

MINUTES

CABINET

27 JULY 2021

Present:

Members:

Councillors: Williams (Leader)
Griffiths (Deputy
Leader)
Elliot
Anderson
Banks
Barrett
Birnie
Douris
Tindall
Wilkie

Officers: James Deane Corporate Director - Finance and
Operations
James Doe Assistant Director - Planning, Development
and Regeneration
Farida Hussain Group Manager (Legal & Corporate
Services)
Mandy Peters Tenancy Sustainment Team Leader
Alex Robinson
Fiona Williamson Assistant Director - Housing
Marsha Kange (Minutes)

Also Attendance:

The meeting began at 7.30 pm

CA/42/21 MINUTES

Minutes of the meeting held on 22 June 2021 were agreed by Members present and signed by the Chair.

CA/43/21 APOLOGIES FOR ABSENCE

Apologies were received from Mark Gaynor, Claire Hamilton & Mark Brookes

CA/44/21 DECLARATIONS OF INTEREST

There were no declarations of interest

CA/45/21 PUBLIC PARTICIPATION

There was no public participation

CA/46/21 REFERRALS TO CABINET

There were no referrals to Cabinet

CA/47/21 CABINET FORWARD PLAN

The forward plan was noted

CA/48/21 DACORUM BOROUGH LOCAL PLAN

Cllr Anderson presented the report as circulated with the agenda and moved to the recommendations. In making his introduction, he referred to an amendment under the recommendation 3 of the report, where it makes reference to Section 8, this should read Section 9. He also went on to express gratitude to the public for their feedback.

JDoe advised that currently waiting publication of planning bill which will form part of the consideration as to where we go next, advising that the service are creating a short guide on NPPF changes which will be distributed via Member News.

Cllr Anderson invited questions.

Cllr Birnie commented that due to an unfortunate delay in the publishing of the minutes of last Strategic Planning and Environment Overview and Scrutiny Committee meeting on 30th June, members have not had a chance to address the action points raised at that meeting.

Cllr Birnie went on to advise that at that meeting, there were a number of decisions by inspectors that were addressed, which he observed are also referred to in the report tonight and observed that these are all quite negative in so far of the importance of the green belt where development is concerned. The Councillor then referred to the York case, which is positive in comparison and asked if the officers could comment, bearing in mind the effect at Amersham, on the weight such arguments may carry.

ARobinson responded and apologised if Councillors had not received the responses to the questions asked at SPAE, advising these were circulated. He continued with a brief summary of the York case, advising that examination of the York Local Plan has been running for several years. Officer understanding is following detailed work under habitat regulation assessment, the local authority were able to remove one of the large allocations from their plan as they were able to demonstrate the harm of that site to the SAC in that part of the country outweighed the benefits of the housing. He clarified that in this case, it was not a green belt argument but was made under the habitat directive.

Cllr Birnie raised a further question, this time relating to the 5 year land supply and asked; in terms of tackling predatory applications by developers, it has often been claimed that we do not have a 5 year land supply. One of the points made in the report to SPAE as result of the Reg. 18 responses was a group of residents, numbering 549, had raised the claim that there was enough non green belt land in Dacorum to build 5950 dwellings. If that is true then it seems that we have a 5 years supply for a reasonable ammunition against predatory applications.

ARobinson responded that the claim, they believe, stems from the residents of Grove Field Resident's Association. On further investigation by officers, they do not believe they have provided any information on where that land might be, but it is assumed this refers to the Long Marston area. The officer continued that it is fair to say there is area outside of the green belt in Long Marston that would allow for that level of development, but that does not necessarily provide the most appropriate location for development, is extremely isolated, with fragmented land ownership and infrastructure challenges.

Cllr Birnie referred to the recommendations to cabinet in the report having very little mention of social housing, noting however that the recommendation does make reference to social housing. Going on to express his understanding that our waiting list of needy residents in Dacorum is somewhere around 10,000, looking at number of dwellings we are being asked to build, this element being 30% of large developments, this does not seem to meet the needs of our locals. We know there is a big problem with children who cannot leave home and live in Dacorum. Should we therefore increase the percentage of social housing in large developments?

Cllr Anderson responded that we always as a council seek to maximise affordable housing as much as we can. We are not permitted to raise figure to a level that will make a scheme unviable.

