

MINUTES

CABINET

30 JULY 2019

Councillors: Williams (Leader)
Elliot
G Sutton
Anderson
Banks

Officers:	Natasha Beresford	Group Manager - Strategic Housing
	James Deane	Corporate Director - Finance and Operations
	Mark Gaynor	Corporate Director - Housing & Regeneration
	Sally Marshall	Chief Executive
	Stephen Mendham	Strategic Planning and Regeneration Officer
	Claire Oliveri	Communications and Consultation Officer
	Chris Taylor	Group Manager - Strategic Planning and Regeneration
	Carly Thomas	Independent Reviewing Officer
	Katie Mogan	Corporate and Democratic Support Lead Officer
	Farida Hussain	Group Manager (Legal & Corporate Services)
	Fiona Williamson	Assistant Director - Housing

Also Attendance:

Councillor Ron Tindall

The meeting began at 7.30 pm

CA/63/19 **MINUTES**

Minutes of the meeting held on 25 June 2019 were agreed by Members present and signed by the Chair.

CA/64/19 **APOLOGIES FOR ABSENCE**

Apologies of absence were received from Councillor Griffiths.

CA/65/19 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

CA/66/19 PUBLIC PARTICIPATION

There was no public participation.

CA/67/19 REFERRALS TO CABINET

There were no referrals to Cabinet.

CA/68/19 CABINET FORWARD PLAN

The forward plan was noted with the following changes:

- Add 'Tring Conservation Area Review' to September

CA/69/19 TENANCY STRATEGY

Decision

That the Tenancy Strategy be approved

Corporate objectives

Clean, safe and enjoyable environment.

Building strong and vibrant communities.

Monitoring Officer:

Further to the Localism Act 2011 local housing authorities are under a duty to prepare and publish a tenancy strategy. The attached Tenancy Strategy sets out how Dacorum meets its obligations under section 150 to 153 of the Localism Act 2011.

Deputy S.151 Officer:

There are no financial impacts raised by this strategy update.

Advice

N Beresford introduced the report which highlights the different tenancies on offer within the social housing stock and the relationship management with our partners. She introduced C Thomas who is the Independent Reviewing Officer and has led on the development of this strategy.

C Thomas said the strategy has been written to outline approaches to different tenancies and the working relationship with registered providers, the affordability and tenure types. The strategy ensures there is the same level of affordability and tenure regardless of landlord. This strategy was written prior to the Portfolio Holder decision for flexible tenancies so this can be reviewed and amended if required.

Councillor Elliot said that housing association properties charge 80% of market rent and asked how market rent is defined.

N Beresford said Dacorum falls under the South West Herts region in respect of local housing allowance rents with the exception of parts of Tring which falls into the Aylesbury Vale region. Parts of St Albans and Harpenden fall under the South West Herts region.

Councillor Elliot said those were expensive areas which should skew the rates.

Councillor Williams referred to the nomination rights (100% on all initial lets and 85 or 75% on re-lets) and said he was under the impression that housing associations do not keep their own list of applicants.

N Beresford said most do not. The lists they do keep are mainly for the internal management of urgent transfers. They often approach us as they do not retain their lists.

Councillor Williams said we may achieve more than the 75% re-let rate.

N Beresford said yes.

The recommendations were agreed.

CA/70/19 HOUSES IN MULTIPLE OCCUPATION

Decision

1. That the update on the work of the Private Rented Sector Team be noted.
2. That the Private Sector Enforcement Policy update be approved.
3. That the Houses in Multiple Occupation Policy be approved.

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:

Local housing authorities are under a duty to review housing conditions in their districts under Part I of the Housing Act 2004 which includes private sector housing,

The attached policy documents set out how the Council meets its obligations under the Housing Act 2004.

S.151 Officer

The private sector housing service has an approved budget for 2019/20 that reflects the financial needs of the service to deliver the policies outlined in this report.

The fees and charges in relation to HMO licencing, highlighted in appendix 5, were introduced in 2019 and will monitored to ensure they fairly reflect the costs incurred in providing and enforcing these licences.

Advice

N Beresford introduced the report and said it provides an update on the development within the private sector team after key legislation changes within the last six months including the introduction of the tenant fees act and the fitness for habitation act. Last year, Cabinet approved the enforcement policy as well as the draft format of the HMO policy. The final version of the policy outlines the approach to regulating HMOs and there have been good levels of income from the licence fees.

Councillor Williams asked how a HMO was defined.

N Beresford said it was previously three storey but is longer defined by that. The current definition is five members or more in a property made up of different households.

Councillor Anderson said that HMOs often get a bad reputation and hoped that enforcement would help people and would also promote HMOs a good form of housing.

N Beresford said the department works closely with private sector landlords and are focussing on education not enforcement. We have received positive feedback from landlords and many licenses have been done through compliance. One licence has been introduced for the need to serve a regulation notice. HMOs are used by the council for temporary accommodation and these are managed effectively. They are a good option for managing pressures on the housing service.

Councillor Tindall asked if the department uses the electoral register to see if more than five adults live at one property.

