

MINUTES

CABINET

27 JUNE 2017

Present:

Members:

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

Officers: Robert Smyth Assistant Director - Performance, People and Innovation
David Skinner Assistant Director - Finance & Resources
James Doe Assistant Director - Planning, Development and Regeneration
Jim Doyle Group Manager - Democratic Services
Barbara Lisgarten Legal Governance Team Leader and Deputy Monitoring Officer
Laura Wood Strategic Planning & Regeneration Team Leader
Shalini Jayasinghe Strategic Planning and Regeneration Officer (Town Centre)
Rebecca Williams Strategic Planning & Regeneration Officer
Stuart Potton

The meeting began at 7.30 pm

CA/56/17 MINUTES

The minutes of the meeting held on 23rd May 2017 were agreed by the members present and signed by the Chairman.

CA/57/17 APOLOGIES FOR ABSENCE

An apology for absence was received on behalf of Councillor Williams.

CA/58/17 DECLARATIONS OF INTEREST

None

CA/59/17 PUBLIC PARTICIPATION

Mr Royal on behalf of West Hemel Action Group made representation in respect to Agenda item 11 relating to ‘Dacorum Borough site allocations development plan document & local allocations master plan’. He made the following statement:

‘The West Hemel Action Group (WHAG), wish to speak on behalf of the residents of West and wider Hemel in relation to the planned adoption of the Site Allocations DPD by Dacorum Borough Council & particularly in relation to the development of the Site Allocation LA3.

I think we need to state from the outset, that WHAG and other local groups that we liaise with, for example the Bourne End Village Association, and the vast majority of the residents of Hemel and particularly West Hemel have always been, and continue to be fervently against the development at LA3. Whilst we appreciate & understand the need for house building in the UK, and have never argued against that principal, it still remains clear from all those that live, work and commute in the Hemel area, and even by some of the consultants & experts that DBC themselves have directly engaged, for example the results of the Jacobs Report relating to traffic, that development at LA3 due to the scale and location of the site, will spiral West Hemel into a “no go” zone for current & future generations.

Although the residents of Hemel consider that consultations carried out in relation to the Core Strategy before and the Site Allocations and Master plan since, were nothing more than procedural steps taken by DBC as opposed to a true activity to seek opinion and views to help develop something that works for all, DBC will have gathered enough evidence based upon numbers alone, of the major key concerns & fears held by the constituents you serve, relating to LA3. At these final and critical junctures for the Site Allocations, we ask you again to actually listen and act positively to the voice of those that you are here to work for as opposed to brush aside with disregard.

Our key points for consideration by the Dacorum Borough Council Cabinet and equally our areas for major concern are as follows:

- The Gypsy & Traveller Site – the location & timing of which, is flawed in multiple aspects and will be in contravention of national policy.
- The number of planned properties for LA3 – which are already developing into figures 22% greater than DBC had planned and consulted on over the past few years, which in turn simply adds greater negativity & impact to all the issues previously raised through consultations.
- The approach that developers are already communicating to the public through their own consultations in relation to the development of LA3.

In relation to Gypsy & Traveller sites; the whole approach to this aspect of the LA3 development is strewn with poor planning, misdirection and conflict with national policy. Through methods of stealth, DBC has misled the public in respect to the location of the Gypsy & Traveller site, referring to “potential” locations through consultations and more recently. DBC remain ambiguous in their communications, commenting that locations could move, yet through our own discussions with developers, it is clear that they have no intention moving the proposed Gypsy &

Traveller location and are working with DBC planning on that basis. The current planned approach by the developers for phasing the LA3 development, will mean that the Gypsy & Traveller site could be in situ many years ahead of any local new housing development, if any, leaving current local residents with a Gypsy & Traveller site that is blatantly in contravention with national policy for new Gypsy & Traveller sites, for example a site that does not provide inclusion with the local community, in a location that is dramatically unsuitable in every aspect. It would appear to us also that the desires and wants of a minority local travelling community are being considered ahead of those of the existing settled community, which in itself could be argued to be discriminatory.