JDoe added the general policy is 35% of units being built and on larger developments it is 40%. We will also now have to look at Governments First Homes scheme which is a different type of housing product away from the rented model. It will be an emerging situation going forward but as the Portfolio Holder has already mentioned, we have to ensure that our policy requirements do not make the schemes unviable and therefore undeliverable.

Cllr Williams added that we should bear in mind that we have to take into account grant funding and policies around first homes/affordability against social rent. Social rents require a much higher level of subsidy which is not currently available nationally. There is a trade-off for every benefit you seek and there will need to be detailed discussions going forward and a package that is rounded.

Cllr Tindall referred to the question of a 5 year supply, commenting that nationally it has been said that there is approx. 1 million dwellings that have not yet been built where permission has already been granted. Asking; is it the case in Dacorum that there are a number of planning applications granted that have not yet been built, can they contribute to the 5 year plan? Can we include these if developers are sitting on these approved applications?

Cllr Williams stated that when we are talking about homes being granted but not yet built and referenced LA3 as an example. There will be a lot of consented homes that are gradually being built over the next 8 years or so and so can we clarify how that fits into the equation?

ARobinson advised he would need to come back to Cabinet with exact numbers but that we don't have a 5 year supply of land and are someway short of that. He advised that how that figure is calculated is based on granted planning permissions. The number of applications we approve goes into the 5 year supply. Government tests us against delivery, we do not control this and it goes into the Government's Housing Delivery Test. What is pertinent, by not having an up to date local plan or 5 year supply; there is a higher risk of predatory applications coming forward. Government policy is still clear on this that development in the green belt is still inappropriate development and therefore can still be resisted. However for developments coming forward in the urban area these are more difficult to defend in the absence of a full 5 year housing supply.

JDoe added that to summarise, permissions are calculated, even from as small as single unit housing developments. In respect to LA3 (land at West Hemel Hempstead), there will be 1100 new homes coming forward and that figure will go down progressively but then new developments, as they are permitted, will come into the equation.

Cllr Williams commented that we have a local plan based on 430 dwellings a year and our land supply is based on that, though we are being judged on a higher figure of 1023 per annum. We have been working to the 430 per annum level, so to be judged on the higher figure is challenging and unfair.

Cllr Anderson wanted to clarify that having a 5 year supply is not enough because you need to have a 5 year supply for the whole plan period.

Cllr Birnie asked; is there any reason why, even if we consider it not to be suitable for our development purposes that we cannot include in this equation, the area that I was mentioning before in Long Marston? Even if we have no intention of encouraging development there, it is still a land supply that someone could apply for permission on?

ARobinson responded and advised that to form part of the 5 year land supply the site needs to have either an allocation in an adopted local plan, a planning permission or be on the brownfield land register. The Council cannot fully rely on land that falls outside of that category and then include it in our 5 year supply, as it would not satisfy national policy.

Cllr Williams commented before moving to recommendations, with regard consultation responses, there is concern over how the plan proceeds over next year or two. He wanted to reassure that the position we are in now is that we are taking stock of the outcomes of that consultation. There is further discussion on whether we move to a Reg.18 or Reg.19 consultation next. We need to consider all aspects of that before we agree on we go out to consultation, that decision will be taken in due course once we have followed due process.

We are not in a position now to make a definitive decision on our next move with a considerable amount of work for our officer team to carry out and they need time to do that in order to put recommendations before Council. The timescale we are currently working towards will need to come forward with a revised schedule. There were also comments from The Strategic Planning and Environment Overview and Scrutiny Committee requesting a Task & Finish Group; this will be reintroduced at the appropriate time once the information is ready for officers to consider.

Recommendations Agreed.

1. Cabinet noted the responses received to the recent Emerging Strategy for Growth consultation as set out in Appendix 1.
2. Cabinet noted the views of Strategic Planning and Environment Overview and Scrutiny Committee (Appendix 3)
3. Cabinet agreed to defer the Publication of the Local Plan (under Regulation 19) and to undertake further work on the Local Plan as set out in section 9 of this report.

CA/49/21 THE ELMS CONTRACT

Cllr Griffiths introduced the report and moved to the recommendations, advising that the procurement of the new contract had been suspended due to the pandemic. This

has been to Overview & Scrutiny Committee and everyone was happy for the contract to be awarded in line with the recommendations. There are positives for maintaining benefits with our current service providers Dens, who have a strong level of political and community support, including a large bank of volunteers.

