

MINUTES

CABINET

31 JULY 2018

Present:

Councillors:	Andrew Williams	Leader of the Council (Chairman)
	Margaret Griffiths	Portfolio Holder for Housing
	Graeme Elliot	Portfolio Holder for Finance and Resources
	Janice Marshall	Portfolio Holder for Environmental Sustainability and Regulatory Services
	Graham Sutton	Portfolio Holder for Planning and Regeneration

Also attended: Councillors Birnie, Douris, Howard and Tindall.

Officers:	S Marshall	Chief Executive
	M Brookes	Solicitor to the Council and Monitoring Officer
	M Gaynor	Corporate Director (Housing & Regeneration)
	J Deane	Corporate Director (Finance & Operations)
	L Roberts	Assistant Director (Performance, People & Innovation)
	J Doe	Assistant Director (Planning, Development & Regeneration)
	F Williamson	Assistant Director (Housing)
	Chris Taylor	Group Manager: Strategic Planning & Regeneration
	Chris Baker	Group Manager: (Revenues, Benefits & Fraud)
	N Bateman	Strategic Planning & Regeneration Team Leader
	Claire Covington	Strategic Planning & Regeneration Officer (Green Spaces)
	K Naidoo	Accountant: Housing & Regeneration
	Claire Oliveri	Communications and Consultation Officer
	J Doyle	Group Manager: Democratic Services

The meeting began at 7.30 pm

CA/74/18 MINUTES

Minutes of the meetings held on 26 June 2018 were agreed by Members present and signed by the Chair.

CA/75/18 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Neil Harden, Portfolio Holder for Residents and Corporate Services and David Collins, Portfolio Holder for Corporate and Contracted Services.

CA/76/18 DECLARATIONS OF INTEREST

There were no declarations of interest.

CA/77/18 PUBLIC PARTICIPATION

There was no public participation.

CA/78/18 REFERRALS TO CABINET

There were no referrals to Cabinet.

CA/79/18 CABINET FORWARD PLAN

The Forward Plan was noted and agreed, with the following comment/amendments;

Consideration of the Longdean Leisure Services update to be moved from the September meeting to the October meeting

Cllr Griffiths advised that the New Build Programme Report will be brought to the September Cabinet meeting.

CA/80/18 MEDIUM TERM FINANCIAL STRATEGY

Decision

RESOLVED TO RECOMMEND;

That the Revised Medium Term Financial Strategy for the period 2018/19 – 2022/23 be approved

Corporate objectives

The Medium Term Financial Strategy supports the delivery of all five of the Corporate Objectives.

Monitoring Officer/S.151 Officer comments

No comments to add to the report

S.151 Officer:

The comments were included within the body of the report.

Advice

Councillor Elliott introduced the Medium Term Financial Strategy (MTFS) as the next steps in the council's handling of its funds and preparation for the financial climate of

the next few years. He drew attention to the savings already achieved, their contribution to keeping Council Tax at a manageable rate and hinted at possible measures still to come to enable the council to deal with reduced government funding and ensure the tax payer gets value for money. The Council has been prudent in its use of funds and he gave the example of how the Council has used the New Homes bonus effectively.

J Deane, Corporate Director (Finance & Operations) (JD) then took the meeting through some key points regarding successful savings and the need to maintain progress; the recent unqualified Audits; and General Fund assumptions based on current trends. He went on to identify possible risks and how our accounting and practices have been set up to address possible further reductions in central government funding. In financial terms our aim should be sustainable, self-sufficiency in four years.

Councillor Marshall clarified some figures regarding the negative Revenue Support Grant.

Councillor Birnie enquired when the Local Government Finance Settlement is likely to be formally announced and JD suggested that it looks probable it will be November 2018.

The Chair then moved the recommendation set out in the report.

Recommendation agreed.

Voting

None.

CA/81/18 DACORUM BOROUGH LOCAL PLAN

CA/081/18 DACORUM SINGLE LOCAL PLAN 2020-2036: LOCAL DEVELOPMENT SCHEME

Decisions

1 RESOLVED TO RECOMMEND;

- A. The adoption of the new Local Development Scheme (2018-2021) and;**
- B. That Council Authorise the Assistant Director - Planning, Development and Regeneration to make any necessary minor and non-consequential changes to the Local Development Scheme prior to its final publication.**

2. Resolved:

A Corporate Growth and Infrastructure Strategy for Dacorum be produced for consideration by Cabinet and Council at a future date.