N Beresford said they have 51 applications pending assessment where the landlord has made themselves known to the council. 75 properties have been identified through evidence whether that be complaints, councillors or the electoral register.

The recommendations were agreed.

CA/71/19 MEDIUM TERM FINANCIAL STRATEGY (MTFS)

Decision

RESOLVED TO RECOMMEND that:

the revised Medium Term Financial Strategy for the period 2019/20 – 2023/24, including the recommendations at Section 2 of the Strategy be approved.

Corporate objectives

The Medium Term Financial Strategy supports the delivery of all five of the corporate objectives.

Section 151 Officer:

This is a S151 Officer report.

Deputy Monitoring Officer:

No comments to add to the report

Advice

Councillor Elliot introduced the report and the MTFS looks at the general fund savings target be approved for the financial year. The four year general fund savings target is £2.9 million. The council are still awaiting the announcement of the government's spending review.

J Deane said the £2.9 million savings target represents 17% net cost of services which is a significant amount of money to find. Next year, the savings target is £780k. However, as a result of the Council's multi-year approach to savings, significant inroads have already been made to that figure leaving £130k still to find.

J Deane highlighted a number of fundamental assumptions within the MTFS. The council is in the final year of a four year deal and at present there is no certainty on future years' funding as we are awaiting the announcement of the Fair Funding Review which is scheduled for the end of this year. Until further announcements are made, the MTFS assumes continued reductions in future government funding of the magnitude experienced over previous years, resulting in the Council becoming self-sufficient by 2022/23. There is a risk that cuts could be deeper and faster than this but this is unlikely. The New Normal programme will look at cross departmental savings.

Councillor Williams said he was sceptical that an announcement from government would be made by the end of the year.

J Deane said if there is no announcement this year, and there is a roll forward of current funding arrangements in the interim then it would be prudent for the Council to treat any resultant benefits as one-off, and continue to meet the savings outlined until Government makes a formal funding announcement.

Councillor Tindall said he could not see an update on the New Normal programme on the Cabinet forward plan.

S Marshall said it would be brought forward with the budget report and it will be brought to Cabinet if there are any actions required.

Councillor Anderson asked about the annual settlement on staff pay and if there was any information for next year.

S Marshall said they were currently in negotiations. There has been a pay request from Unison for a 10% pay increase, a reduction in the working week by 2.5 hours and an extra day holiday. This is obviously their starting position and negotiations will be ongoing. The roadshows start in September so we will get more clarity then.

Councillor Anderson said it was frustrating that the decision gets put off.

S Marshall said there was a two year settlement last year which helped.

The recommendations were agreed.

CA/72/19 DACORUM BOROUGH STATEMENT OF COMMUNITY INVOLVEMENT

Decision

That:

1. the draft revised Statement of Community Involvement annexed to this report be agreed and authority be delegated to the Assistant Director, Planning, Development and Regeneration to make any final minor editorial and typographical revisions to the document including any necessary to reflect the Cabinet's discussions and decision prior to approval by Council

2. RESOLVED TO RECOMMEND that Council adopts the revised Statement of Community Involvement

The Council's Local Plan (of which the SCI forms one of the documents) 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

The SCI should help to ensure that the views of relevant stakeholders are taken into account in the statutory plan making and planning decision-making process, which

improve the quality and consistency of those decisions and reduce legal challenges.

Deputy Section 151 Officer

There are no direct financial implications.

Advice

Councillor G Sutton introduced this item and said it forms a very important part of the future working of DBC. This will include the local plan and corporate objectives.

C Taylor said the council have an obligation to review this document every two years. This has been out to consultation.

Councillor Tindall said consultations can be crucial. He asked if it was possible to ask Communications to make consultation notices more user friendly and add more links to relevant documents and enhance the visualisation. It is likely to put people off and less people will respond.

C Taylor said a lot of lessons have been learnt from the Issues & Options consultation. Moving forward, this will be a better process which is more streamlined and one that is easier to analyse the results.

The recommendations were agreed.

CA/73/19 HEMEL GARDEN COMMUNITIES

Decision

That:

1. the success of the bid and receipt and application of £0.75m equally shared with Dacorum Borough Council and St. Albans District and City Council for their work in 2018/19 be noted.
2. **The draw down from the Local Development Framework Reserve of £0.14m in 19/20 and the residual £0.235m in 20/21 in line with Table 2 - 2 Year Spending Plan be approved and RESOLVE TO RECOMMEND its approval recommended to Council.**
3. MHCLG has given Garden Town status to Hemel Hempstead as a result of the bid be noted.
4. Funds to progress Hemel Hempstead Garden Town and Hemel Garden Communities are allocated and spent in broad alignment with the submitted Garden Communities bid to MHCLG.

5. Delegated authority is given to the Portfolio Holder for Planning and Infrastructure and Assistant Director Planning, Development and Regeneration to agree the detail in the Operational Project Plan.
6. Cabinet endorses the Project Plan in Appendix 6, 2 Year Spending Plan in Table 2 and Strategic Memorandum of Understanding between SADC, DBC and HCC in Appendix 4 and Indicative Governance Structure in Appendix 5.
7. Progress on Hemel Garden Communities and next steps are noted.

