

## **MINUTES**

### **CABINET**

**16 OCTOBER 2018**

**Councillors:** Williams (Leader)  
Elliot  
Harden  
Marshall  
G Sutton  
D Collins

|                  |                  |   |
|------------------|------------------|---|
| <b>Officers:</b> | Mark Brookes     | Assistant Director - Corporate and Contracted Services      |
|                  | Nathalie Bateman | Strategic Planning & Regeneration Team Leader               |
|                  | Claire Covington | Strategic Planning and Regeneration Officer                 |
|                  | James Deane      | Corporate Director - Finance and Operations                 |
|                  | James Doe        | Assistant Director - Planning, Development and Regeneration |
|                  | Sally Marshall   | Chief Executive   |
|                  | Katie Mogan      | Corporate and Democratic Support Lead Officer               |
|                  | Linda Roberts    | Assistant Director - Performance, People and Innovation     |
|                  | Suzy Donaldson   | Communications and Consultation Lead Officer                |

#### **Also in attendance:**

Councillor John Birnie  
Councillor Adrian England  
Councillor Tina Howard  
Councillor Tom Ritchie  
Councillor Ron Tindall

The meeting began at 7.30 pm

#### **CA/100/18 MINUTES**

Minutes of the meetings held on 18 September 2018 were agreed by Members present and signed by the Chair.

#### **CA/101/18 APOLOGIES FOR ABSENCE**

Apologies of absence were received by Councillor Griffiths.

#### **CA/102/18 DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **CA/103/18 PUBLIC PARTICIPATION**

Howard Russell and Steve Day made statements regarding the Athletics Track Relocation and the Physical Activity and Sports Strategy.

### Howard Russell

1. Would the Council agree that with both higher heart disease and substantial sports facilities, there is something wrong in Dacorum. The answer is not more structures recommended by large national clubs who count success by membership numbers. This will only result in the permanent loss of precious natural land. Money would be better spent on improving quality which always attracts.
2. Would the Council also consider a refocus away from structures and more to the strategy of converting people from an unhealthy to a permanent healthy lifestyle with our important sports organisations giving back to the community by funding lifestyle conversion without necessarily targeting future membership. The primary objective is health and happiness for all.
3. Can we also ask the Council to consider the use of Psychology and associated professions to develop conversion programs and to avoid using unfamiliar Sports structures and Trainers for such purposes. It's about educating people to understand there is a better way to live. It's initially a cerebral process. Dacorum is ideally placed to initiate such a program with measurable results and to move converted people into organised or freestyle sports activities. More structures, more variety and more land use is simply not the answer to the primary objective.
4. Does the Council provide statistics of sports facility utilisation to determine if expansion is actually required.
5. Regarding Cupid Green, does the Council agree that the permanent designated open recreational land will be maintained to protect Cupid Green playing fields for the future benefit of all.
6. Does the council also agree that the parking area at Cupid Green needs resurfacing as it has fallen well below the standard seen in many other Dacorum Parks.

Councillor Williams thanked Mr Russell for his statement and said he would get a response sent to him as the points he raised were quite detailed.

### Steve Day

Hi I'm Steve Day the founder of the Facebook group LeisureFacilitiesAreNotForProfit I am also a trustee of Dacorum Sport trust but not speaking in that capacity tonight.

### Regarding the track

The Housing and Community committee recommended cabinet reviewed all responses, look at the financial case and the benefits of the scheme. Despite yet again huge public opposition to the council's direction of travel the scrutiny committee failed to stop it in its tracks by recommending to cabinet that the proposal was rejected. Yet again political influence takes priority over the community interest.

For Cllr Williams to then state he will recommend the scheme is not carried forward is blatant electioneering and spineless.

Irrespective of that I recommend that you take up his advice and discontinue the proposal once and for all enabling the people of Cupid Green to get on with their lives

#### Regarding the Strategy

Several organisations with direct experience in developing strategies and sport management fed back during the consultation. To the best of my knowledge none of these suggestions (including mine) have made any material difference despite assurances from the portfolio holder.

