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**DACORUM BOROUGH COUNCIL**

**MEETING OF THE COUNCIL**

**15 JULY 2020**

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Present -

**MEMBERS:**

Douris (Mayor), Adeleke, Allen, Anderson, Arslan, Banks, Barrett, Barry, Bassadone, Beauchamp, Bhinder, Birnie, Chapman, Claughton, Durrant, England, Freedman, Griffiths, Guest, Hearn, Hobson, Hollinghurst, Imarni, Link, Maddern, So. Mahmood, Su. Mahmood, McDowell, Oguchi, Peter, Pringle, Ransley, Riddick (Deputy Mayor), Rogers, Silwal, Sinha, G Sutton, R Sutton, Symington, Taylor, Timmis, Tindall, Townsend, Uttley, Williams, Woolner, Wyatt-Lowe (47)

**OFFICERS:**

The Chief Executive, Corporate Director (Finance and Operations), Corporate Director (Housing and Regeneration), Assistant Director (Corporate and Contracted Services), Group Manager (Legal & Corporate Services) K Mogan (Corporate and Democratic Support Lead Officer) (Minutes) and T Angel (Minutes).

The meeting began at 6.30 pm.

**1. MINUTES**

The minutes of the meeting held on 15 April 2020 were agreed by the members present and will be signed by the Mayor at the next available opportunity.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. PUBLIC PARTICIPATION**

There was no public participation.

**4. ANNOUNCEMENTS**

**4.1 By the Mayor:**

The Mayor announced the sad passing of Dacorum Councillor John Bowden, Councillor for Tring Central.

Councillor Tindall expressed his sadness of Johns passing. He said he fought so hard after the Election to battle his illness and he did start to recover and perform his duties but sadly had a remission and quickly subsided. He sent wishes to John's wife, Karen. He said John

was very active in the community in different roles and worked willingly for the good of the town and the community association. He was firstly involved with the running of the community centre itself and had contributed to a number of improvements being made. He was elected as a Borough Councillor in May last year but unfortunately his career with us was cut short. We all have huge respect for him and his courage, and we wish his wife well.

Councillor Williams passed on his commiserations to John's family and colleagues on behalf of the Conservative group. He said it was unfortunate that John's time as a Councillor had been short and very difficult.

One minutes silence was held in remembrance of John Bowden.

The Mayor advised of the Heroes of Hertfordshire Awards for those that had contributed massively to the community during the pandemic. He was pleased that on Friday this week he will be presenting the certificates to Cedars Shop in Potten End, Sarah Gall and Wendy Molloy who are first responders in Little Gaddesden, Little Gaddesden Village Shop, Nisa shop in Markyate and Judith McMullen in Markyate. He said he was very pleased to be able to do this and hoped that any others that had contributed had been recognised in the appropriate way.

#### **4.2 By the Chief Executive:**

None.

#### **4.3 By the Group Leaders:**

Councillor Williams confirmed that apologies had been received from Councillors Elliot and Johnson.

Councillor Tindall confirmed that apologies had been received from Councillor Stevens.

The Mayor passed on the council's wishes for a speedy recovery to Councillor Stevens.

#### **4.4 Council Leader and Members of the Cabinet:**

##### **Councillor Williams, Leader of the Council**

The Leader presented his update as follows:

Councillor Williams recognised the tremendous work carried out by the staff of DBC over the last few months and could cite examples across the council where staff have gone above and beyond to support the community of Dacorum during the Covid-19 pandemic. He passed his thanks to the staff for the work they have done and what they will continue to do in the future as the consequences of the pandemic are felt. Members were given a presentation last night on the new working arrangements in The Forum which will be different to what the council is used to. He extended his thanks to the organisation for continuing to adapt to the new environment and to provide services to residents.

It was the intention of the Chief Executive to retire at the end of July having given notice in the new year. The current situation has meant the recruitment process was delayed and Sally Marshall has agreed to continue in her role until the end of October in order to complete the recruitment process and not have a vacant post. He felt it was important to have a visible Head of Paid Service whilst the organisation works through the pandemic.

## Questions:

Councillor Tindall also extended his thanks to all of the staff who have worked extremely hard in difficult circumstances and said it was a tribute to the whole organisation that we have managed to maintain a good service to residents. Councillor Tindall asked the Leader if he could expand on the rumours circulating about the possibility of unitary councils in Hertfordshire. The Leader confirmed that it was more than just rumour and there has been a growing situation over the past few weeks, in part in anticipation of the Devolution Bill that was due to be published at the end of June and now likely to be published in September. The speculation comes from the government's desire to simplify the local government family and whilst making it clear it will do this by force, they are going to link it to growth deals and additional government funding. The discussion has begun in Hertfordshire and there are differing views amongst colleagues about how this is taken forward and there will be many discussions over the summer break to clarify the position in Hertfordshire. This will probably lead to discussions with the MHCLG as a bid cannot be submitted without consent from them. Councillor Tindall said he would appreciate if the Leader could keep him up to date with events as they happen.

Councillor Cloughton asked what planning the council is doing in advance of the anticipated second wave of Covid-19. The Leader said plans are continuing for the situation at the moment, if a second wave does occur, the situation will have to be dealt with as it arises. As a district, we have a lesser role in the planning across Hertfordshire which is dealt with by Public Health.

Councillor Cloughton asked what the main lessons learnt are from dealing with Covid-19 that could be applied in dealing with a subsequent wave. The Leader said that it is too early to review the council's response to Covid-19 as it is still ongoing.

