this was considered, where a lot of comments were made about the Air Strategy that the council has. Cllr Anderson expressed he felt it important to note that we do not have a problem with air quality in Dacorum, but we do have a couple of areas that we are focusing on in partnership with other authorities, we are acting proactively.

Cllr Griffiths commented that she is pleased to see that the action in Northchurch has worked and asked that her thanks are passed on to those involved, adding that we now need to work with partners in Apsley to bring that area to the same situation.

**RECOMMENDATIONS AGREED.**

**CA/23/21 GRANT FUNDING HIGHTOWN HOUSING SCHEME**

**Decision**

Cabinet agreed to award an additional one for one receipt grant funding payment of £1,035,146 to Hightown for the development known as 66 Books, Wood Lane End for affordable housing development in the borough. This will result in a total grant funding level of £3,300,000 for this scheme.

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**Statutory Officer Comments:**

**Monitoring Officer:**

The terms of the funding will need to be set out in a funding agreement between the parties to document all the agreed terms and to ensure that the funding is utilised to provide housing at the affordable rent levels agreed.

**S151 Officer:**

The provision of the additional funding will take the total grant funding for this scheme to £3.3m, circa £100k per affordable new home. This funding will guarantee the 33 affordable homes are developed and maintained at a rent level of 65% of the open market value. This additional grant payment for 66 Books will mean the current projected 141 housing receipts will be fully utilised by 2025, hence the need for the HRA to look to non 141 receipts as a source of financing for its capital programme from 2025. This could, as a last resort, include borrowing.

### **Advice**

Cllr Griffiths introduced the report commenting she would be grateful if we can grant this money so we can get the 33 homes at 65% affordable rent rather than the 80% market rent that Hightown would ordinarily charge.

Cllr Elliott referred to the 65% and asked; is there assurance that they cannot increase that percentage at a later date?

Cllr Griffiths advised rents will go up but will always be maintained at the 65% rate.

DBarrett advised there will be a legal agreement that states the 65%.

### **RECOMMENDATIONS AGREED**

### **CA/24/21     Q3 STRATEGIC RISK REGISTER**

### **Decision**

1. Cabinet noted the quarter 3 update on the Strategic Risk Register for 2022/23.
2. Cabinet approves the revised Strategic Risks for the Council.

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### **Statutory Officer Comments:**

#### **Monitoring Officer:**

An effective risk management strategy is an essential part of the Council's governance framework which will allow the Council to monitor and review its key strategic risks.

#### **Deputy S151 Officer:**

Comments are contained within the body of the report.

### **Advice**

Cllr Elliot introduced the report and invited questions; there were none.

## RECOMMENDATIONS AGREED

### **CA/25/21      RELEASE OF COMMUNITY INFRASTRUCTURE LEVY CORE FUNDS**

#### **Decision**

Cabinet **RESOLVED TO RECOMMEND TO COUNCIL to:**

1. Approve the release of 20% (£3,027,519) of CIL core funds collected to the end of financial year 2021/22 and allocate this towards the delivery of priority infrastructure projects in advance of the Local Plan;
2. Approve the proposed revised framework for assessing projects, including the amended Terms of Reference of the Infrastructure Advisory Group detailed in the report.

Cabinet agreed;

3. The recommendations of the Infrastructure Advisory Group on the first round of projects set out in section 5 of the report and determines which, if any, projects should receive Core CIL funding.

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#### **Statutory Officer Comments:**

##### **Monitoring Officer:**

Effective governance procedures are essential to ensure that CIL funds can be allocated to appropriate infrastructure in a timely and efficient manner and that spend is properly monitored. The previous governance framework was agreed by Council in January 2017 on recommendation of Cabinet and therefore a Council decision is required to amend the framework and approve the current projects set out in section 5.

If the new framework is agreed, future spending decisions will be able to be made by Cabinet without referral to Council.

##### **S151 Officer:**

The proposal to allocate core CIL to support local infrastructure requirements is in line with the core principle of CIL. The decision to allocate a small percentage of CIL collected up to the end of 21/22 reflects the length of delay in the development of the current local plan, and the IAG governance will assess each project bid against the core Infrastructure development requirements with a strong reflection on the proportion of investment in each geographical settlement area, to reflect infrastructure requirements and wider population need.

#### **Advice**

Cllr Anderson introduced the report, advising that IAG met recently and suggested we make some changes to the recommendations, to take forward 1 of the playground schemes, rather than both, as both constitute £1.3m which is a large sum relative to the amount we are looking to release. Also feel strongly that we need to signal our intention to support the scheme to works at Long Marston Village Hall. The IAG recommendation was that more detail was required as part of the Long Marston bid; would ask Cabinet colleagues to show our intention of support to Long Marston in them doing so.

Cllr Barrett commented that it would be useful to know what playgrounds are being proposed. Could that information please be provided?

Cllr Anderson commented that officer resource would be required to deliver the playground project.

CHamilton commented that the principal of needing resource to deliver projects is a reasonable one, suggesting this could this come back to the relevant Portfolio Holder for sign off before it moves forward.

Cllr Williams suggested agreement to the schemes in this first phase, with further discussion between Portfolio Holder and Officers to ensure the funds are being spent in the correct place.

Cllr Williams advised that the IAG felt that the Long Marston bid was not robust enough and commented that it is asking a lot of them to upgrade their business case and it will give them some comfort to know that the effort they will need to put into that work will be time well spent.

JDoe raised a procedural point that this report will go on to Council so will need to pin down exactly what is in this proposed first phase ahead of the Council meeting on 22<sup>nd</sup> February.

Cllr Williams asked for confirmation that this is not a Council decision but a Cabinet one?

NHowcutt advised that the recommendation to change the process needs to go to Council and the recommendation in this report is to do so. Moving forward individual application expenditures will be decided at Cabinet level.

Cllr Barrett sought clarification; are agreeing this is how we are going to proceed in future as per the recommendations set out in this report, and then secondary to that reviewing the current bids?

Cllr Williams confirmed.

Cllr Barrett added his backing to the proposal to show support to Long Marston.

Cllr Elliot asked; what will that business plan consist of?

Cllr Andrews responded that the biggest issue for us is the funding we are putting in is not all they need, so we need assurance they can get the other resource required to deliver the project; they need to know that will be met through income of the hall and other funding, so we are reassured that we will not be putting £250k into a project that cannot be completed.

Cllr Williams concluded the proposal that recommendations as set out are agreed and a steer will be given on what bids are to go forward, reiterating the need to ensure that what is going to Council next week sets this out clearly.

## **RECOMMENDATIONS AGREED**

### **CA/26/21     EXCLUSION OF THE PUBLIC**

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the 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

### **CA/27/21     LEADERSHIP TEAM (TIER 2) AND CORPORATE SUPPORT RESTRUCTURE**

This item is part 2, please see restricted Minutes.

The Meeting ended at 8.18 pm