The scrutiny committee last week heard from Matt Bullard – a senior government employee who has offered to support the council to make the strategy “fit for purpose”. Others with sport and leisure industry experience are keen to help the council NOW but apparently it's acceptable to “put the meat on the bone AFTER this document is approved.

Added to that I have it on VERY good authority that in order to access funding Sport England

“need to see a robust and coherent Strategy that clearly outlines the current state of play, what the challenges and priorities are, what the goals and SMART objectives are and how these will be met, including KPIs, resources, timescales etc.

**This strategy does not do that and therefore will fail in securing funding.**

Added this the fact that the portfolio holder said there is no budget or funding for sport, AND £6m is being taken OUT of sport by the leisure contract this strategy WILL FAIL.

If this strategy is allowed to proceed, the public will again see VERY clearly that this council is NOT interested in sport, is NOT serious about getting external money and is only interested in taking money out **So reject the strategy and make it fit for purpose!!!**

Councillor Williams thanked Mr Day and responded to his statement. He said that it was not within the power of the scrutiny committee to stop the report and the Cabinet agenda had already been published at the time of the meeting. It would have been more helpful if the committee had focused on making comments on the report. He said he felt it would have been inappropriate to put the recommendation not to continue with the project on the committee report and that is why Councillor Williams made the declaration at the end of the meeting that he would not be taking it forward. He said it was disappointing to hear that Mr Day felt the decision was a political one because it was purely based on the outcome of the public consultation.

#### **CA/104/18 REFERRALS TO CABINET**

There were no referrals to Cabinet.

## **CA/105/18 CABINET FORWARD PLAN**

The Forward Plan was noted and agreed.

## **CA/106/18 ATHLETICS TRACK RELOCATION**

### **Decision**

That Cabinet do not progress with the relocation of the athletics track to Cupid Green Fields.

### **Corporate objectives**

- A clean, safe and enjoyable environment
- Building strong and vibrant communities

### **Monitoring Officer/S.151 Officer comments**

#### **Monitoring Officer:**

There will be no legal implications if Members decide to keep the track in its current location. If Members decide to relocate further site due diligence will need to be carried out to ensure that there are no legal, planning or property impediments to the proposed development as part of the project plan.

#### **Deputy S.151 Officer:**

Any potential financial impact of cabinets consideration of this issue will be reported at a later date as part of the wider leisure strategy.

### **Advice**

Councillor Harden introduced the report to members. He said the consultation had 548 responses and the majority were not in favour of the relocation.

Councillor Williams said there was a clear consensus from the consultation regarding noise pollution, increased activity and the capacity of Cupid Green Fields so the recommendation will be to not relocate the athletics track.

Councillor Marshall said the number of responses to the consultation were impressive and Cabinet hear what residents say and need to recognise this and therefore the recommendation is correct.

Councillor Elliot said this recommendation shows we have listened.

Councillor Tindall asked whether the budget could be reallocated to refurbishing the existing track and the arena used for other events.

Councillor Williams said he was happy to look into this but there was no identified budget for the relocation as the money would have come from the proceeds of the site.

### **Voting**

None.

## **CA/107/18 PHYSICAL ACTIVITY AND SPORTS STRATEGY**

### **Decision**

That the proposed Physical Activity & Sport Strategy be approved.

### **Corporate objectives**

Building strong and vibrant communities

### **Monitoring Officer/S.151 Officer comments**

#### **Monitoring Officer:**

This is a high level strategy for the Borough presented for member approval and therefore the Monitoring Officer has no comments to make at this stage; however, the detailed action plans will need to be assessed in due course to ensure that all relevant equality implications are fully considered.

#### **Deputy S.151 Officer:**

The proposed physical activity and sports strategy will be delivered within existing and future projected service budgets as outlined in the medium term financial strategy principles, and annual budget setting process.

### **Advice**

Councillor Harden introduced the report to members. The aim of the overall strategy is to look at the direction of travel to make residents more active. In responding to the statements from the public, the Get, Set, Go project received a grant of £345,000 from Sports England which engaged 3,000 people in sport before the council even had a strategy. This is a good opportunity to get extra funding.