Councillor Pringle asked if there was to be a second wave, how prepared was the council for a local lockdown and said it would be useful if a breakdown of cases was provided on a ward by ward basis as the public are more likely to respond to strict measures if they can see the evidence. The Leader said that there are local lockdown plans in place across Hertfordshire should it be necessary and would be led by Public Health. Figures are available by district on the number of cases and the figure has increased in the last couple of weeks in St Albans. Currently, there is no sign of a rise in Dacorum and there isn't an indication that there are any local hot spots.

Councillor Pringle said that an outbreak in Tring may not have an effect on people in Hemel Hempstead so it would be useful to have the number of cases broken down into specific areas. The Leader responded if there was an outbreak in one of the towns or villages in Dacorum that figures would be available and it wouldn't just be across Dacorum.

Councillor England referred to the briefing members received on the return to The Forum. He asked if the Leader agreed with him that staff and visitors should be wearing face masks or coverings when in the building. The Leader asked for clarification from Councillor England if he was suggesting that staff should be wearing face coverings all day. Councillor England said there are some areas of the building where a one way system is not possible so would suggest that staff should always bring a face covering to work and should wear them if they come into close proximity with others. The Leader said the very small areas where a one way system cannot be achieved, will not have people staying in them for a prolonged period and will just be brief passing points. There are no areas of the Forum where members or staff cannot be sufficiently distanced from each other so doesn't think it would be necessary for staff to wear face coverings all day. It may be worth considering requiring visitors coming in to appointments to wear one.

There were no further questions.

### **Councillor Williams, Portfolio Holder for Corporate and Contracted Services**

The Portfolio Holder presented his update as follows:

The Multi-Storey Car Park in Berkhamsted is due for completion soon and is currently awaiting the finishing of highways work from Herts but have asked if the car park can open before these minor works are completed. It is anticipated that the car park will be open from early August.

Work has continued through lockdown with Berkhamsted Leisure Centre and a report will be brought to Cabinet for agreement of moving to next stage for a replacement facility. The Portfolio Holder was pleased to say that leisure centres are due to open, subject to no additional government guidance, on 25<sup>th</sup> July. There will be significant changes to layout of the centre which will have an impact on their capacity to allow for social distancing and they will be able to offer a range of leisure facilities.

Questions:

Councillor Symington said she welcomed the opening of the car park in Berkhamsted but referred to the closure of Lower Kings Road car park which involved changes to the maximum parking limits and the consultation process that was run on 19<sup>th</sup> December 2019 to overturn the traffic regulation order which would have reverted the car parks to a maximum of four hours. She sought clarification on the consultation process, to whom was the consultation sent and when it closed.

The Portfolio Holder said the decision was taken to revert the car parks from a maximum four hour stay to a maximum two hour stay to facilitate turnover for people wishing to visit the High Street. The traffic regulation order consultation on 19<sup>th</sup> December was consulting on tariff changes in car parks and across the Controlled Parking Zones. The consultation would have been in line with the council's normal consultation process; advertised in the local paper, sent to Town and Parish councils and displayed in all of the car parks. The Portfolio Holder could not give an exact date when the consultation was closed and would provide a written answer to the question but consultations run over three weeks but in this case, because of the Christmas period he suggested it may have been longer. After the consultation had ended, he took the decision as portfolio holder that the changes to a maximum two hour stay would increase turnover for people being able to visit.

Councillor Symington said she had been sent a document but the dates are missing from it and has not received a reply with any evidence that a consultation took place.

The Portfolio Holder said the member was referring to a document he had not seen but would be willing to provide her with the missing information and he was confident that a consultation process would have been carried out in accordance with the council's requirements.

Councillor England asked if the portfolio holder agreed with him that with the restrictions on use of space within the leisure centres, the revenue operating model is likely to be affected for a period of time and does the portfolio holder have a view as to how long this could be sustainable and the effect on the contract.

The portfolio holder said he believed two things would affect the feasibility of the leisure centres; firstly, the measures put in place to ensure social distancing for customers and

secondly, is the public's confidence in returning to the leisure centres. It is likely to have an impact on the operating contract as it will be for leisure centres across the country.

Councillor England asked in the event of another rise in the number of Covid-19 cases, does the portfolio holder have any contingency plan in place. The portfolio holder said if there is a rise in cases where the government had to provide further advice, then that would have to be followed. As long as it is safe to continue operating with social distancing measures, they would continue to be open.

There were no further questions.

### **Councillor Griffiths, Portfolio Holder for Housing**

The Portfolio Holder presented her update as follows:

A COVID -19 letter to update tenants on the Housing service was sent out with the rent statements and provided information and contacts on all areas of the service, as the restrictions are being lifted.

#### **Tenants & Leaseholder Services**

- The number of ASB cases has increased considerably since March due to the number of residents at home witnessing issues and a heightened anxiety to noise. New cases reduced slightly in June hopefully showing a return to normal levels over the coming few months. All 36 new cases were acknowledged within 1 working day of us receiving the report, providing residents with a quick response to their concerns.
- The Income team continue to provide tenants with support where they have been affected by Covid. We are recording details of those who have told us they are struggling financially to ensure that we can model the potential longer term impact but also ensure those individuals are given assistance to access any additional funding and put manageable repayment arrangements in place. This approach has ensured that rent arrears currently sit at 4.01% which is an increase on last year of 0.54% and to be expected with the increase of UC claims and is still very positive as a result of changes in the team in the last financial year and hard work from home over the past 3 months.
- The Tenancy Sustainment Team have increased the number of tenants they are working with to 421 households. This includes those in Temporary Accommodation where individuals have more complex needs. The team have continued to provide telephone and video support and made a number of referrals to ensure that these tenants access grants, food parcels and welfare benefits.
- The Supported Housing Team have sent out their second newsletter which was received really well. This included feedback and photos that tenants had taken of the local area in response to the first leaflet that was sent to all Supported Housing Tenants. We continue to phone everyone and have found that some tenants have preferred this method of contact in particular where they are more independent and have lower support needs. We will continue to review how we deliver this service in light of Covid but also to ensure we are adapting the support we give to the needs of our residents.