Corporate objectives

The proposals for major development at north and east Hemel Hempstead through the Hemel Garden Communities proposals are wide-ranging and relate to all corporate objectives.

Monitoring Officer:

There are no direct legal implications arising from the report at this stage, however, the legal team should continue to be consulted as the governance arrangements for the project are developed.

S.151 Officer

The use of the Local Development Framework (LDF) reserve to fund the HGC project is in line with the strategic purpose of this specific reserve.

An additional £375k was allocated to the LDF reserve in 2018/19 to fund additional strategic planning for the HGC project over the next 2 years.

Advice

Councillor G Sutton said this report follows on from the outcome of the bid submitted to MHCLG in 2018. The £750k was awarded to DBC and St Albans. This report is seeking authority to draw funds down from reserves to cover the extra staffing costs. The success of the bid is down to the hard work and dedication of staff from both councils. This is a great achievement as only 5 out of 100 districts were successful in their bids. There are discussions ongoing for future funding.

C Taylor said a lot of the annexes to the report are the details for taking the next steps like recruitment and tendering of some of the work.

Councillor Tindall asked if we have managed to finish recruitment.

C Taylor said the recruitment has been prepared but not advertised.

Councillor Tindall asked if this meant there could be some slippage on the project.

C Taylor said this may be possible but the team are working hard with preparations and the SPAR team have been carrying out this work on top of their day jobs.

Councillor Williams said in terms of scale, there is the right investment in forward planning and design. This is a major development on the edge of Hemel Hempstead and funding will be crucial.

C Taylor said they have had early meetings with the Garden City network. This funding is just the beginning of the process. The garden town status means we are now part of the organisation with the opportunity to bid for future bids.

S Marshall said there has been dialogues with key partners (St Albans council and Herts County Council) and there has been an agreement for us to host the officer. The recruitment process for the officer post will be a joint process. There are ongoing discussions with Homes England and there are problems with future funding as the government haven't decided on their funding. Discussions are being taken at the highest level.

Councillor Williams said he has had discussions with the new leader at St Albans and they are keen to continue with this project. It is important to have good working relationships and they will be determining some of the planning applications on our boundary.

Councillor Tindall asked if there was any scope to look at the parking situation across the borough and if two teams are coming together they could share ideas on how to relieve parking stress.

M Gaynor said this project will look at sustainable transport across the borough.

Councillor Williams said a separate parking consultation is ongoing.

The recommendations were agreed.

CA/74/19 KINGS LANGLEY NEIGHBOURHOOD PLAN - CONFIRMATION OF NEIGHBOURHOOD PLAN AREA

Decision

That:

1. The Neighbourhood Plan Area for Kings Langley is agreed to be consulted upon; and
2. Formal arrangements for the designation of the Kings Langley Neighbourhood Plan area is delegated to the Assistant Director for Planning, Development and Regeneration in consultation with the Portfolio Holder for Planning and Infrastructure.

Corporate objectives

If the area is formally designated for neighbourhood planning, the Kings Langley Neighbourhood Plan may assist in supporting the following corporate priorities for Dacorum:

- *A clean, safe and enjoyable environment* e.g. may contain policies relating to the design and layout of new development that promote security and safe access;
- Building strong and vibrant communities;
- Ensuring economic growth and prosperity;
- Providing good quality affordable homes, in particular for those most in need;
- *Dacorum delivers:* e.g. provides a clear framework upon which planning decisions can be made;
- *Community Capacity:* e.g. allows local communities to prepare area-specific guidance within Neighbourhood Plans

Monitoring Officer:

The legal requirements regarding neighbourhood development plans are set out within the Neighbourhood Plan Regulations 2012 and The Town and Country Planning Act 1990 (as amended).

The Council as local planning authority should ensure that it meets its obligations under the above.

The Secretary of State has the power to provide financial assistance concerning neighbourhood development orders under the Localism Act 2011.

Deputy S.151 Officer

There are no financial implications to DBC at present with funding provided through MHCLG.

Advice

Councillor G Sutton introduced the report which was to note and approve the designated area for Kings Langley.

S Mendham said this was part of the statutory process. If an area is designated, it must be consulted on.

Councillor Anderson said he welcomed this. It does need to be made clear that this is defining the area and the neighbourhood plan, in due course, is for residents and the community to get the maximum benefit out of developments. He understood there

may be some controversy but it is important to get the message out there that this will benefit the community.

Councillor Williams asked if the area proposed is different from the parish boundary.

S Mendham said no, it follows the parish boundary.

The recommendations were agreed.

CA/75/19 EXCLUSION OF THE PUBLIC

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the items in Part 2 of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that, if members of the public were present during those items, there would be disclosure to them of exempt information relating to the financial and business affairs of the Council and third party companies/organisations.

Local Government Act 1972, Schedule 12A, Part 1, paragraph 3.

CA/76/19 YEAR 5 OSBORNE REVIEW

Full details in part 2 minutes.

The Meeting ended at 8.20 pm