In respect to the number of planned properties for LA3. Again, it is very apparent at this stage that yet again, local residents have been misled based upon an increase in numbers from 900 to 1100 (being 22%) a number that developers are quoting clearly & loudly. Of course we expect the DBC response to be that, these increased figures are yet to be tested through planning applications, but it strikes concern, that if DBC are working so closely with developers, as we have been led to believe, that this increase in numbers could not be dealt with before it is in the public domain. This is exacerbated further by the fact that DBC rolled over so easily to the developers requests to remove the cap on numbers through the Site Allocations process. You will understand, based upon resident's experiences to date, our reluctance to believe anything other than DBC having the developer's best interests at heart and not those that voted for them, and how this will likely translate during application reviews.

Both of the above aspects drive us to one conclusion, which is that DBC have undertaken formal consultations based upon what looks now to be false information and could in itself, suggest the consultations undertaken are flawed & void.

Finally, we have considerable concern in relation to the phasing and approach developers are intending to take in relation to the whole LA3 development. Through our own direct communications with developers and their own public communications, it is clear that they intend to start with 350 homes at the north east of the development, however this will come with no new incremental facilities, pre-development road improvements, schools, etc, and no guarantees of when these will come. Even for 350 new homes in the area, this will put an incredible strain, likely to breaking point, on existing already stretched local infrastructure & facilities, including, shops, GP's, increase in traffic, etc. This combined with the development of a Gypsy & Traveller site, so remote from initial planned & guaranteed phases of development, that it will in no way be part of the joined up integrated approach for Gypsy & Traveller sites, that provides community inclusion, that being the approach that DBC have attempted to portray. DBC must make a public stand now as part of its Site Allocations approval, that they will hold developers to task over this approach.

To close, WHAG, again on behalf of local Hemel residents, would like to express our dismay at developers holding their second public consultation on the same day as this Cabinet Meeting, thus meaning that many local residents had to make the choice over which event to attend. This is either by design, or shows a complete breakdown in communications between DBC and developers either of which is completely unsatisfactory or instils absolutely no confidence in DBC's ability to manage the developers as we move forward.

Thank you for listening.'

See discussion in item CA/066/17 'Dacorum Borough Site Allocations Development Plan Document & Local Allocations Master Plan'.

CA/60/17 REFERRALS TO CABINET

None

CA/61/17 CABINET FORWARD PLAN

That the Cabinet Forward Plan be noted.

CA/62/17 AUTHORISATION OF VIREMENTS

Decision

The virements as detailed on Form A attached to the Cabinet report be approved.

Reason for Decision

To seek Cabinet approval for the proposed virement for the purpose of creating budgets for the costs associated with the Parliamentary Election held 8 June 2017.

Corporate Objectives

To standardise documentation and authorisation requirements for all virements.

Monitoring Officer/S.151 Officer Comments

Monitoring Officer:

No comments to add to the report

Deputy S.151 Officer

This is Deputy S151 Officer report.

Advice

Councillor Griffiths thought that the government funded the general election costs. D Skinner explained that the council had to spend the money first and then claim it back afterwards, therefore we needed to create a budget for the costs associated with the election.

Voting

None.

CA/63/17 COUNCIL TAX SUPPORT SCHEME 2018/19

Decision

Resolved to recommend:

1. **Not to revise or replace the current Council Tax Support scheme for 2018/19.**

Reason for Decision

To consider whether to revise or replace the existing Council Tax Support scheme for the 2018/19 billing year, and if so, to approve options for consultation.

To note the requirement to consider revision or replacement of the Council Tax Support scheme for 2018/19.

Corporate Objectives

Effective management of the Council's finances supports the Council's vision and all five of its corporate objectives.

Monitoring Officer/S.151 Officer Comments

Monitoring Officer:

Schedule 1A of the Local Governance Finance Act 1992 (as amended) requires that a billing authority (this Council) considers each financial year whether to whether to revise or replace its Council Tax Support Scheme.

This report satisfies that requirement and recommends no revision or replacement to the current scheme be made.

If Cabinet or Council does require revision or replacement of the scheme following consideration of this report further consultation will be required.

Deputy S.151 Officer

This is a S151 Officer report.