Reason for decisions

To update members on the progress towards preparing Dacorum's Local Plan and seek approval for an updated Local Development Scheme (LDS).

Corporate objectives

The Council's Local Plan helps support all 5 corporate objectives:

- *Safe and clean environment:* e.g. contains policies relating to the design and layout of new development that promote security and safe access;
- *Community Capacity:* e.g. provide a framework for local communities to prepare area-specific guidance such as Neighbourhood Plans, Town / Village Plans etc.;
- *Affordable housing:* e.g. sets the Borough's overall housing target and the proportion of new homes that must be affordable;
- *Dacorum delivers:* e.g. provides a clear framework upon which planning decisions can be made; and
- *Regeneration:* e.g. sets the planning framework for key regeneration projects, such as Hemel Hempstead town centre and the Maylands Business Park.

Monitoring Officer/S.151 Officer comments

Monitoring Officer:

Preparation of a Local Development Scheme ('LDS') is a statutory requirement. The LDS is a project plan which sets out the timetable for preparation of Local Development Documents (LDDs) that form the Council's Local Planning Framework.

S.151 Officer:

The production and delivery of a single local plan and a local development scheme can be delivered within existing budgets provision.

Advice

Councillor Sutton introduced the item by outlining the issues involved in producing and maintaining the Local Plan and the Local Development Scheme.

The report seeks approval for the Local Development Scheme which sets out the Council's timetable for the production of its new Local Plan.

Members will be aware that the Council undertook the first major consultation on the new Plan in autumn 2017 on the 'issues and options' facing the Borough in terms of dealing with new growth and development to 2036.

Consultation was extensive and included a series of public exhibitions staffed by both Members and officers. The response rate was very high and generated over 23,000

separate comments on the future of the Borough from around 2,000 residents and organisations.

A summary of the key issues arising from the Consultation held last autumn is at appendix 2 of the report to the Cabinet.

As the report explains, there is much further technical work to be done before the Council will be in a position to prepare a full, draft Local Plan which will put forward the amount of development to be planned for in Dacorum, and where the Council considers it best to be located.

The draft LDS is set out at appendix 1 of the report to Cabinet. The timetable proposes ongoing preparation work for the next 12 months before a full draft plan is brought back to Cabinet and then Council for consideration. Regular update reports to Cabinet will be provided over this period.

From here, the intention will be to consult with the public in August/September 2019, leading to the formal submission of the draft Local Plan to the Secretary of State for Housing, Communities and Local Government in February 2020.

The plan would proceed to public examination of the plan by an appointed Planning Inspector in mid-2020, with adoption of the Plan by December 2020.

The plan considers all forms of development, and will set out a vision and strategy for how the Council considers the Borough should be developed to 2036.

To assist this process, the report proposes an additional piece of work – the creation of a new Growth and Infrastructure Strategy – to take a long term look at the future shape of the Borough.

Separate from the statutory local plan process, the new strategy will provide the opportunity for the Council to set out high-level objectives for what it wishes to see happen in terms of new homes, jobs and the economy, tourism, transport, parks and open spaces and the digital and technology agendas.

The largest issue will be accommodating new housing growth, and the challenge of doing this will be very high given the Borough's green belt constraints.

The report indicates that using the Government's new standard methodology for assessing local housing need, the starting point for housing growth is at 1,049 new homes per annum – a considerable jump from the target of 430 per annum in the Dacorum Core Strategy which was adopted in 2013.

We are expecting the Government to release new household projection figures in September of this year which are expected to show a fall as population projections released earlier this year by the Office for National Statistics have reduced.

The Government has also indicated that it may revise its standard housing methodology which it first put forward in draft form in September 2017.

Whereas there is no published timescale for the roll out of the revised methodology, it is possible that it won't be confirmed until early 2019 and as such we may not have full clarity on Dacorum's local housing need until then.

Between now and next Spring, Officers will be undertaking a thorough analysis of potential development sites and preparing options for how much new development there should be, and where, for the Council's consideration.

This is necessary to ensure that the process is sound and robustly based on evidence, and importantly in step with our confirmed local housing need level which we may not have until early 2019.

The Government is however clear that progress on Local Plans should progress and under the proposed timetable in front of Cabinet tonight, we are able to do this as clarity on our housing need level emerges over the next few months.

From the technical work that officers are doing now during that period, Members will be in a position next year to consider how to best allocate land for new development against the assessed figure of local housing need.