#### **Strategic Housing**

- Covid-19 has had a significant impact on homeless prevention team, due to the Dame Louise Casey ask this has resulted in 211 households being placed into accommodation in the quarter as opposed to 78 in the previous quarter

- Covid-19 has seen a need to use B&B to fulfil the *everyone in* requirements. Additional support needs and costs of B&B has placed additional financial burden on the service (approx. £100k), which is not met by government funding
- Reduction in number of new HMO licences granted (5 in quarter/prev 17), due to the need to adapt the assessment process using digital media
- Reduction in the use of written correspondence via our Housing Needs team, as all contact has been undertaken using other media forms such as email, text message and whatsapp – this has been positively received by applicants
- Increase in digital engagement with our tenants has been positively received during the lockdown period

## Property & Place

- Gas servicing has continued throughout the pandemic and although there has been a slight drop in the compliance rates, currently only 7 are overdue, Dacorum have performed better than many others in the sector.
- All works that had commenced on site when lockdown occurred have been remobilised and we are currently working to prioritise the backlog of non-urgent responsive repairs, so that these can be arranged with tenants. There are circa 1400 backlog repairs in the system.
- Planned programs have been revised to concentrate on external elements, such as external wall insulation and roofs, so as to limit the potential of contact with residents and the risk of any future localised lockdown's that could result in partially completed kitchens and bathrooms.

## Housing Development

Kylna Court	Final 12-month defects inspections completed. Rectification works currently underway after Covid pause.
Corn Mill Court	Final Account disputed with Osborne
Martindale	Herts CC have responded to overage removal. Andrew & Margaret toured site recently. Completion end of Sept. 11 of the 21 market sales units have offers accepted.
Northend & Westerdale	Williams House, Northend handed over . Andrew & Margaret visited recently. Howe Grove House, Westerdale completing end of July.
Magenta Court	Progressing well. Completing early Sept. DB to arrange visit for Andrew & Margaret.

St Margaret's Way	Design progressing, anticipate locals objecting.
Paradise Fields	Planning Application to be submitted July / Aug. Communication issued to local residents + press release issued.
Gaddesden Row	Progressing well on site, up to first floor level. Completion November.
Eastwick Row	Tenders due to be returned for Main Contractor next week. Aiming to seek approval to construct at Sept Cabinet but working with tight deadlines due to Covid extension on the tender period. Legals instructed to relocate leaseholders external brick sheds. Notices now served. Garage block demolished.
Coniston Road	Vacant possession of the site achieved on 1 <sup>st</sup> June . Tender documents received for Principle Contractor (18 No – indicating Contractors had time on their hands during lockdown) Aiming to seek approval to construct at Sept Cabinet but working with tight deadlines due to Covid extension on the tender period .
Wilstone	Design commenced.
Bulbourne	Secretary of State approval achieved to relocate allotment. Design and due diligence work underway and we will look to achieve a planning approval prior to purchasing the site. Clarity required from Parish Council around selling us the site, DB attending parish Council meeting.
LA1	Design commenced.
Cherry Bounce	Tender documents returned for Architect and EA.
Paradise Depot	Design underway. Tender documents issued for M&E and Structural Eng. Meeting held with DENS to share design options.
Garage Sites	8 No sites - Initial design complete and ready to submit for pre application with Planning Dept.
Randall's Ride	Initial design complete commencing site due diligence checks.
Resource	DB reviewing work allocations due to some work pressures in the team.

Other	<p>Tenders being adjudicated for Clerk of Works Services.</p> <p>Underway with a feasibility scheme for Stoneycroft and Varney Rd</p> <p>Stoneycroft to include using parkland.</p> <p>Covid-19 Budget £600k requested as a contingency.</p>
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#### Questions:

Councillor Tindall gave special thanks to the staff working in the housing department and said the service has been exceptional. He asked the portfolio holder if the government would be meeting all costs related to housing the homeless in the crisis.

The portfolio holder said there had been an increase in the number of people being housed in B&Bs which is funded by DBC in the General Fund.

Councillor Tindall asked if there would be an analysis on the increase in the use of B&Bs as DBC have a good record of not using them.

The portfolio holder said the crisis had been a perfect storm with people sharing accommodation with friends and family and there had been an increase in domestic abuse. The temporary accommodation at Northend has been completed and handed over to the council two weeks ago and three families have already moved in.

There were no further questions.

#### **Councillor Anderson, Portfolio Holder for Environmental Services**

The Portfolio Holder presented his update as follows:

The portfolio holder placed on record his thanks to the staff at Cupid Green for the effort they have put into their roles during the crisis and thoroughly endorse other comments made about council staff.

#### Refuse

The team are still collecting record tonnages of refuse as a result of people working from home and having to make multiple trips to collect the rubbish which is having an impact. All staff except three high risk individuals have returned to work so have been able to reduce the cost of employing temporary staff which at one point was projected to cost in addition of £900k. There is currently a big problem with refuse trucks being able to access some roads because of the increase in people working from home and their cars are blocking the refuse trucks. Targeted leaflets drops have been carried out to encourage residents to think about where they park their vehicles and looking at further steps to try and get the public on board to allow access for the refuse trucks.

The roll out of food recycling in flats was due to be completed at the end of March but this was impacted by the lockdown and now looking at a completion date of end of August/beginning of September.

#### Clean, Safe and Green

The play areas around the borough were reopened on 4<sup>th</sup> July and they are being monitored.

When churchyards become full, the responsibility of the maintenance of those church yards falls to the local authority. There has been an issue with subsidence in the ground at a churchyard in Kings Langley leading to gaps and some areas collapsing which has made it unsafe for the team to cut the grass. The council is undertaking substantial works to remedy the situation.

