

CABINET REFERRALS

24th April 2018

7.1 CA/049/18 FORMALISATION OF GROVEHILL NEIGHBOURHOOD PLAN

Decision

RESOLVED TO RECOMMEND;

That Council formally ‘makes’ the Grovehill Future Neighbourhood Plan as part of the Local Plan following a YES vote at Referendum 15th February.

Reason for Decision

To acknowledge the ‘YES’ vote at Referendum on 15th March 2018 and propose that Council formally ‘make’ the Grovehill Future Neighbourhood Plan as a statutory planning document

Corporate objectives

The Grovehill Future Neighbourhood Plan supports the Council’s vision and in particular the corporate objectives of building community capacity, regeneration and affordable housing.

Monitoring Officer/S.151 Officer comments

Monitoring Officer:

The Localism Act states the “*Council must make a neighbourhood development plan to which the proposal relates, if in each applicable referendum under that Schedule (as so applied) more than half of those voting have voted in favour of the plan*”. The referendum result is clear and so therefore the only option available to the Council is to make the Grovehill Future Neighbourhood Plan.

S.151 Officer:

There are no direct immediate financial implications for the council. Any future plans will need to be developed within the normal council financial planning processes and be submitted for consideration as part of the Medium Term Financial planning cycle.

Advice

Cllr Sutton introduced report advising this went to a vote within Grovehill and received a yes to go forward. There are various issues for consideration around land ownership etc and this is an opportunity for us to now refine and put forward to full Council.

JDoe added the reason to put to Council is to get sign off of the plan. What the yes vote means is that the plan has to be taken into account by us when making planning decisions within the defined planning area in Grovehill.

Cllr Williams commented that it is widely assumed that the plan centres on Henry Wells Square and surrounding areas, but it is actually wider than that.

JDoe confirmed it covers the whole estate and anyone making an application within that area will have to follow the plan.

Cllr Douris recalled JDoe coming to a meeting in Henry Wells Square back in 2011, commenting that he takes great pride in seeing this coming to conclusion.

Recommendation agreed.

Voting

None.

22nd May 2018

7.2 CA/058/18 FINANCIAL OUT TURN 2017/18

Decision

RESOLVED TO RECOMMEND;

That Council;

- 1. Approve the carry forward of unspent reserve funded budgets from 2017/18 to 2018/19 (see Appendix D of the report to Cabinet, £315k slippage into 2018/19)**
- 2. Approve the use of the Housing Revenue Account surplus to fund an increased Revenue Contribution to Capital**

Reason for decision

To agree details of the provisional outturn position for the:

- General Fund
- Housing Revenue Account
- Capital Programme

Corporate objectives

Delivering an efficient and modern council

Monitoring Officer/S.151 Officer comments

Monitoring Officer:

No further comments to add.

S.151 Officer:

This is a S.151 Officer report.

Advice

Cllr Elliot introduced the report and expressed his view that we are getting better at managing and forecasting, also recognised the challenges ahead of us to meet future saving targets.

JDeane added that this year we finished within 0.4% of budget, commenting that there are some positives to be drawn on accuracy and forecasting and adding that with expected reductions in government funding over next few years we will see a more challenging budgetary environment.

Cllr Sutton referred to the £240k generated by volume of planning applications. JDoe confirmed it was a good year for income.

Cllr Williams commented that we have made quite significant savings and have better financial control in terms of coming in on budget and producing our budget. Emphasising that the saving requirements referred to are going to be significant in terms of challenge.

Cllr Tindall referred to the £1.2m mentioned in the report as retained for upgrade fire safety work, advising he read somewhere that central government will pay for replacement of panels for remedial work arising from Grenfell fallout. He asked, is it the intention that this fire safety work will be panel replacement? In which case, if read correctly, the government will be funding it?

MGaynor advised we do not have any buildings where we could apply for funding, this upgrade work is to ensure we are doing the upmost to ensure all our tenants and leaseholders are safe in all of our buildings.

Cllr Griffiths advised there was some panelling on a new build, which was changed, but would not have qualified for funding due to building height. There was also another build still in the planning stages where there was intention to use panels, for which the plans were changed.

Recommendations agreed.

Voting

None.

22nd May 2018

7.3 CA/060/18 AMENDMENTS TO STAFF TERMS & CONDITIONS

Decision

RESOLVED TO RECOMMEND;

That Council approves the changes to the redundancy multiplier as set out in paragraph 3.2 of the report.

Reason for Decision

For Cabinet to approve the changes to the redundancy multiplier and recommend to Council that these are implemented.

Corporate objectives

Delivering a modern and efficient Council – To ensure our existing terms and conditions are modern and attractive for staff whilst also offering value for residents.

Monitoring Officer/S.151 Officer comments

Monitoring Officer:

This report was not on the Council's forward plan and therefore the consent of the chairman of the Finance and Resources Overview and scrutiny committee was obtained to treat this matter as an urgent report.

