

## MINUTES

### CABINET

27 SEPTEMBER 2022

**Present:**

**Members:**

**Councillors:** Williams (Leader)  
Griffiths (Deputy  
Leader)  
Elliot  
Anderson  
Banks  
Barrett

<b>Officers:</b>	Claire Hamilton	Chief Executive
	Mark Brookes	Assistant Director - Legal and Democratic Services
	Catherine Silva	Strategic Director – Corporate and Commercial
	Donayre	Strategic Director – Place
	James Doe	Chief Finance officer
	Nigel Howcutt	Head of Commercial Development
	Ben Hosier	Head of Development
	David Barratt	

**Also Attendance:**

Cllr Tindall

The meeting began at 7.30 pm

**CA/66/21**     **MINUTES**

The minutes of the meeting held on 12th July 2022 were agreed.

**CA/67/21**     **APOLOGIES FOR ABSENCE**

There were no apologies.

**CA/68/21**     **DECLARATIONS OF INTEREST**

None

**CA/69/21**     **PUBLIC PARTICIPATION**

None

**CA/70/21    REFERRALS TO CABINET**

None

**CA/71/21    CABINET FORWARD PLAN**

Cllr Anderson requested the following changes;

1. That the Chiltern Beechwood Moratorium Mitigation Strategy be added to the October meeting.
2. That Outcome to Levelling up Fund report be pushed back to November as unlikely to have any update by October.

The changes were agreed and the forward plan was noted.

**CA/72/21    COMMERCIAL STRATEGY**

**Decision**

1. Cabinet approved the Commercial Strategy
2. Cabinet noted the Commercial Principles set out in the Strategy

**Corporate Priorities**

A clean, safe and enjoyable environment ; Building strong and vibrant communities; Ensuring economic growth and prosperity; Ensuring efficient, effective and modern service delivery; Climate and Ecological Emergency – working to deliver net zero carbon

**Statutory Officer Comments:**

**Monitoring Officer:**

There are no specific issues to identify at this stage and all legal implications will continue to be reviewed as the individual business projects are developed.

**S151 Officer:**

The Council's 2022 Medium Term Financial Strategy is currently under development and the commercial programme is expected to deliver significant income generation and financial efficiencies to support the wider Council's financial sustainability in the medium term.

**Advice**

Cllr Williams introduced the report, advising this has been before the committee on a couple of prior occasions.

**Recommendation agreed**

**CA/73/21     HOUSING TRANSFORMATION AND IMPROVEMENT PROGRAMME  
BUSINESS CASE**

**Decision**

Cabinet noted the actions associated with the HTIP Housing Asset Management and Compliance work stream, expected outcomes and progress to date.

**Corporate Priorities**

A clean, safe and enjoyable environment; Building strong and vibrant communities; Ensuring economic growth and prosperity; Providing good quality affordable homes, in particular for those most in need

**Statutory Officer Comments:**

**Monitoring Officer:**

The HTIP programme will provide a framework to ensure that the Council is compliant with all of its statutory requirements and this will continued to be reviewed as the programme is developed.

**S151 Officer:**

The HTIP programme has an approved budget and this is monitored as part of the wider financial monitoring cycle, and is reported to members quarterly.

**Advice**

Cllr Griffiths introduced the report, advising it was considered by Overview & Scrutiny earlier this month who are content with the strategy.

Cllr Griffiths expressed her thanks to staff for all the work that has gone on behind the scenes working all six strands of this programme.

**Recommendations agreed**

**CA/74/21     FINANCIAL MONITORING REPORT Q1**

**Decision**

1. Cabinet noted the financial position for 2022-23 as at Quarter 1, and;

**RESOLVED TO RECOMMEND;**

2. **That Council approve the revised capital programme to move £13.740m slippage identified at Quarter 1 into financial year 2023/24 as detailed in Appendix C.**
3. **That Council approves a supplementary Capital budget of £1.000m for the HRA for the re-purchasing of Right To Buy properties.**

### **Corporate Priorities**

A clean, safe and enjoyable environment; Building strong and vibrant communities; Ensuring economic growth and prosperity; Providing good quality affordable homes, in particular for those most in need; Ensuring efficient, effective and modern service delivery; Climate and ecological emergency

### **Statutory Officer Comments:**

#### **Monitoring Officer:**

No comments to add to the report.

#### **Deputy S151 Officer:**

This is a Deputy S151 report

### **Advice**

Cllr Elliott introduced the report, advising this has been through Overview & Scrutiny. Figures are no surprise, there is an overall pressure on the general fund.

NHowcutt added that since report was written the fiscal environment is changing on a daily basis.

Cllr Tindall referred to Council Tax liability for empty homes falling to Council, noting the concern around empty homes in such times of need and asked; can that be confirmed.

NHowcutt confirmed it is a small number of homes, the liability is following the changes to our Council Tax policy; that when properties are vacant for over 30 days we place charges on that home. There are a small number of homes requiring a large volume of work to be carried out to make them fit to re-let, so may go over the 30 days.

Cllr Griffiths commented that one empty home is a property that a family needs, adding that it is agreed that it is of priority to ensure those homes are made available as quickly as they can be to those that need them.

### **Recommendations agreed**

**CA/75/21**     **COST OF LIVING**

**Decision**

Cabinet noted the ongoing pressures to the Council as a result of the wider macro-economic uncertainty and the potential upcoming recession.

**Corporate Priorities**

A clean, safe and enjoyable environment; Building strong and vibrant communities; Ensuring economic growth and prosperity; Providing good quality affordable homes, in particular for those most in need; Ensuring efficient, effective and modern service delivery; Climate and ecological emergency

**Statutory Officer Comments:**

**Monitoring Officer:**

No comments to add to the report.