Cllr Griffiths invited questions.

Cllr Williams commented that this has been a very good collaboration between Dacorum Borough Council and DENS and therefore happy to extend the contract as recommended.

Recommendations agreed.

Cabinet agreed that;

1 The Council extends the concessionary contract by a further two years, on the basis of a 1 plus 1 year extension, subject to ongoing satisfactory performance.

2 The additional years' extensions are linked to performance which should be at, or above, target and that this is reviewed on an annual basis to ensure services are delivered in line with the contract

CA/50/21 SYRIAN RESETTLEMENT PROGRAMME 1

Cllr Griffiths introduced the report and moved the recommendations, explaining that when Dacorum agreed to support Syrian resettlement scheme, we welcomed 10 families a year over the 5 years and the first of those have now reached the end of their 5 years settlement and can now apply for indefinite leave to remain. The point of this recommendation is to say that rather than being moving these tenants forward with flexible tenancies, we will allow the residents that have come over from Syria to become secure tenants. They have integrated into the community very well.

Cllr Griffiths invited questions.

Cllr Elliot expressed his wholehearted support, commenting that the recommendations made are the right thing to do. Cllr Anderson and Cllr Barrett seconded those comments.

Cllr Griffiths put on record thanks to Mandy Peters and her staff, who have gone over and above what they were required to do. They have built a relationship and trust with them and fully commend their hard work.

Cllr Griffiths then handed to FWilliamson to introduce the second recommendation of the report.

FWilliamson advised following on from the Syrian Refugee programme, the Home Office have approached local authorities to ask if we would accommodate some locally employed staff that worked with the military in Afghanistan. The details of the support that would be given to these individuals has been evolving over the past few weeks and months. To date the Council has indicated it would be prepared to take up to 4 families from this scheme. Further to this, we have found out that these individuals will not have the same level of support as the Syrian refugees. Some of these people were involved in military in areas such as the supply of food etc, they have low levels of English language and cultural differences would require intensive support from team to maintain successful integration. We have indicated our reservations, as a result of this feedback from all districts. The Home Office are reviewing the current approach. We are hopeful we will be able to accommodate some of the Afghan families through this scheme, reliant on us having the correct

resource to supply the support required. This is a developing situation and we are in constant liaison with East of England Local Government Association and the Home Office to provide feedback on the support we would expect to be provided centrally.

Recommendation is to delegate responsibility to FWilliamson as Assistant Director Housing, to ensure we have the correct support from the Home Office to be able to accommodate 4 families in same way we support the Syrian refugees.

The chair opened to questions

Cllr Tindall made observation in reference to recommendation 2, that these families are in this position because they gave aid and support to our troops and coalition troops and therefore putting themselves in serious risk with the troops now leaving so would hope the Home Office and the government will give us the support to help them otherwise we will be turning our backs on people who have supported us in our war on terrorism.

Cllr Birnie recalled a similar arrangement in Iraq, commenting that a lot of those people were left behind and suffered the consequences after the troops had left and we owe these people a debt of more than gratitude and we should do all we can to support them.

Cllr Griffiths assured members that any families will be integrated slowly and discreetly as we did with Syrian scheme to allow them to settle. This is about them and not about us and therefore we will not be putting it on the front pages but allowing them to settle and to integrate.

Cllr Williams suggested a change to the recommendation and suggest it is delegated to Assistant Director Housing in consultation with the Portfolio Holder for Housing.

Recommendations agreed with amendment.

Cabinet agreed;

1. That, at the end of the 5-year flexible tenancy, each family within the Syrian Vulnerable Persons Resettlement Scheme is offered a secure Council tenancy, dependant on a successful application of Indefinite Leave to Remain.

2. That Cabinet delegates authority to the Assistant Director of Housing, in association with Portfolio Holder for Housing, to agree suitable arrangements for up to four families from Afghanistan to be accommodated under the Locally Employed Staff scheme, for an initial period of one year

CA/51/21 EXCLUSION OF THE PUBLIC

There were no members of the Public to exclude as there were no Part 2 items to discuss.

The Meeting ended at 8.15 pm