Cabinet will also note that there is a commitment between the Borough and District Councils in the south western part of Hertfordshire, along with the County Council, to prepare a joint strategic plan to address longer term growth pressures and the provision of strategic infrastructure.

Whereas a new joint plan will provide strategic direction for new development in south west Herts, each of the local planning authorities – Watford, Hertsmere, Three Rivers and St Albans in addition to Dacorum – will continue to prepare individual Local Plans which will confirm exact locations of new sites and the requirements they will make of developers.

This work is at an early stage, and officers will report on progress over the next few months.

Councillor Birnie then enquired about the status of the Grovehill Neighbourhood Plan (GNP): In planning terms how significant is it; and can it have a material effect on planning in the area. J Doe replied that the GNP is significant for individual planning applications and influences the strategic planning decisions for the area and its surrounds.

Councillor Birnie then went on to the composition of the SW Herts Authorities Group and its effectiveness as far as joint cross boundary development is concerned. He has the impression the our neighbouring authorities, particularly St Albans, are not being particularly co-operative and view Dacorum as the primary location for further housing development while opposing employment, business development on their boundaries. Councillor Williams was quick to point out that this is not the case and that all the surrounding authorities, including St Albans, are working in partnership and engaged in a sensible joint approach.

St Albans are in the process of releasing 75 hectares of land for employment use and are anxious to co-ordinate this with the authorities surrounding.

On a related matter, Councillor Tindall suggested that the Plan and any joint operations need to clarify that they relate to 'east of Hemel Hempstead' and not East Hemel Hempstead, which is solely the concern of the Borough Council.

Councillor Marshall then moved on to the timetable and the risk of Central Government delays in announcing its assessment Housing Needs delaying production of the Plan and leaving us vulnerable to pressure from developers. J Doe gave his assessment of the emerging picture; the flexibility of our approach and our ability to respond to and absorb changing criteria. He anticipates that central government decisions on planning and housing needs are due for publication in summer 2019.

The Cabinet returned to the 'duty to co-operate' features of the approach and Councillor Elliot asked who will arbitrate in cross-boundary matters. J Doe made clear that authorities have to be able to demonstrate evidence of robust discussions with their neighbours and produce a statement of common ground. This would be examined by the Planning Inspector in any Inquiry.

Councillor Birnie asked if the current plan is still fit for purpose and if we are at risk of a serious planning challenge due to the protracted length of time it takes to produce a new plan. J Doe reassured the members that we have to be able to evidence that the Council have made every effort to achieve and produce a new plan local plan and not be judged as dragging our feet. Councillor Williams agreed that our current local plan, though old in planning terms, is better than most and still relevant and effective.

Recommendations agreed.

Voting

None.

CA/82/18 PRIVATE SECTOR HOUSING UPDATE

1. RESOLVED TO RECOMMEND

That Council approve the Private Sector Enforcement Policy, as set out in the report to Cabinet and attached appendices.

2. Resolved:-

- a) That the proposed approach for the Private Sector Housing Strategy and the focus on regulating the Private Rented Sector and Houses in Multiple Occupation, as set out in the report and attached appendices, be approved.
- b) That that a review of the Houses in Multiple Occupancy licence fee be reported at a future meeting.

Reason for Decision

To provide Cabinet with an overview of activity undertaken by the housing service since gaining the remit of Private Sector Housing including an overview of key

legislative changes. To set out the proposed approach outlined in the policies and terms of reference.

Corporate objectives

The Strategic Housing Service's responsibilities and activity in relation to the Private Rented Sector contributes to the following corporate objectives:

- Clean Safe and enjoyable environment
- Building Strong and vibrant communities

Monitoring Officer/S.151 Officer comments

Monitoring Officer:

This is an important policy document to aid the decision making process in this area and will also help to keep the public aware of how the Council will decide Private Sector Housing enforcement matters.

S.151 Officer:

A review of the HMO licencing fees is underway as a result of the additional responsibilities being introduced in October 2018 and future approval from cabinet will be sought once these are known.

These fees need to be set to ensure they recover the full cost of delivering this service

Advice

Councillor Mrs Griffiths introduced the item drawing attention to the recent changes in legislation dealing with private sector housing and its impact on Housing and housing finance in Dacorum.

F Williamson, Assistant Director (Housing) (FW) took the Cabinet through the main elements of the report focussing on the potential growth of the number Houses in Multiple Occupation, in Dacorum, from around 44 up to 400 due to the revised definitions and rules in the new legislation. She also highlighted the changes proposed for setting and reviewing fees and charges and the ongoing work to estimate and set the new fees. FW stressed that we have to be seen to have adopted a fair and proportionate, mixed tenure approach.