Advice

D Skinner explained that the scheme was working well but if it was going to be changed then now would be the best time to go to consultation so it would fit into the overall budget process.

Voting

None.

CA/64/17 PROPOSAL TO BUILD A NEW ATHLETICS TRACK AND PAVILION AT LONGDEAN SCHOOL

Decision

That:

1. the design, plan and costing for a new athletics track and pavilion, as outlined in section 3 of the report to Cabinet be approved.

Resolved to recommend:

2. a supplementary estimate as set out in Paragraph 2.1 of Appendix 1 of the report to Cabinet.

3. authority be delegated to the Assistant Director (Performance, People & Innovation) in consultation with the Portfolio Holder for Resident and Corporate Services to procure and complete the contract for works.

Reason for Decision

For Cabinet to review and approve the design and recommendations for building a new athletics track and pavilion at Longdean school.

Corporate Objectives

Clean, Safe and Enjoyable Environment – Having good quality, athletics provision is vital to improving participation and ensuring that residents can enjoy the borough and boost their health and wellbeing.

This review will therefore, ensure our approach to athletics continues to meet the needs of current and future residents.

Monitoring Officer/S.151 Officer Comments

Monitoring Officer:

Responsibilities for the ongoing management and maintenance of the site together with agreement on the allocation of financial receipts will need to be documented in a Dual Use agreement prior to commencement of the works. Furthermore, a building licence will also need to be agreed with the school prior to commencement of works.

Deputy S.151 Officer

To note the contents of the Part 2 report containing the revised and more detailed costings that have been received following consultation with partners.

The detailed range of costs contained within the report still meet the principles agreed by Cabinet for the project to be self-financing from anticipated receipt and will be refined once tenders have been submitted.

Advice

Councillor Harden introduced the report and highlighted the following points:

- Investing in our sporting infrastructure is vital if we are going to deliver the Council's commitment to health and wellbeing.
- A desktop review (by Labo Sport) has identified Longdean School as a potential site for a new athletics track and pavilion, and in September Cabinet approved a budget for more detailed design and costing work.
- Over the last few months Officers have been working with a range of stakeholders including Longdean school, the Athletics Club, Sportspace, Sport England, England Athletics and the FA on the potential design.
- The report therefore provides the proposed design (with costs) for a modern, flexible, user friendly pavilion and a track which could hold high quality athletics events.
- If approved, the timeline for delivering the project is 15 months. The reason for this is to take account of planning and that the track can only be laid when the weather is more mild.

Councillor Elliot felt that the current location is not right for the track and therefore looks forward to this development at Longdean school. He raised concern and sought clarification that the new site is built and open before the old one is knocked down.

D Skinner added that the council were not anticipating any receipts before the new one is fully operational and there was a planning condition to this effect.

Councillor Marshall noted that the contract costs have so far been estimated and therefore asked what would happen if the bids are higher than the budget allocated. D Skinner said this would need to be reported back to Cabinet for them to make the decision.

R Smyth explained that the estimates have been based on professional guidance and also included extra provisional costs for contingency.

Councillor Sutton was pleased with the work so far and said we needed to move forward with this as soon as possible.

Councillor Griffiths said the new site was a very good idea. The old track had served its purpose and it was time to move on.

Voting

None.

CA/65/17 PROPOSED LEISURE MANAGEMENT PROCUREMENT

Decision

1. That the draft service specification and evaluation criteria for the procurement of the leisure management contract as set out in paragraphs 3 & 4 of the report to Cabinet be approved; and

2. Authority be delegated to the Assistant Director (Performance, People & Innovation) in consultation with the Leader of the Council and the Portfolio Holder for Resident and Corporate Services to finalise the service specification and evaluation criteria.

Reason for Decision

For Cabinet to review and approve the key principles for the procurement of a new leisure management contract.

Corporate Objectives

Clean, Safe and Enjoyable Environment – Leisure provision is central to delivering a borough that people can enjoy and promoting health and wellbeing. This service specification will help ensure our approach continues to meet the needs of current and future residents.

Delivering a modern and efficient Council – This will ensure that the Council maximises value for money in the provision of its sports and leisure service.