### Biodiversity

The council has already been carrying out some biodiversity projects across the borough and currently in the process of drawing up a strategy to document and control projects.

### Climate change

An officer has been appointed to the climate change officer post. Melanie Parr has been appointed to the role and the council are in the process of recruiting to fill her old post of environmental education and publicity.

### Questions:

Councillor Ransley asked if members could be notified of the roads in their wards where there are access issues for the refuse crews. Members may have contacts in the community to be able to spread the message.

The portfolio holder was grateful for the suggestion and would pass it on to officers to action.

Councillor Birnie asked how widespread the issue of access was for refuse trucks.

The portfolio holder said he would try and get some data for members to show where the access issues are and it has an impact on the missed bins performance indicator. Officers at Cupid Green have started to draw up a supplementary planning guidance as part of the Local Plan to ensure new developments have correct arrangements in place for refuse collection, grass cutting and litter bins through the planning process.

Councillor Wyatt-Lowe referred to the access difficulties for refuse trucks. She said there were two hotspots in her ward where this is a regular occurrence and in both cases, residents contacted her and Cupid Green staff delivered leaflets around the area the next day. She asked if the portfolio holder would agree with her that this was a great service and makes residents aware that we are a responsive council. The portfolio holder agreed.

Councillor England asked if the portfolio holder could include an element of consultation with ward councillors in the biodiversity strategy.

The portfolio holder said yes and hoped that ward members were engaging with officers already about ideas they may have for their ward. The strategy would be going to the SPAE OSC for consultation with members.

Councillor Hobson said access issues for the refuse trucks was also an issue in Boxmoor and asked if it has got worse during the lockdown period and asked what other measures will be tried to get the message across.

The portfolio holder said the lockdown has created the problem as more people are staying or working at home. Leaflets are being delivered and looking at releasing a press release on the issue to ask the public to help out the crews by leaving more room.

Councillor Bassadone thanked the portfolio holder for the hard work being carried out by the refuse crews. The portfolio holder said he would pass on her comments to the team.

Councillor Banks asked if the portfolio holder would agree with her that the team have done an excellent job in identifying rare orchids growing in Grovehill and Highfield. The portfolio holder agreed.

There were no further questions.

### **Councillor Banks, Portfolio Holder for Community and Regulatory Services**

The Portfolio Holder presented her update as follows:

Members you will no doubt be aware that the COVID 19 Pandemic outbreak has had a major impact globally, within the UK, locally and here in Dacorum. All our services have risen to the challenges being face and ECP have been at the fore front of keeping residents' safe, enforcing where necessary and advising businesses in these difficult times.

- We have been working on the Covid-19 Restrictions for businesses which are now on the 5<sup>th</sup> draft plus umpteen sets of guidance have been issued. A steady number of complaints all of which have been resolved, we have had Daily reporting to the Office Product Safety and Standards (OPSS) on enforcement and advice activities. Since lockdown on 23 March 142 Complaints regarding businesses during Covid as of 12/7/2020.
- Local Resilience Forum has initiated a full multi agency Business Continuity Response. This consists of Strategic Co-ordinating Group, Tactical Coordinating group and numerous cells to assist in the response, Environmental Health Cell, Mortuary Cell, Vulnerable and assistance to people Cell, Comms Cell, PPE Cell, Accommodation Cell.
- The Director of Public Health has published his plan for managing outbreaks of Covid 19. This now has a Member Board (Leaders attend from each Hertfordshire Authority) and Shadow Health Protection Officers Board (which is also a Local Resilience Forum Cell). District involvement will include, High Risk Premises, Local Test and Trace, Workplaces and Vulnerable Groups. Emma Walker our ECP Group Manager, represents the District on this board.
- Proactive food inspections suspended by the Food Standards Agency will be restarting on 3<sup>rd</sup> August. Therefore, KPI is currently red and is like to remain that way in Q2.
- Fly-tipping visits have restarted and RIPA approval obtained for covert cameras to be back out on our district. Figures for June are comparable with this time last year.
- Corporate Health and Safety have been supporting services in drafting risk assessments and protocols to ensure that employees and those effected by the Councils activity. They have also been reporting weekly to the PPE Cell.

Questions:

Councillor Guest asked what support the council was giving to community centres so they could reopen safely.

The portfolio holder said community centres have been successful in receiving grant funding and information has been provided by Corporate & Democratic Support on the latest government guidance about health and safety and social distancing.

Councillor Symington asked if the portfolio holder agreed with one of the residents in her ward that said 'it is a forlorn hope to address the challenges of coordinating cross functional teams within the council and that this combined with long standing policies make it difficult to meet the needs of community sports clubs, especially in the context of the imminent issues facing football in Dacorum'.

The portfolio holder said she would like the opportunity to contact that resident directly but she didn't agree and felt we worked extremely hard to support leisure, health and wellness across Dacorum. Officers are currently in ongoing dialogue about the use of football pitches to ensure they can offer the very best to the widest audience.

Councillor Symington asked for some concrete proposals to solve the problem of inadequate facilities.

The portfolio holder said that in due course the parties will continue to meet and come up with a workable solution. The Football Association have been approached as there is some concern that the council cannot claim grants and it must come from the clubs themselves.

Councillor England asked if the portfolio holder would agree that all aspects of the sports and leisure network have likely been affected by the lockdown and asked what work would be done to identify the providers in need of help.

The portfolio holder agreed that the sporting community had been affected by Covid-19 and an officer has been appointed to look at delivering Active Dacorum and branding the policy under the council's sports strategy.

Councillor England asked if there was an update to the Sport and Activity action plan.