S.151 Officer:

All redundancy cases are assessed on a case by case basis and the business case to justify any decision has to provide value for money.

Redundancies will only be approved if the financial business case is positive, hence there should be no direct financial impact on the existing budget, but future redundancy business cases will provide less savings to the council.

Advice

Cllr Williams advised this follows some dispute over T&C changes to redundancy, which lead to further negotiation with the result that we have amended our original decision, as set out in report. Recommendation is to ask Full Council to approve the revised proposal.

26th June 2018

Decision

7.4 CA/071/18 CONSTITUTION & PETITION SCHEME REVIEW & UPDATE

RESOLVED TO RECOMMEND;

- 1. That Council adopt the amended Petition Scheme as annexed at Appendix 1A of the Cabinet report; and include a change in paragraph 5 (The word 'ago' be replaced with 'previously').**

Reason for Decision

1. To seek approval to amend the Constitution to reflect changes to staffing structures, operational changes and new legislation.
2. To consider proposed amendments to the Council's Petition Scheme

Corporate objectives

The Constitution and the Council's Financial Regulations support all of the Council's Corporate Objectives as they provide the governance framework for all decisions, strategic and operational.

Monitoring Officer/S.151 Officer comments

Monitoring Officer:

This is a Monitoring Officer report.

S.151 Officer:

No direct financial implications as a result of the recommendations requested.

Advice

Cllr Williams introduced the report which includes changes to the petition scheme and updates the Constitution, primarily following the changes to Portfolio Holders as announced at Annual Council.

MBrookes advised one small change to recommendation 1; that Cabinet approves the changes to the constitution set out in paragraphs 5 & 7 and makes reference to paragraphs 9 & 10 in the background report to take account to the changes to Portfolio Holders.

Cllr Harden said that his understanding is that government changed its mind over the 2 year window, from encouraging petitions through the Localism Act, to not to require petitions, is that correct? MBrookes confirmed that yes, they were quite prescriptive in the original rules but they have withdrawn those and it is now for councils to decide. Most Councils still have a petition scheme and he was suggesting that we retain an amended version of ours.

Cllr Harden asked for clarification around online petitions and the difficulties identifying and validating those individuals who work, study or live in the area.

MBrookes advised that we are asking that email addresses are appended to any petition so that we can go back and ask for evidence of local connection; if they ignore the inquiry we may have to look at discounting that particular petitioner. He suggested that the number involved it is unlikely to make a big difference. He drew attention to the need to ensure petitioners Data is protected.

Cllr Marshall, following on from Cllr Harden's question, accepted it would be impossible to check out every petitioner but it would be nice to include a simple tick box to identify whether they are resident, work or study in this area so that when they sign up they pause and consider their connection to Dacorum.

MBrookes responded it would be nice to have, but we would have to have our own online petition system which would be quite expensive to purchase and maintain, we are trying to encourage people to use the readily available, free online systems.

Cllr Marshall referred to the top of pg. 51 under paragraph 7 of section c and the need to avoid publishing email addresses on the website, and confirmed that only names would appear on the website.

MBrookes took the point on board and advised would he would re-look at wording and amend if necessary; he clarified that we would not be publishing email addresses.

Cllr Tindall referred to pg. 39, first paragraph that reads 'remove references to local democracy and economic development', does that mean that we won't accept petitions on those subjects in future?

MBrookes responded that the original Act that brought in the requirement for petitions has been repealed and no longer exists, so the references to it have been removed.

Cllr Tindall was concerned that it could be read as the Council is trying to deny petitions on local democracy and he suggested rewording that paragraph.

Cllr Tindall referred to pg.40, second paragraph read extend circumstances under which a petition be deemed invalid to include 'or otherwise inappropriate'; does this give scope for the Council to pick and choose what petitions it accepts?

MBrookes responded that was not the intention, what we are trying to do is give a bit of discretion about how the policy is applied but it would be in very prescriptive circumstances that we would refuse to consider a petition.

Cllr Tindall commented that again, it does not read well in print and might be amended.

MBrookes advised that one of the areas we would apply this discretion would be where there has been repeated debate already on the matter.

Cllr Tindall added that he does not disagree with that, but the wording reads like the Council is trying to limit debate and officers may wish to review how it is written.

Cllr Griffiths commented that she can understand why this clause has been included, as it avoids listing reasons why we would not accept a petition, this wording allows us ensure improper petitions are excluded.

Cllr Harden suggested using wording such as 'or otherwise debated', commenting that 'inappropriate' may not be the right word.

AWilliams thanked Cllr Tindall for his comments, but advised that he is happy with the wording, commenting that any wording used will always be open to interpretation.

Cllr Douris referred to pg. 50, paragraph 5, the last line of the last bullet point, and suggested that the word 'ago' is changed to 'previously'.

Recommendations noted.