Councillor Marshall expressed her support for the proposals and is anxious that we agree the fees and charges without delay, so if necessary or possible, bring the fee setting report to Cabinet at the earliest opportunity and avoid costs falling on the Council. FW agreed that the fees should be agreed at the earliest opportunity though there is still a significant amount of investigation required to assess the extent of the task and the resources that it will require.

Recommendations agreed.

Voting

None.

CA/83/18 THE BURY MUSEUM PROJECT

CA/083/18 - The Bury Museum Project

1. That the stage 1 Heritage Lottery Fund heritage grants bid of £3.9m, to secure £1.9m funding to support a programme to develop the Bury into a museum be approved as outlined in the report to Cabinet.
2. That the need for an additional revenue commitment of approximately £370k per annum from 22/23 to operate the Bury post completion be noted.
3. That authority be delegated to the Assistant Director (Planning, Development and Regeneration) in consultation with the Portfolio Holder, Planning and Infrastructure, to approve further design decisions on recommendation 1 above.
4. That authority be delegated to the Assistant Directors of Planning, Development and Regeneration, and Finance and Resources for the submission of the future bids to the HLF (including total project costs)
5. That the need to work towards assembling match funding for the funding gap or for the total costs of the project if a grant is not secured in order for the project to proceed is noted. The estimated total project costs for both the capital and revenue elements are shown in the report to Cabinet at table 1 and table 2 respectively, including future operational costs.
6. That revenue funding of £33k for in year project spend in support of the round one application process be approved.
7. That the work required to explore different business models to help reduce the Council's ongoing revenue commitments be noted and a further report with details will be brought back at a later date Cabinet.

Reason for decisions

To seek approval for the Bury Museum Heritage Lottery Fund (HLF) Heritage Grants round one bid with match funding required

Corporate objectives

A Clean, Safe and Enjoyable Environment

Through the Museum project the Bury and its grounds will become fully accessible to the public for the first time, a new café and toilets will complement Gadebridge Park and a new landscaping scheme will improve access to the Park.

Building Community Capacity

The project will recruit new volunteers to support heritage, and organisational training and development will build the capacity of Dacorum Heritage Trust.

Ensuring Economic Growth and Prosperity

The Bury Museum will add to Dacorum and Hemel Hempstead's appeal as a visitor destination, and support the economy of the Old Town.

Monitoring Officer/S.151 Officer comments

Monitoring Officer:

No comments.

S.151 Officer:

The Bury project seeks approval to submit the HLF grant application for phase 1. At this point this process is projected to cost £33k as a one off investment and these funds will need to be made available from reserves if this recommendation is approved. These funds would be non-reclaimable if the bid is unsuccessful.

The projected costs of designing, building and implementing the museum from 2019 – 22/23 is £3.9m of which the grant application is requesting £1.9m, at present the DBC capital programme includes funding to deliver this project on condition of a successful HLF bid.

At this juncture the projected operating costs of the Bury museum would be £370k per annum from 22/23, which if successful would require DBC funding, and approval at a later stage.

Advice

JDoe introduced the item, pleased to be able to say we have reached a point where we can submit a bid for Heritage Lottery funding. He cautioned the meeting that submission of the bid would move us on to the next stage and entail more detailed investigations and exposition of the model we intend to use for staffing and running the project. These will be critically and minutely examined by the bid assessors.

Councillor Elliot pointed out that we had been successful with our bid relating to the Water Gardens Restoration Project and should be able to make use of the expertise and experience that had helped achieve that success. JDoe pointed out that in his experience the HLF engage particularly well with the 'story' of Hemel Hempstead and we will approach this bid in the same way. However he pointed out that the bid will be examined very critically on the 'value for money' and financial sustainability of this project; as well as its relevance and attraction across the whole demographic spectrum. He advised that since our last bid competition has become more intense.

Councillor Griffiths expressed her enthusiasm for this project and advised the bid team to adopt a positive attitude. She hoped to see the voluntary sector engage with the project and asked the officers to ensure the level of interest from this quarter was maintained. JDoe advised the Dacorum Heritage Trust have already been heavily involved and will continue to contribute.

Councillor Marshall endorsed Councillor Griffith's enthusiasm for a project that had been aspired to for many years. She echoed the need to ensure that the project is financially sound into the coming years and that we be prepared to run it boldly, considering numerous options and approaches. Councillor Douris also expressed wholehearted support and endorsement. He has seen a significant push to recognise the contributions of museums to the culture of Hertfordshire.