The portfolio holder said officers have been busy with responding to the current crisis so there are no current updates to provide but the work will be picked up at the earliest opportunity and reported through OSC.

Councillor Hobson said that air pollution had decreased during lockdown and asked what the impact in Dacorum had been.

The portfolio holder said she was pleased to report that air quality monitoring has started again after being suspended in lockdown. Northchurch continues to show a decline and is now under the levels set for required monitoring. There are issues at the other sites and the steering group will resume shortly alongside negotiations with Herts County Council.

There were no further questions.

### **Councillor G Sutton, Portfolio Holder for Planning & Infrastructure**

The Portfolio Holder presented his update as follows:

#### **Business Centres Re-open**

- I am pleased to report that we re-opened our Maylands and Kylna Business Centres fully on Monday 13 July with the return of staffing and the services we provide to our tenants.
- From the time of lockdown at the end of March, tenants have had full access to the spaces they rent from us, albeit without the centres being staffed.
- To enable the safe re-opening of the Centres, we have put in place social distancing measures and provision for hand sanitising.

### **Business Grant Success**

- Members will be aware that the Council has already distributed government grants to a wide range of local businesses since the Covid-19 situation arose.
- The Government made available a further sum of £1.45m for distribution to small businesses with a degree of discretion over awards.
- Working together, our economic development and finance teams have now processed applications from some 259 small businesses and virtually all of the fund has now been distributed (Note the outstanding amount on Tues 14 July was £6750, or half of one percent of the total fund)

### **Development Proposals Still Coming Forward**

- Despite the Covid-19 situation, development interest in the Borough remains strong.
- Following lockdown, the submission of new planning applications to the Council dropped by about a third.
- In recent weeks, we have been receiving a similar volume of new development proposals as we were prior to lockdown. We have to of course watch these trends with a degree of caution, but the signs so far are encouraging.

### **Shaping Great Places in Dacorum**

- Members will recall that we have prepared a new design guide to shape the layout and appearance of major new developments in the Borough. It cover new housing and commercial developments.
- The new Strategic Sites Design Guidance is now out to public consultation. This will run until 16 August 2020 and details can be found on the DBC website at <http://www.dacorum.gov.uk/home/do-it-online/consultation-feedback/current-consultation> , where you can respond online.
- Following this important engagement with the public, both the SPEOSC and Cabinet will consider the final content of the Guide, and it will be adopted as a Supplementary Planning Document for use in shaping and determining planning proposals on major sites.
- We will be following this work up with a Detailed Design Guide to cover smaller sites, and work has just started on this with the appointment of consultants to work with our officers in August. The draft detailed design guide, when produced, will be reported through both SPEOSC and Cabinet later in 2020.

There were no questions for the portfolio holder.

### **Councillor Elliot, Portfolio Holder for Finance and Resources**

Councillor Williams presented the update for Finance and Resources in the absence of Councillor Elliot.

## **Financial Services**

The last 3 months overall have been a particularly busy time for the Finance Service with significant additional financial modelling and government submissions required. The service has responded excellently in ensuring officers and members are well briefed on the financial outlook of the council and the ongoing government funding announcements.

The finance service has completed the 2019/20 financial statements and the draft accounts were published in June. The finance team is now busy working with the external auditors, Grant Thornton, to ensure the final audited 2019/20 financial accounts are published for presentation to the Audit Committee in September.

The Finance service has worked closely with the Economic development team to ensure an efficient processing and payment process of the Local Authority Discretionary Grants was set up. To date this process has managed in the last month to pay 99% of the £1.5m government grant provided, to over 250 small and micro businesses.

## **Commercial Assets and Property Development**

The very real contribution the Estates team makes to supporting our local communities and shopping parades will be tested in these difficult trading times, but they have been busy reconnecting with our tenants since the lockdown has eased and is working constructively to support these businesses.

The building services team are busy trying to ensure as many DBC buildings are open in line with government guidelines, and last week the Berkhamsted civic centre undertook the first community booking's since mid-March.

The service are still leading on 2 major corporate projects;

### **1. Civic Centre Demolition**

Construction of the new substation in Dacorum Way has completed and has been approved by UKPN's auditors, UKPN are now busy completing utility works, the demolition contractor is primed to return to site once UKPN have completed their diversion works and complete the demolition works.

### **2. Poppy Fields Cemetery at Bunkers Park**

The Poppy Fields Cemetery at Bunkers Park has now been completed and will be available to open later in the financial year. The council have received several complimentary comments from local residents and councillors in regards to the look and feel of the cemetery design.

## **Revenues and Benefits service**

The revenues & benefits teams have been extremely busy for the last few months, supporting residents and local businesses as part of the Government's response to the pandemic.

The team has now paid out over 1,800 small business and Retail, Hospitality & Leisure grants totalling £25.6 million to local business rate payers.

The service has also issued over 1,000 Retail, Hospitality, Leisure and Nursery businesses with a business rates holiday for the current year, to a value of £25.8 million.

The council tax team are now starting to get in touch with residents who have fallen behind with their payments, so that we can find out what issues there are and provide or signpost to support which is available.

Questions:

Councillor Symington asked for some more detail on the Local Authority Discretionary Grant Scheme as only a third of the money had been distributed to small businesses and asked the portfolio holder if this was considered a success.

The portfolio holder said DBC was given 5% of the original £26 million allocated to support small businesses. There was no guidance provided on how to allocate this money so the council created a scheme to give a meaningful grant to local businesses without exhausting the supply. He said they envisioned that there would be second and third rounds of the scheme and after extending it, all but £7,000 of the fund has been paid out.

Councillor Symington asked how many more businesses were included after the scheme was widened.

The portfolio holder said he would provide the councillor with a written response. In the third round, businesses who had received funding in the first round were able to receive top ups.