Monitoring Officer/S.151 Officer Comments

Monitoring Officer:

The service specification will form an essential part of the procurement process as it will set the key service requirements against which contractors will submit bids to be evaluated and assessed. The specification from the selected bidder will then become an important part of the contractual documentation to be agreed and signed-off by the Legal Team following evaluation.

Deputy S.151 Officer

There are no direct implications of the proposed recommendation. The detailed financial implications arising from awarding the leisure management contract will be assessed in due course when submitted.

One of the key criteria for assessing the bids will be financial performance, financial reporting and data to assess performance and asset utilisation.

Advice

Councillor Harden introduced the report and highlighted the following points:

- The service specification is fundamental to delivering a leisure contract model that meets the needs of users, clubs and residents and tax payers more widely.
- It sets out the standards, rules and conditions that the successful operator will follow and it also forms the basis of the contract and performance management framework. It also clearly demarcates maintenance and management responsibilities.
- This is a major benefit because it gives us the influence and control to ensure that sports and leisure is managed in a way that best delivers our vision.

- In the past 6 weeks Officers have been scoping the new service specification and as part of this they have undertaken a number of consultations:
 - Consultation workshop with select group of Members
 - Survey of all 51 Members
 - Consultation workshop with 31 residents and clubs
 - 7 consultation discussions with sports clubs
 - Survey of local sports clubs
 - Member panel have reviewed the service specification
 - We have booked in a representative panel of local sports clubs who will review the service specification (including the Chair of Herts Sports Partnership) – next week
- The service specification also takes account of the latest good practice and it is based on the well-established template from Sport England.
- The specification (and the tender process) are a real opportunity for the Council to put in place a partnership that delivers for everybody. This is not just about an operator running the facilities, but this is about setting up a new, engaging and commercially forward thinking model that can deliver our long term vision for sports and health in Dacorum.

Councillor Marshall asked what would happen if the council wasn't happy with the annual 'Sport, Community and Physical Activity Development Plan' produced.

R Smyth replied that the plan would be submitted 2 months before the end of the year, giving time for the council to consider and approve it. As it will be done annually, the council will be able to monitor it and closely check the KPI's set to ensure delivery is what the council wants.

Councillor Marshall hoped that the plan would have substance to it.

R Smyth gave assurance that this would be the case. He added that the management was being delivered by those with the right skills and was a real example of joint working.

Councillor Griffiths asked if those involved would have safeguarding/DBS checks. She also asked what would happen if something didn't live up to the council's expectations, could it be amended in the future.

R Smyth replied that the council would ensure appropriate checks are carried out and that they receive relevant training. The council would be pro-active in responding to changes required or trends highlighted.

Councillor Harden explained that currently the council gave a grant to the sports provider but have no input into how things are run. He noted that the contract was not just looking for a sports centre management but more about supporting health and well-being, sporting trends and an increase in engaging with the community.

It was confirmed that TUPE would apply if the current provider were to be unsuccessful.

Councillor Tindall highlighted that if there was a change to the current provision therefore jobs differing slightly, the council could be liable for redundancy. This may not be a like for like contract.

R Smyth noted that the council had instructed legal advice.

Voting

None.

CA/66/17 DACORUM BOROUGH SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT & LOCAL ALLOCATIONS MASTERPLANS

Decision

Resolved to Recommend:

1. That the key issues raised through consultation on the Main Modifications to the Site Allocations DPD, and associated changes to the Policies Map, set out in the Report of Representations (Annex 1 of the report to Cabinet) be noted.
2. That the content of the final Report received from the Planning Inspector into the Site Allocations DPD examination (Annex 2 of the report to Cabinet) be noted.
3. that the Pre-Submission Site Allocations DPD (Written Statement and Map Book) incorporating Focused Changes (January 2016), as amended by main and minor modifications (Annex 3(a) and (b) of this report, in accordance with Regulation 26 of the Town and Country Planning (Local Planning) Regulations 2012) be adopted;
4. that an updated version of the Policies Map to reflect (3) above be published
5. that the Assistant Director - Planning, Development and Regeneration to authorise:
 - (a) any necessary minor and non-consequential changes to the Site Allocations (Written Statement and Map Book) and associated Policies Map prior to publication;
 - (b) the Adoption Statement for the Site Allocations in accordance with the planning regulations be published; and
 - (c) the final version of the Sustainability Appraisal Adoption Statement (Annex 4 of this report), in accordance with environmental protection legislation be agreed.
6. That the finalised master plans for the six Local Allocations (Annexes 5(a) to (f) of this report), as Supplementary Planning Documents and authorise the Assistant Director - Planning, Development and Regeneration to make any necessary minor and non-consequential changes to these documents prior to publication be adopted
7. That the Policy Advice Note (May 2017) (Annex 6 of this report) be agreed for publication on the Council's website, and the Assistant Director – Planning, Development and Regeneration be authorised to update and amend this Note as necessary and to reflect discussion at Cabinet.

Reason for Decision

To agree adoption of the Site Allocations Development Plan Document and the master plans supporting the Local Allocations of land, together with other updates, in order to provide a clear and up-to-date basis upon which to make planning decisions within the Borough.

Corporate Objectives

The scope of the Site Allocations DPD (and associated Local Allocations master plans) means that it helps support all 5 corporate objectives:

- *A clean, safe and enjoyable environment*: contains requirements relating to the design and layout of new development sites that help promote security and safe access.
- *Building strong and vibrant communities*: - provides a framework for local communities to prepare area-specific guidance such as Neighbourhood Plans, etc.
- *Ensuring economic growth and prosperity*:- allocates and protects land for uses that provide employment opportunities.
- *Providing good quality affordable homes*: - sets out how the Borough's overall housing target will be met, together with requirements for affordable homes.
- *Delivering an efficient and modern Council* – by helping to provide a clear framework upon which planning decisions can be made.

Monitoring Officer/S.151 Officer Comments

Monitoring Officer:

The Site Allocations DPD will provide a framework for development across the borough, support consistent decision making and reduce speculative applications in locations which may be unsuitable for development.

The Inspector has advised that the Site Allocation DPD provides an appropriate basis for planning in the area and, subject to the Main Modifications being made, is satisfied for the plan to be adopted.

The Monitoring Officer is content that the Site Allocations DPD, Masterplans and Policy Advice Note meet the statutory requirements and can be adopted.

Deputy S.151 Officer:

No further comments to add to the report.

Advice

J Doe acknowledged that the report was very long; however they were now in the final stages of the planning process. He explained that this added detail to the 2013

Core Strategy. It has been consulted on and the inspector last year was satisfied that it met the required criteria.

In response to the points raised by Mr Royal he said that there had been a master plan for the site and public consultation and involvement of the local community had taken place. The inspector has used this as an example of best practice. With regards to the number of units being developed, it had previously been capped at 900 units, however the inspector has advised there be no upper limit and therefore the developer has requested 1100 units on the LA3 site.

With regards to the gypsy and traveller site, there would be further details and time scales included in the planning application, which will look at when key road infrastructure and schools would need to be completed. Discussions are currently underway with HCC for the development and timeframes for schooling.

J Doe gave reassurance that DBC would carry out public consultation once the planning application has been received.

He highlighted that recommendation 7 referred to the Policy Advice Note which was a separate piece of work from the Site Allocations document and was just a check to see how they complied with those listed in annex 6 of the report.

Councillor Harden sought clarification for the increase of units from 900-1100. He understood it that the original development stated 900 however the inspector allowed this to be changed. He asked what controls were in place to ensure that the figure didn't raise again.

J Doe said that the original 900 units were not changing. They needed to be conservative with the estimate and it is the developer who is asking for 1100 units. Therefore the control would be down to the Development Management Committee at the planning application stage. If the application were to exceed 1500 units for example, then the council would look at appropriate building height, density and infrastructure in detail.

Councillor Elliot spoke as ward councillor for Chaulden and Warners End. He noted that he had always been opposed to the development of LA3. He felt that the 1100 proposed units should not be allowed and the Gypsy and Traveller site was inappropriate. He said he would abstain from any vote.