Councillor Birnie sounded a warning regarding the notable failures of some HLF projects in other parts of the country and we have to ensure the sustainability and revenue of this project matches the proposals set out in the report.

Councillor Sutton expressed his thanks and praise to the bid team and added his support.

Councillor Williams agreed that the establishment of a museum in Hemel Hempstead had always been a long term aspiration and the freeing-up of the Bury – a suitable property, in our control – now made it possible. He acknowledged the possible risks with the HLF though he felt that these may have contributed to their recent, more stringent approach and this could contribute to a more robust basis for the proposals. Round 2 of the bid will require the engagement of the voluntary sector and it is essential that they are involved in the nature of the project and the model adopted for running the facility.

Recommendations agreed.

Voting

None.

CA/84/18 COUNCIL TAX SUPPORT SCHEME 2019/20

RESOLVED TO RECOMMEND:

That the Council do not revise or replace the current Council Tax Support scheme for 2019/20.

Reason for decision

To consider whether to revise or replace the existing Council Tax Support scheme for the 2019/20 billing year, and if so, to approve options for consultation. Also to note the requirement to consider revision or replacement of the Council Tax Support scheme for 2019/20.

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:

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.

S.151 Officer:

This is a S151 Officer report

Advice

Councillor Elliot introduced the item, advising the Cabinet that the current scheme is working well and we are prepared for the roll-out of Universal Credit, though the exact cost and resources it requires have not been finalised as yet. Chris Baker, Group Manager: (Revenues, Benefits & Fraud) (CB) then went on to explain how the current Council Tax Support Scheme is operating and the changes that Universal Credit may entail.

Councillor Birnie asked if we are any closer to an estimate of the costs of Universal Credit and was told no new information is available since the report that was considered at the last Cabinet. He went on to ask if we could make comparisons with other authorities who had already undergone the changes. CB advised that is difficult as our experience will be different and it is too early to produce proper estimates without seeing the schemes in operation: we will have the evidence next year and can then budget effectively and implement the scheme fully, at the start of the financial year in April 2020. Councillor Marshall again requested that the officers bring the review at the earliest opportunity. CB did say that the benefit of an early review would be that it could act as pre-planning for the following Council Tax estimates.

The report seeks approval for

Recommendation agreed.

Voting

None.

CA/85/18 ENTERPRISE ZONE

CA/085/18 - Enterprise Zone – Relief Policy 2018/19

That the Hertfordshire Enviro-Tech Enterprise Zone Business Rates Relief Policy, as shown in Appendix 1 of the report to Cabinet be approved

Reason for decisions

To approve the policy for business rates relief within the Enviro-Tech Enterprise Zone.

Corporate objectives

The Council's Local Plan helps support all 5 corporate objectives:

- Safe and clean environment: e.g. contains policies relating to the design and layout of new development that promote security and safe access;
- Community Capacity: e.g. provide a framework for local communities to prepare area-specific guidance such as Neighbourhood Plans, Town / Village Plans etc.;
- Affordable housing: e.g. sets the Borough's overall housing target and the proportion of new homes that must be affordable;
- Dacorum delivers: e.g. provides a clear framework upon which planning decisions can be made; and
- Regeneration: e.g. sets the planning framework for key regeneration projects, such as Hemel Hempstead town centre and the Maylands Business Park.

Monitoring Officer/S.151 Officer comments

Monitoring Officer:

As highlighted in the report, the statutory power to introduce a local discretionary rate relief scheme is set out under section 47 of the Local Government Finance Act 1988.

Under the Enterprise Zone business rate discount scheme, the billing authority is the aid administrator for State Aid purposes and so is responsible for ensuring the rules are met and that the De Minimis allowances are not exceeded (currently 200,000 euros in a three year rolling period)

S.151 Officer:

S151 Officer paper comments are included in the report to the Cabinet agenda..

Advice

Councillor Elliot introduced the item by informing the Cabinet that the policy (attached as appendix 1 in the report to the Cabinet) was approved by the EZ Partnership Board in November 2017. It offers three levels of support, which depend on the nature of the incoming business and how "green" they are.

Councillor Tindall asked how the partnership working with St Albans District Council was going and was informed it is most productive. He was assured that SADC would be setting a level of relief at the same rate as DBC.

Recommendation agreed.

Voting None.

The Meeting ended at 8.30 pm