Councillor Ransley asked when public toilets would be reopened.

The portfolio holder said that some public toilets have already reopened. He said that unfortunately a public toilet was opened in Hemel Hempstead and within several hours it was vandalised so had to be closed to make it safe. He was unable to give an exact date for the reopening of public toilets in Tring but would provide a written answer.

There were no further questions.

## **5. MOTIONS**

The following Motion was proposed by Councillor Tindall and seconded by Councillor Freedman:

### **1. Climate Emergency**

This council takes note of the Strategy and Action Plan adopted by the Cabinet at their meeting on 23rd June. In addition, the council welcomes the Climate Change Emergency Statement and the undertaking to work with businesses, community groups and residents to reduce emissions across the Borough.

In furtherance of these decisions and objectives, the council believes that the bringing together of those interested in working with the Council in a public programme of Community Engagement would be beneficial, and asks that as soon as reasonably possible, given the present restrictions imposed because of the health crisis, a series of consultative events are promoted which will engage all sectors of the community, culminating in a Climate Emergency event at which representatives of those community sectors will meet to discuss with the Council the attainment of the Council's objectives by 2030.

An amendment to the motion was proposed by Councillor Williams and seconded by Councillor Griffiths to revise the first line to read:

“This council endorses the administrations ambitious Strategy and Action Plan....”

Councillor Tindall thanked everyone involved and said we all needed to work together to succeed.

A vote was held on the amendment to the motion:

36 For, 0 Against and 1 Abstention.

Therefore the amendment was agreed.

A vote was then held on the amended motion:

39 For, 0 Against and 1 Abstention.

Therefore the Motion was carried.

The following Motion was proposed by Councillor England and seconded by Councillor Hobson:

## 2. Overview and Scrutiny

This Council recognises that scrutiny is an important part of a well-functioning administration where policies, strategy and decisions are tested by members and justified by Portfolio-holders with the support of officers.

Now that the Council is once again in a state of credible balance, and all Councillors have at least one year's experience, Council believes that scrutiny ought rightly to be led by a politically-proportionate group of Chairs and Vice-Chairs.

The council resolves to review Scrutiny and reform Chairmanship of OSCs so that Scrutiny in Dacorum is cross-party, with Chairs and Vice Chairs being drawn proportionately from the recognised political groups of the council, the appropriate amendment to the Constitution to be presented to the Council at their meeting in September.

Councillor England said he hoped the majority group would engage with this motion. The purpose of the OSC's which he quoted from the DBC website says 'there are three OSC's which support the work of cabinet and council as a whole. They allow citizens to have the greater say in council matters by holding public enquiries into matters of local concern and these leads to reports and recommendations'. He didn't feel OSC's had been doing much reporting and recommending as they should according to the description on the website, reports are typically just noted. He felt giving some responsibilities of Chairman to the minority group would introduce right and proper market forces to the operation of scrutiny. The purpose of scrutiny is observation and examination. Some motions have been agreed and some been defeated by the majority. He gave examples of other authorities that had minority chairs. He said OSC chairs were intended to be impartial and provide challenge to the cabinet and quoted from the councils constitution 'the purpose of an OSC chair is to act impartially when challenging cabinet or portfolio holder decisions, service provision or policy development. They manage the meetings and make sure they provide constructive challenge to cabinet and portfolio holder decisions. They also maintain political neutrality. They act as a spokesperson for the committees decisions'. He queried if the chair is from the majority group always, how easily are they able to maintain political neutrality and be

impartial? He felt it would be easier for a minority chair to challenge. He summarised that he is proposing this motion because it was the right thing to do for the best scrutiny, it engages minority councillors properly into the scrutiny responsibility, and finally if chairs are meant to be impartial how can all the chairs be chosen from the majority party.

Councillor Williams said he didn't support the motion and didn't feel that motions were appropriate for constitutional changes. He said he would like to move an amendment to the motion.

The following amendment was made by Councillor Williams and seconded by Councillor Griffiths:

Delete all text after the first paragraph.

Councillor Tindall asked for legal guidance on the amended motion. He felt that by deleting the second paragraph it takes the whole meaning away from the motion leaving it useless. He suggested it was a negative action and they cannot have an amendment that is a direct negative of the motion as those who do not agree with the motion should just vote against it. M Brookes advised that the amendment did negate the effect of the motion and deleted the main part. He said he would uphold the objection.

Councillor Williams withdrew the amendment and then proposed a second amendment to the motion.

Delete all text after the first paragraph and insert a new second paragraph:

"This council resolves that the current arrangements for Chairs and Vice Chairs supports the effective process of scrutiny and the council supports continuing with the current allocations of Chairs and Vice Chairs of the Overview and Scrutiny Committees."

Councillor Tindall didn't feel that was any improvement on his first amendment.

M Brookes felt there was a difference between the two amendments and didn't think it made it ineffective. He recommended that we allowed the amendment to stand.

Councillor Griffiths seconded the amended motion and reserved her right to speak.

Councillor Birnie said he was in favour of the amendment and felt the motion proposed by Councillor England was an insult to the current chairs and vice chairs of the scrutiny committees. He said the strategic planning and environment overview and scrutiny committee that he chaired frequently sends recommendations to cabinet and criticises the policies put forward to them. He was certain that the other scrutiny committees were the same. He didn't see the relevance of chairman being impartial just because they're part of a minority group. He always invited and encouraged all members of his committee to criticise and analyse impartially.

Councillor Freedman said as a new councillor he received overview and scrutiny training at the start of his term with the LGA. He said the trainer suggested that DBC's OSC process was odd and a substandard system and they had pointed out that the focus should be on members scrutinising the decisions rather than scrutinising the officers making those decisions. He said he wasn't criticising the current committees but believed if we weren't doing what is considered best practise then we should consider making changes. He disagreed with the amended motion.