**S151 Officer:**

This is a S151 Officer report and comments are included in the body of the report.

**Advice**

Cllr Elliott introduced the report and highlighted the issues of inflation that will impact on fuel prices as well as many other aspects of people's lives. A key concern is Commercial Assets; the energy costs of shops, particularly high energy consumers such as fish & chip shops & restaurants. Will need to monitor closes and look at what support we can give.

Cllr Griffiths advised the Cost of Living Symposium had to be cancelled and moved to 10<sup>th</sup> October due to events at the time. Noting it will be an important piece of work for our community partners to work together; ensuring we are not going off on different tangents.

NHowcutt noted it is quite a daunting report in terms of outcomes, advising that we monitor all significant income and expenditure streams and report back on a quarterly basis, if things do come up we have arrangements in place to deal with those issues as they arise.

**Recommendations agreed**

**CA/76/21**     **HEMEL HEMPSTEAD BUSINESS IMPROVEMENT DISTRICT -  
BUSINESS PLAN AND BALLOT ARRANGEMENT**

**Decision**

1. Cabinet approved the Business Plan for the next phase of the Hemel Hempstead Town Centre BID as attached at Appendix 3 to this report
2. Confirmed arrangements, as set out in this report, for a ballot of businesses within the defined BID levy area for Cabinet [www.dacorum.gov.uk](http://www.dacorum.gov.uk) Thursday 24 November 2022 with the Count to take place on Friday 25 November 2022

### **Corporate Priorities**

A clean, safe and enjoyable environment; Building strong and vibrant communities; Ensuring economic growth and prosperity; Ensuring efficient, effective and modern service delivery

### **Statutory Officer Comments:**

#### **Monitoring Officer:**

The formal ballot will follow the procedures as set out in the Business Improvement Districts (England) Regulations 2004. The Council's electoral services team will be running the ballot to ensure that it is compliant with the regulations.

#### **S151 Officer:**

No further comments to the report.

### **Advice**

Cllr Anderson introduced the report and his hope that the Council can support the Chair of BID to get the right result from this ballot.

JDoe advised work is going on in the back ground to move this forward and get the administration arrangements in place to support the ballot process.

Cllr Williams asked; will this be a postal ballot for businesses?

JDoe advised there will be postal, commenting that there is not a huge number of ballots to be collected but adding that we will make voting in person available. Expect the majority to be returned by post.

Cllr Tindall commented that he feels this is a good initiative but asked, can anyone explain why part of the centre is left out? It appears the part of the Marlowes where the buses stop isn't included and there are businesses on those sides so wondered why not part of BID?

JDoe advised this goes back 5 years when this was setup; we can make the bid as big or otherwise as we want but there needs to be a consideration to not make the BID area too expansive as there is a risk that the ballot may go against you.

Cllr Tindall wondered if this may cause resentment within those businesses not included.

Cllr Williams advised there has been no feedback from those businesses to suggest that. The consultants did a lot of canvassing of businesses before the boundary was fixed 5 years ago and where the interest wasn't as strong, those areas didn't tend to be included.

JDoe advised that some of the smaller businesses more north of the town, they may not be able to afford the levy costs whereas the larger business tend to cost that into their business expenses.

Cllr Griffiths referred to car parks and asked, do we have to pay into the levy because they are within the boundary? Have those costs been factored in to coming 5 years?

JDoe confirmed yes we do, and it has been costed in to the MTFs.

### **Recommendations agreed**

## **CA/77/21 APPOINTMENT OF THE PRINCIPLE CONTRACTOR FOR THE ST MARGARETS WAY PROJECT**

Cabinet agreed;

1. Subject to a satisfactory financial assessment and agreement on contract price in accordance with recommendation 2, and the project achieving formal planning approval, awards the main contract to construct 46 social rented homes to Helix Construct Ltd.
2. Delegates authority to the Strategic Director (Place) and the Chief Finance Officer in consultation with the Portfolio Holder (Place) to carry out a further financial assessment of Helix Construct Ltd and to finalise the contract value with the approved contractor; and
3. Delegated authority to the Assistant Director (Legal & Democratic Services) to execute and complete all legal agreements ancillary to the JCT Design & Build Contract 2016 and/or reasonably required to complete the Project, including (but not limited to):
  - a. all professional appointments;
  - b. collateral warranties; and
  - c. Agreements under;
    - S.38, & S.278, of the Highways Act 1980;
    - S.247, Part III of the Town and Country Planning Act 1990;
    - S.104 of the Water Industry Act 1991, and
    - S.50 of the New Roads and Street Works Act 1991

## **Corporate Priorities**

A clean, safe and enjoyable environment; Building strong and vibrant communities; Ensuring economic growth and prosperity; Providing good quality affordable homes, in particular, for those most in need; Ensuring efficient, effective and modern service delivery; Climate and ecological emergency

## **Statutory Officer Comments**

### **Monitoring Officer:**

The proposed award of contract has followed a compliant procurement process and will be secured by an appropriate form of building contract prior to commencement of the works.

### **S151 Officer:**

The proposed award of the principal contractor is the conclusion of an open and transparent procurement process and the winning contractor provides the best value for money to the Council. The St Margaret's project is part of the current 2022 HRA 30-year business plan, and hence the costs of this project are included in the medium-term financial plan. The costs of new build developments are increasing significantly at present which is likely to provide an increasing fiscal challenge for the HRA in the current climate.

## **Advice**

Cllr Williams introduced the report, advising that there are Part I and Part II reports and attachments, recommending the meeting therefore move into Part II to allow open discussion.

Please see Part II minutes for record of discussion.

## **CA/78/21     EXCLUSION OF THE PUBLIC**

The Meeting ended at 8.09 pm