Councillor Marshall was grateful for the clarification of annex 6 as she was concerned that a number of important core strategies were being put to one side. She was concerned that CS12 was used quite frequently by the Development Management Committee to reject applications as it covered a vast amount of areas.

She was concerned that if Cabinet approve recommendation 7 then this would overrule the use of CS12.

J Doe confirmed that CS12 was used extensively and was very important. He said that he would work with the Portfolio Holder and Councillor Marshall, to update the section in appendix 2 'Schedule of Policies from the Core Strategy 2006-2031' to explain the strategic policy column and the use of the tick and cross in order to clarify its purpose. He assured members that if changes were made to any policies, they would have to go through extensive consultation.

Councillor Marshall asked how the parking standards would work, which were currently included in the Two Waters master plan consultation.

J Doe replied that this was a separate matter to consider. They were at the very early stages of updating the parking standards and this would feed into the Local Plan review.

Councillor Sutton explained that he had been in discussions with J Doe and his team. He respected and heard the concerns raised, but he was convinced the professional team would put community requirements and concerns at the forefront.

Councillor Griffiths asked that the consultation for such a major application would be advertised accordingly.

J Doe confirmed that for such a large application there would be wider consultation rather than the standard. He said this was a very long way ahead and therefore would include it in the consultation plan. It would certainly be advertised well.

Councillor Griffiths assured Mr Royal that the Cabinet meetings were scheduled a year in advance and therefore it was down to the developers scheduling, for holding their meeting tonight.

Mr Royal added that the community were not opposed to the Gypsy and Traveller site, they just felt that the site location was incorrect. He wondered why no-one had asked why the development was coming forward 2 years.

J Doe said that the developer had decided to submit their application. There is a high need for more housing in the area so this could be why its come forward. Due to the detailed delivery timeframe they would still be approaching 2021 before works carried out.

Voting

The Committee agreed the recommendations; however Councillor Elliot abstained from this.

CA/67/17 DRAFT TWO WATERS MASTERPLAN FOR PUBLIC CONSULTATION

Decision

1. The content of the Draft Two Waters Masterplan Guidance report (Appendix 1 – Draft Two Waters Masterplan Guidance Report & Appendix 2 – Clarifications to the Draft Two Waters Masterplan Guidance report) be reviewed and noted.
2. ***The Draft Two Waters Masterplan Guidance report for public and stakeholder consultation be published.***
3. ***That Dacorum Borough Council's assets within the area covered by the Masterplan be noted.***

Reason for Decision

To seek Cabinet agreement to publish the Draft Two Waters Masterplan Guidance report for public and stakeholder consultation.

Corporate Objectives

- A clean, safe and enjoyable environment
- Building strong and vibrant communities
- Ensuring economic growth and prosperity
- Providing good quality affordable homes, in particular for those most in need
- Delivering an efficient and modern council

Monitoring Officer/S.151 Officer Comments

Monitoring Officer:

The Masterplan will help to guide future development of the area and ensure consistent decision making. It should reduce speculative applications and therefore less challenges to Council decisions.

S.151 Officer

Council-owned land at Two Waters Nursery has been identified as a potential school site purely to demonstrate that the cost associated with delivering a new school is viable within the proposed Masterplan area.

Legal advice is that the use of any particular site to demonstrate viability in this way does not 'earmark' that site for a specific use in future. In other words, the Council's future decision-making over the site is in no way fettered, and the valuation of the site will not materially diminish through its use as an exemplification within this Plan.

Advice

Councillor Sutton introduced the report and added that consultation and workshops had already taken place and were now seeking approval to publish.

Councillor Marshall supported the recommendations. She noted the aspiration to increase parking at the train station, but it was her understanding that DBC had advised the operators that they were not keen on having a multi-storey car park on the site.

J Doe gave assurance that parking needs were being assessed at this site and he hoped to see more detail of the specific station needs. He added that the document sets policy parameters in order to be able to look at this in the future.

Councillor Harden sought clarification for height restrictions of car parks suggested. J Doe said that the height restrictions changed for each site, ranging from six storeys to 16. They did not want isolated towers but more variety.