Councillor Griffiths said it wasn't the role of OSC to scrutinise decisions made by portfolio holders but to scrutinise future policies and development and to decide what other elements of the council they would like to see put before them. She said the opposition group wouldn't understand the independence that the majority group have and felt it was more uncomfortable to be scrutinised by your own party. She felt the present situation worked well, has done for a number of years and she would be voting in favour of the amendment.

Councillor Symington said there was nothing personal about this motion and that it was about trying to get the council to be as effective and in line with current government guidance as possible. She made reference to a document by Ministry of Housing, Communities and Local Government on Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities and recommended that everyone read it before making a decision. She quoted the following points from the document:

'Effective overview and scrutiny should:

- Provide constructive 'critical friend' challenge;
- Amplify the voices and concerns of the public;
- Be led by independent people who take responsibility for their role; and
- Drive improvement in public services'.

She then quoted:

'The method for selecting a Chair is for each authority to decide for itself, however every authority should consider taking a vote by secret ballot. Combined Authorities should be aware of the legal requirements regarding the party affiliation of their scrutiny committee Chair.'

The direction of travel is clearly set by central government and she feels we should endeavour to follow the rules. She said we should be looking to improve the situation and accept we can do better so she wouldn't be voting for the amendment.

Councillor England agreed with the points made by Councillor Symington and said this wasn't a personal issue but was about democracy and best practice for scrutiny. He wasn't criticising the current chairs but felt that by only choosing majority chairs it was hard to argue impartiality. He felt that as the minority group made up a third of the total number of members that should be reflected in the allocation of committee chairs. He asked what the basis was for choosing chairs if it wasn't down to party.

Councillor Suqlain Mahmood explained he had been a chairman for a number of years and in 2018 the cabinet and portfolio holders were held accountable for the change in leisure contract at the housing and community overview and scrutiny committee. He said they took a motion to council and felt that showed they stayed impartial. He said he was always thinking of local residents of Dacorum and he always had that in his mind when scrutinising the cabinet and portfolio holders. He supported the amendment and felt the current process worked well.

Councillor Adeleke felt the motion was not only a criticism of the current chairs but a criticism to the whole council. He said he supported the amendment.

Councillor Banks spoke in favour of the amendment. She endorsed the comments from Councillor Birnie and Councillor Mahmood as current scrutiny chairman and thanked them for sharing their experiences. She said in her experience the chairs have welcomed open

and honest exchange and as a portfolio holder she had been challenged and welcomed that. She said members should feel confident and speak up if they need to.

Councillor Imarni said she supported the amendment. She advised she had been part of a very robust scrutiny meeting in January 2018 where a committee stayed in session until nearly 1am which was against the view of the majority. As chair of a scrutiny committee she urged members to put forward whatever scrutiny they believe is correct and that's why we're elected members and members of a scrutiny committee. She felt the current arrangements were more than adequate.

Councillor Pringle spoke against the amendment. She clarified that the logic of the initial proposal was based on the premise that all elected representatives were capable in principle of being impartial and exercising his role. She said no one had said that liberal democrat or independent members were incapable of exercising the same degree of impartiality that is currently demonstrated. She said it was important to remember that any elected councillor should be given the same opportunity to develop their skills as a public representative as any other and it was an honour to be an elected representative. She continued to say it must be more of an honour to be a chairman of a committee and all 50 councillors are potentially capable of exercising this role and being impartial.

Councillor Hollinghurst said what Councillor Griffiths had said was very interesting, however councillors need to take decisions on behalf of the public and in public, so party meetings cannot stand as part of the democratic process. The direction of national policy on this matter is quite clear, and the amendment goes against that direction. He didn't support the amendment.

Councillor Taylor felt disappointed at the response of this motion and the amendment. It should not be taken as an attack towards the current chairman. He said it has been claimed by some of the speakers that the conservative party are an independent group, however all they have done is support their leaders position, and we can therefore measure how independent the group are.

Councillor Anderson spoke in favour of the amendment. He explained he was chair of the SPAE overview and scrutiny committee for 12 years and gathered a lot of experience over those years. He said it was for local councils to organise their own arrangements so it was for this council to determine how we perform scrutiny. He understood what opposition members were saying about it not being personal, but that was not how it was seen from the other side. He felt opposition members needed to trust the fact that scrutiny chairs were acting independently and felt this motion could be seen as politically motivated. He pointed out that the opposition also didn't meet in public.

Councillor Barry echoed Councillor Pringle and Taylor's comments that this was not a personal attack from the opposition, it was about having the opportunity to be involved and serve for our community. She explained that she looked up to some of the current chairs and it wasn't about being personal or political. She said we were in Hertfordshire, the County of opportunity, and if deny opportunity to our own councillors then what does that say to our community? She summarised that the amendment didn't sit right with her so she wouldn't be supportive of it.

Councillor G Sutton spoke in support of the amendment. He said he had been a councillor for many years and had never experienced anything but the best of working relationships between the opposition and majority party. He said, if it isn't broke don't fix it.

Councillor Oguchi said in her line of work feedback was a gift and she personally didn't see the motion as a personal attack but as an opportunity to improve the process. She felt the

process was currently working well but that doesn't mean we shouldn't work for further improvement. She felt we should move with the times and give every elected member the chance to chair a meeting if they would like to. She advised she would be voting against the amendment.

Councillor Williams felt that the current arrangements worked well and he was content with our system. He didn't feel it was necessary to change it and a motion to full council was not the way to approach it if we did need to make changes. He urged members to support the amendment.

A vote was held on the amendment to the motion:

24 For, 18 Against and 3 Abstention.

Therefore the amendment was agreed.