Councillor England referred to the scrutiny committee last week and said Mr Bullard provided a powerful contribution and gave the strategy a 2 out of 10. He said he was concerned that the scrutiny committee were asked to make comments on the first draft back in June yet this doesn't seem to have been incorporated into the final draft.

Councillor Williams had asked officers to have another look at the minutes from that meeting and compare with the final draft and he was confident that some of the suggestions had been included.

Councillor Marshall asked if there was an idea of when the action plans would be drawn up and submitted.

Councillor Harden said there would be a biannual report to the scrutiny committee.

Councillor England said if action plans were implemented then Dacorum borough Council would already have a strategy. A big decision on the provider of sport and leisure was made in January and implemented in April.

Councillor Williams said the change in sports provider had taken 15 – 18 months and was a change in management, not structures.

Councillor D Collins asked if this strategy would address children that leave school and do not continue to take part in sports.

Councillor Harden said yes, it will look at these aspects and work to develop projects like how we continue to keep people engaged in physical activity.

### **Voting**

cal Activity & Sport Strategy be approved.

### **CA/108/18 HEMEL HEMPSTEAD TOWN CENTRE AND PARKING ACCESS AND MOVEMENT STRATEGY**

#### **Decision**

1. That the delivery of the parking, access and movement proposals for Hemel Hempstead town centre as set out in the report be approved.
2. That authority be delegated to the Assistant Director (Planning, Development and Regeneration) to approve further design, planning and implementation decisions on recommendation 1 above.
3. That authority be delegated to the Assistant Director (Planning, Development and Regeneration) for the appointment of consultants and contractors to deliver the Parking, Access and Movement project as set out under recommendation 1 above.
4. That authority be delegated to the Assistant Director (Planning, Development and Regeneration) in consultation with the Assistant Director (Corporate and Contracted Services) for the approval of a legal agreement with Hertfordshire County Council (HCC) to enable the works to be undertaken on the public highway.
5. That approval is given for either DBC to make or for DBC to submit to Hertfordshire County Council to make a Traffic Regulation order required to

prevent blue badge parking along Bridge Street, west of Waterhouse Street and to seek delegated authority from HCC to enforce the Traffic Regulation Order.

- 6. That Cabinet recommends to Council approval of a supplementary capital budget of £165k in financial year 2019/20 to enable the project to be delivered.**
7. That the use of s106 income and income from sustainable transport funding from HCC to supplement existing budgets on this scheme; the virements brought in from these sources will increase the respective project budget be approved.
- 8. That Cabinet recommends to Council a supplementary one off reserve draw down of £25,000 in 2019/20 to support the delivery of the project, funded from the Planning and Regeneration Project Reserve.**

### **Corporate objectives**

A clean, safe and enjoyable environment - The Parking, Access and Movement project will aid traffic flow, improve visitor experience and maximise the benefits of the Water Gardens restoration. It will create an attractive, safe and accessible route for pedestrians between the Leighton Buzzard Road/Water Gardens and the pedestrianised shopping area via Bridge Street.

### **Monitoring Officer/S.151 Officer comments**

#### **Monitoring Officer:**

The Project Team will need work closely with the Legal Team to ensure that the proposed Traffic Regulation Orders and S.278 Highway Agreements are legally sound and protect the Council's legal position.

The procurement for works will also require an EU compliant procurement process, and the contract for works must be drafted prior to commencement of the procurement to ensure that all bidders are aware of the terms which they are bidding on.

#### **Deputy S.151 Officer**

The development of this access project has resulted in an increase in the estimated capital costs of £165,000, that will require adding to the 2019/20 capital programme.

The project estimates that up to £25k of reserves are required to cover one off revenue costs incurred to deliver this project, these reserves will be drawn down and approved through cabinet in 2019/20 as these costs are realised.