Councillor Harden said that there had been great consultation and felt that the Development management Committee had to take their views into account. J Doe absolutely agreed and said they added weight to the process.

Councillor Sutton complimented all the staff involved in producing a high quality, easy to understand plan.

Voting

None.

CA/68/17 CIL GOVERNANCE UPDATE

Decision

Resolved to Recommend that:

- 1) **Officers defer requesting project submissions for the use of CIL funding until April 2018.**
- 2) *Officers request expressions of interest for the use of CIL funds from July 2017.*
- 3) *the amendments to the CIL submission timetable as set out in Table 2 of the report to Cabinet are agreed.*
- 4) *authority is delegated to the Assistant Director (Planning, Development and Regeneration) to adjust the timetable for CIL submissions on an annual basis in consultation with the Portfolio Holder for Planning and Regeneration as the need may arise.*

Reason for Decision

The report seeks authorisation to amend the governance arrangements for the Community Infrastructure Levy (CIL)

Corporate Objectives **Affordable Housing**

Affordable Housing is not considered to be infrastructure under the CIL Regulations 2010 (as amended) and as such does not directly benefit from CIL funding. CIL funds can however be utilised on supporting infrastructure which would facilitate the delivery of housing sites within the Core Strategy and Site Allocations DPD including those providing affordable homes.

Building Community Capacity

As CIL revenues are not restricted by geography they can be targeted in areas where there are existing deficiencies and/or where needs are most acute. CIL revenues may be used on social enterprise and local community infrastructure which supports those in the most deprived areas. Local communities should feel empowered to carry out improvements within their neighbourhood by the distribution of a proportion of CIL funding to them under Regulation 59 of the CIL Regulations 2010 (as amended).

Delivering an Efficient and Modern Council

The amount of CIL funding is limited and needs to be targeted in order to maximise the infrastructure benefits to those working and living within the Borough. A clear and precise Infrastructure Business Plan will enable the long term planning of infrastructure improvements and facilitate the efficient delivery of infrastructure projects by the Council. The funds will enable the provision of modern facilities for the enjoyment of those living and working in the Borough.

Ensuring Economic Growth and Prosperity

Despite the majority of commercial developments not being liable to CIL payments, the development of the key employment area at Maylands and the Enterprise Zone is a corporate priority to which CIL funding may be allocated. It is anticipated that significant CIL funds will be committed to the development of supporting transport and ICT infrastructure to enable this area to thrive thereby increasing the prosperity of the area.

A Safe, Clean and Enjoyable Environment

CIL receipts may be allocated to the improvement of infrastructure which supports a safe, clean and enjoyable environment.

Monitoring Officer/S.151 Officer Comments

Monitoring Officer:

The recommendation to defer bid submissions until 2018 is appropriate noting the amount of CIL collected to date and will give clarity to infrastructure providers to enable bids to be prepared for April 2018.

Deputy S.151 Officer

The financial implications of this decision appear prudent basing the decision to limit potential funding to amounts that have already been collected and can therefore be utilised. The degree of uncertainty concerning utilising sums billed but not collected is prudent. The decision to therefore defer requesting project submissions and align the process with the budget timetable for 2018/19 will help to maximise the opportunities to target the funding at the most appropriate projects.

Advice

Councillor Sutton introduced the report and added that recommending Officers defer requesting project submissions for the use of CIL funding until April 2018 was important.

J Doe explained that Cabinet had considered this in November 2016. The level of receipts had not been as expected therefore they would like to delay some projects to allow the CIL contributions to increase.

Councillor Marshall noted that the CIL money received would not affect the local CIL payments to town and parish council's. J Doe confirmed this.

Councillor Marshall highlighted that residents in Berkhamsted feel that the level of CIL money spent is much higher in Hemel Hempstead compared to Berkhamsted. She felt that the council needed to communicate better with those residents and see why they have that view.

Councillor Griffiths noted that no CIL money had been spent anywhere yet. D Skinner confirmed that there was a note in the Statement of Accounts setting out the amount we billed for and the amount we received, which were significantly different. Therefore the residents were based on perception as no money had been spent yet.

Voting

None.

The Meeting ended at 8.45 pm