Councillor Hobson felt saddened by the debate. She said as a new councillor she had received scrutiny training and they had discussed best practice. She felt this was about best practice and it wasn't about individuals personally. She said it was a missed opportunity but she hoped we would keep this under review. She summarised that she was very disappointed at the response by the majority group.

Councillor England said he was very disappointed at the response of this motion. This isn't about personalities, this is about doing the best we can and we are all committed to that. He felt it was unfortunate that the personal issue has become part of this and it wasn't his intention. He explained that the idea of giving some responsibilities to the opposition group would introduce some right and proper market forces to the operation of scrutiny at the council and there was nothing wrong with that. He referred to the scrutiny training and said the trainer had found it difficult to train them due to how unusual the process was at Dacorum and that made him start to question whether we were doing our best. He hoped it wouldn't be necessary to bring this motion forward and that the process would change naturally but it hasn't happened. It wasn't personal, it was about process. He believed this council would work better if we improved our scrutiny process. He congratulated Councillor Oguchi on her intervention as he was beginning to lose hope. He agreed with Councillor Imarni that she gave excellent scrutiny at the meeting regarding the leisure contract and he complimented her on that. He said at that meeting the chair was given the casting vote which had a crucial impact and they voted to close down debate. He asked a rhetorical question: 'what is the basis of the selection of choosing the chairs if it was not because they come from the majority party'.

A vote was then held on the amended motion.

21 For, 17 Against and 3 Abstention.

Therefore the Motion was carried.

## **6. QUESTIONS**

Question from Councillor Allen to Councillor G Sutton:

"Given the concerns of local residents, can the portfolio holder please confirm that Chaulden Lane, the much-loved designated country lane, will not need any widening beyond the passing points agreed when the LA3 planning application was granted"

Councillor G Sutton responded that the proposals for development at site LA3 (land at West Hemel Hempstead) involve the provision of passing places on Chaulden Lane. Responsibility for the management and future use of the Lane rests with Hertfordshire County Council, which it regards as a rural route. Dacorum Borough Council has no further plans other than those in relation to site LA3 that it would wish to put to HCC in respect of Chaulden Lane.

Councillor Allen asked if there will be width restrictions on the static homes permissible at Chaulden Lane Gypsy and Traveller site which often can be as wide as 16ft and are often 14ft when the HCC assessment of the lane has only assessed on traffic that is 9.5ft wide?

Councillor G Sutton said he believed that it was up to the hauliers or carriers of these vehicles to ensure that they are able to travel through the lane but believes the passing places should allow the access required. This issue is faced across rural areas, especially on the coast with mobile holiday homes. He reassured Councillor Allen that this wouldn't be turned into a rat run that can be used by the public.

Councillor Allen asked in the instance of there being wider loads, that might cause damage to hedgerows and banks of the lane, can the portfolio holder commit to working with Herts Highways to ensure that these wider loads do not cause damage?

Councillor G Sutton said he was sure that this could be included in the planning conditions of the site which are still being considered.

Councillor Allen asked if the Gypsy and Traveller community had been consulted on the HCC assessment which has assessed the lane on the basis of a 9.5ft wide load?

Councillor G Sutton said he was not privy to those conversations to be aware of it.

## **7. BUSINESS FROM THE LAST COUNCIL MEETING**

None.

## **8. CABINET REFERRALS**

### **Resolved:**

That the following be approved:

### **19 May 2020**

#### **8.1 CA/046/20 Provisional Outturn 2019/20**

### **Decision**

The approval of a supplementary capital budget of £300k in 2020/21 to complete works to the Berkhamsted multi-storey car park.

### **23 June 2020**

#### **8.2 CA/059/20 Climate Change Strategy and Action Plan**

## **Decision**

The creation of a budget for the Climate Emergency of £75,000 in 2020/21 and authority be delegated for its expenditure be made to the Corporate Director Housing and Regeneration and the Assistant Director Corporate and Contracted Services in consultation with the Leader be approved.

## **9. OVERVIEW AND SCRUTINY ANNUAL REPORTS**

The Chairman of the Strategic Planning and Environment Overview and Scrutiny Committee, Councillor John Birnie, introduced the Annual Reports of the Overview and Scrutiny Groups to the Council and highlighted certain aspects of the work carried out by the individual committees.

## **10. CHANGES TO COMMITTEE MEMBERSHIP**

The following changes to committee membership were agreed:

- Councillor Allen to replace Councillor Taylor on the Finance and Resources Overview and Scrutiny Committee.
- Councillor Allen to replace Councillor England on the Health in Dacorum Committee.
- Councillor Tindall to replace Councillor Symington on the Development Management Committee.
- Councillor McDowell to replace Councillor Woolner on the Strategic Planning and Environment Overview and Scrutiny Committee.
- Councillor Symington to fill the vacancy on the Health in Dacorum Committee.
- Councillor Woolner to fill the vacancy on the Licensing and Health and Safety Enforcement Committee.

## **11. CHANGES TO COMMITTEE DATES**

The following changes/additions to committee dates were agreed:

- Move Audit Committee from 30<sup>th</sup> September to 17<sup>th</sup> September 2020.
- Add Appointments Committee on 30<sup>th</sup> July 2020.
- Add a special Council meeting on 5<sup>th</sup> August 2020.

## **12. CALL-IN AND URGENCY PROCEDURE**

The Council noted the following urgent Portfolio Holder Decisions:

- PH/009/20 - Local Authority Discretionary Grant Fund, (Ladgf) – Covid-19 Support for Local Businesses
- PH/010/20 - Local Authority Discretionary Grant Fund, (Ladgf) – Covid-19 Support For Local Businesses Phase 2
- PH/013/20 - Building Control Financial Settlement With Hertfordshire Building Control Ltd

The meeting ended at 9.45pm.