### **Advice**

Councillor G Sutton introduced the report to members and said this proposal is to improve the access in the Water Gardens car park. This project was highlighted in the Hemel Hempstead Town Centre Masterplan but the focus originally was ensuring the Water Gardens regeneration was completed first. The intention is to provide better access and has been designed to improve road safety. The financial implications are highlighted in the report. The report also went to SPAE OSC and their comments are also provided. If approved, the works will commence in Spring 2019 and should take 3-4 months.

J Doe said that SPAE OSC did have concerns about the length of the slip road but this has been designed to meet Herts Highways safety audit requirements.

Councillor Elliot asked if the increase in costs reflects enhancements to the project.

J Doe said yes, there are a range of environmental improvements for example, Bridge Street will become one way and there will be a level surface for pedestrians. The town centre location means there is a higher project contingency following advice from consultants.

Councillor Harden asked if officers could confirm that the length of the slip road was for safety reasons.

J Doe said yes.

Councillor Harden said there was two pathways from the Leighton Buzzard Road into the Water Gardens and asked why the furthest away path would be kept.

C Covington said part of the plan was to reconfigure the recycling facilities so there will be a safe area for collection.

Councillor Birnie said he was concerned about the additional costs and asked how this would be financed.

Councillor Williams said it would be funded from the original budget set in 2013 as part of the Water Gardens improvements.

Councillor Birnie commented that he thought the original budget was overspent.

Councillor Williams said that it was a separate budget.

Councillor Tindall referred to the Combe Street entrance and asked if there were any plans to widened or straighten the road as people travelled down it very fast.

J Doe said he would take these comments on board.

Councillor Williams said he would be reluctant to straighten the road but suggested it could be considered for traffic calming measures.



Councillor Tindall mentioned that the Local Government Association has said that there is £1 billion of EU funds left floating around for community projects and asked if these funds could be accessed for this project.

Councillor Williams said this might be a stretch to see if this fits.

Councillor Marshall asked if it would still be possible to move between the North and South car park.

Councillor Williams confirmed it would be.

J Doe said there was a slight change to recommendation five in the report regarding Traffic Regulation Orders.

Councillor Williams referred to the TRO and the loss of disabled spaces on Bridge Street. He asked if it would be possible to amend the TROs on Waterhouse Street to allow for disabled badge holders to utilise the under used spaces at the end of the taxi rank.

Councillor Birnie said that SPAE OSC highlighted this issue and suggested using the redundant bus station.

Councillor Williams said this was considered but not taken forward.

S Marshall said they wanted to provide a permanent solution.

### **Voting**

None.

## **CA/109/18 LOCAL PLAN UPDATE**

### **Decision**

1. That the progress on preparing Dacorum's Local Plan as set out in the report be noted.
2. That the setting up of a Task and Finish group to consider key issues related to the Local Plan be agreed.
3. That authority be delegated to the Corporate Director Housing and Regeneration in consultation with the Portfolio Holder Planning and Infrastructure to submit a bid for financial support from the Ministry of Housing, Communities and Local Government 'Garden Cities Prospectus'.

### **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:**

If Cabinet approves the request to set up a Task and Finish Group, the request will be referred to the Programming Panel, which consists of the political group leaders or their representatives, who will appoint the membership of the group and decide upon the terms of reference for the group.

#### **Deputy S.151 Officer**

The submission of a funding application can be produced within the existing local plan approved funding and these funds will be profiled as required to support the delivery of the local plan.

#### **Advice**

Councillor G Sutton introduced the report to members and said it was an update on the progress of the Local Plan. Cabinet last considered the Local Plan in July and the timetable was agreed. The draft plan will be issued in Autumn 2019 alongside the production of a Growth and Infrastructure strategy. There is an intention to submit a bid to the Garden Communities programme to assist with the delivery of land. Site falls to both sides of the boundary – HCC, DBC and St Albans. Major opportunity to bring forward new infrastructure. There is ongoing work to gather evidence for members to make informed decisions. This report also recommends setting up a Task and Finish Group.

Councillor Tindall referred to paragraph 14 and asked if this was a misphrasing as it sounds like Hemel Hempstead is being extended but placed in St Albans.

Councillor Williams said it refers to the St Albans extension to the East of Hemel Hempstead. The extension to the north is DBC. He said it was of benefit to DBC to emphasise the considerable issues arising from the east expansion. It may be in the St Albans district but the infrastructure, education and transport issues will fall heavily on DBC.

Councillor G Sutton said that Crown Estates are already marketing it as Hemel Hempstead East with no mention of St Albans.

Councillor Birnie said there might be an administrative problem with this area and who would be representing them.

Councillor Williams said it would fall under the Redbourn Ward in St Albans District Council.

Councillor Ritchie said it was disappointing that backbench members had not seen the responses from the original consultation. The link in the report does not work and members cannot wait another year to see the responses. He was also concerned that Task and Finish groups had clearly already been used.

Councillor Williams said this group took place in 2013.

Councillor Ritchie asked that backbench members were part of the task and finish group.

J Doe apologised that the link was not working and would resend a working link after the meeting.

Councillor Williams assured Councillor Ritchie that no work had already been undertaken to begin choosing sites for development. The ongoing technical work is to make sure the site is suitable for development.

Councillor Ritchie asked when the task and finish group would be formed.

Councillor Williams said the group leaders will need to meet to discuss who will sit on it and how many.

J Doe said the technical work was to ensure members had enough evidence to make decisions.

Councillor Williams said that the Cabinet had not seen this consultation feedback before so had seen it at the same time as the other members.

Councillor Marshall referred to the Garden Communities bid and asked what DBC would be asking for and what level of cooperation would be needed.

J Doe said they were still working out the details. The initial thoughts are for extra staffing for town planning, highway support and design guidance.

Councillor Elliot asked if we are on track to submit the bid in time.

J Doe said yes.

Councillor Elliot referred to paragraph 29 and asked what the Envelope Boundary Review was.

J Doe said that the borough had areas of Green Belt and the review would be to see if any of these boundaries need revising.

Councillor Tindall asked if the task and finish group would be working with the South West Herts Strategic Partnership or just standalone?

J Doe said it would just be working on DBC's Local Plan. It wont just look at the sites but also look at the policies that will help shape development.

Councillor Williams said himself and the Chief Executive were attending fortnightly meetings with South West Herts partners.

Councillor Birnie said there was little mention in the report about the environmental considerations.

J Doe said the plan will be legally subject to a variety of assessments which will include the environment.

### **Voting**

None.

## **CA/110/18 TREASURY MANAGEMENT 17/18 CLOSING PERFORMANCE**

### **Decision**

#### **Resolved to recommend:**

**The acceptance of the report on Treasury Management performance in 2017/18 and the Prudential Indicators for 2017/18 actuals.**

### **Corporate objectives**

Optimising investment income for General Fund and Housing Revenue budgets whilst managing investment risk is fundamental to achieving the corporate objective of delivering an efficient and modern council.

### **Monitoring Officer/S.151 Officer comments**

#### **Monitoring Officer**

No comments to add to the report.

#### **Section 151 officer**

This is a S151 Officer report

### **Advice**

Councillor Elliot introduced the report to members and said that Local Government Regulations require that the Council produces an annual report on the previous

year's treasury performance, and confirming compliance with the Council's approved treasury strategy. There are a number of technical tables and indicators within the report, but key headlines from the report are as follows:

Borrowing – The Council undertook no new borrowing within 2017/18 and continues to make annual repayments against existing borrowing which now stand at £18 million in the General Fund and £346 million in the HRA.

Investment – Over the course of 2017/18, interest rates remained low, as they have been for the past 10 years which has continued to suppress the Council's investment returns. The council held average balances of £96.8 million throughout the year, and earned an average rate of return of 0.37%. the weighted average maturity for investments held by the Council at the end of the year was 162 days. Investment activity during the year conformed to the approved strategy and the Council had no liquidity difficulties.

Councillor Marshall referred to page 67 and asked if those investments are under one year.

Councillor Elliot said yes.

Councillor Birnie congratulated officers on a well-balanced and well-presented report.

### **Voting**

None.

The Meeting ended at 8.32 pm