

NORTH HERTFORDSHIRE DISTRICT COUNCIL

CABINET

MEETING HELD IN THE FOUNDATION HOUSE, ICKNIELD WAY, LETCHWORTH
GARDEN CITY ON TUESDAY, 27TH MARCH, 2018 AT 7.30 PM

MINUTES

Present: *Councillors Councillor Lynda Needham (Chairman), Councillor Julian Cunningham (Vice-Chairman), Jane Gray, Tony Hunter, David Levett, Bernard Lovewell, Ray Shakespeare-Smith and Michael Weeks*

In Attendance: *David Scholes (Chief Executive), Anthony Roche (Deputy Chief Executive), Ian Couper (Head of Finance, Performance and Asset Management), Ian Fullstone (Head of Development and Building Control), Vaughan Watson (Head of Leisure and Environmental Services), Andrew Mills (Service Manager - Grounds Maintenance), Steve Geach (Parks and Countryside Development Manager), Louise Symes (Strategic Planning and Projects Manager), Steve Crowley (Contracts and Projects Manager), Sarah Kingsley (Communications Manager), Jeanette Thompson (Acting Corporate Legal Manager), Gavin Ramtohal (Contracts Lawyer) and Ian Gourlay (Committee and Member Services Manager).*

Also Present: *Councillors Terry Hone (Chairman of Finance, Audit & Risk Committee), Ian Albert, Alan Millard and Martin Stears-Handscomb.
6 members of the public.*

91 APOLOGIES FOR ABSENCE

There were no apologies for absence.

92 MINUTES - 23 JANUARY 2018

RESOLVED: That the Minutes of the meeting of the Cabinet held on 23 January 2018 be approved as a true record of the proceedings and be signed by the Chairman.

93 NOTIFICATION OF OTHER BUSINESS

There was no notification of other business.

94 CHAIRMAN'S ANNOUNCEMENTS

- (1) The Chairman announced that Members of the public and the press may use their devices to film/photograph, or do a sound recording of the meeting, but she asked them to not use flash and to disable any beeps or other sound notifications that emitted from their devices. In addition, the Chairman had arranged for the sound at this particular meeting to be recorded;
- (2) The Chairman reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question;
- (3) The Chairman asked that, for the benefit of any members of the public present at the meeting, Officers announce their name and their designation to the meeting when invited to speak;

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- (4) The Chairman announced that, due to an administrative oversight, Item 6(A) - the referral from the Cabinet Sub-Committee on Options for Housing Investment Company – had not been included on the most recent version of the Council's Forward Plan, and neither had a notice been published stating that part of the meeting (to consider Item 19, the Part 2 item on the same matter) would be held in private. However, following the agreement of the Chairman of the Overview and Scrutiny Committee, she was invoking the urgency provisions in the Council's Constitution to allow both of these items to be considered at this evening's meeting.
- (5) The Chairman advised of the following changes to the order of business on the agenda:
- Item 6A – the referral from the Cabinet Sub-Committee on Options for Housing Investment Company would be moved to immediately before Item 16 on the agenda (Exclusion of Press and Public); and
 - The Part 1 Items 14 (Hitchin Market), 15 (Crematorium) and 6(A) would therefore take place immediately before Item 16 (Exclusion of Press and Public) and the Cabinet would then consider Items 17, 18 and 19, the Part 2 items on the same matters. The press and public would be invited back into the meeting to hear the Cabinet's decisions on all three of these items in Part 1 of the meeting.

95 PUBLIC PARTICIPATION

- (a) Mr Colin Dunham (Hitchin resident) re: NHDC communication with residents

Mr Dunham considered that people like himself, who had no computers, had been bypassed by the Council, officers and councillors.

As an example, Mr Dunham referred to the new Waste Contract and charging for brown bin collections. There was no reference in the policy to any refund of the charge should people die, go into a nursing home or move house.

As a further example, Mr Dunham referred to the Churchgate/Hitchin Market consultation. Why did people like himself have to go to the Council Offices in Letchworth Garden City to collect a hard copy? Copies could have been supplied locally to libraries, the Hitchin Market Office and Hitchin Initiative Office.

Mr Dunham commented that in the most recent edition of the Council's Outlook Magazine, there were no updates on the North Hertfordshire Museum/Hitchin Town Hall or Churchgate. Why?

Mr Dunham asked it if was the role of the Council's Monitoring Officer to help residents with these types of issues? If not, who would be the person best placed to assist residents?

Mr Dunham concluded by mentioning that he had yet to receive a reply from the Chief Executive responding to the issues raised by him at the Cabinet meeting held on 23 January 2018 in respect of the North Hertfordshire Museum/Hitchin Town Hall.

The Chairman thanked Mr Dunham for his presentation.

- (b) Mrs Helen Oliver (Letchworth Garden City resident) re: Proposed Closure of Linnet Close Play Area

Mrs Oliver advised that Linnet Close play area was small, but in good condition. It had benefitted from recent repairs to the rubber floor surface. The play area did not suffer vandalism as it was overlooked by nearby residential properties and watched by local residents.

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Mrs Oliver stated that it was watched because it was treasured by the local community. A year ago, 50 or more local residents and children had attended a “play-in” at the play area in order to show support for its retention.

Mr Oliver commented that it was confusing to residents in Linnet Close and the surrounding streets that the consultation on the future of play spaces was over before they heard about the planned closure.

Mrs Oliver and others residents did not believe that the information supplied to councillors from the consultation reflected genuine levels of use, because they felt that a different decision would have been made had this information been provided. Residents were more than keen to conduct a more accurate usage survey if this would be useful to the Council.

Mrs Oliver advised that fundraising to help to maintain the play area was something that local residents were keen to engage in. However, the option given to them to take on the play area themselves appeared to reveal a lack of insight into the lives of ordinary residents, many of whom had limited income. They believed that the Council had the necessary skills and experience to administer public liability insurance, understand health and safety obligations, and provide ownership of the public play space for children.

Mr Oliver explained that the residents were also deeply concerned with the lack of clarity on future plans for the site. Plans for the sale of the site would worry residents hugely; plans which would render the site redundant and increase the chances of fly tipping or parking also weighed heavily on residents’ minds. The lack of communication did not inspire good faith.

Mrs Oliver stated that it seemed that there was some belief that an inability amongst local residents to come up with the funds and expertise needed to run the playground demonstrated a lack of care for the space. However, local children did use the play area, loved it and cared about it. She felt that this view of residents seemed a little out of touch and showed a very poor opinion of the residents the Council served, coming as it did on top of the recent Council Office refurbishment and increases in Councillors’ allowances.

Mrs Oliver asked that the Council looks again at this matter, not viewing the closure of play areas as an easy saving option. The residents wanted to work with the Council to see how the decision may be reviewed and the closure put on hold, even at this late stage. She therefore urged the Cabinet to take a further look at the matter.

The Chairman thanked Mrs Oliver for her presentation.

96 ITEM REFERRED FROM CABINET SUB-COMMITTEE (LOCAL AUTHORITY TRADING COMPANIES’ SHAREHOLDER): 15 MARCH 2018 - OPTIONS FOR HOUSING INVESTMENT COMPANY

[Note: This item was considered both before and after Minute 112 below - the Part 2 item on the same matter.]

[Prior to the consideration of this item and Minute 112 below, Councillor David Levett made a Declarable Interest in that he was a director of a property letting company which was currently dormant, but that he had applied to Companies House to wind up this company.]

The Chairman of the Cabinet Sub-Committee (Local Authority Trading Companies’ Shareholder) presented the following referral from that Sub-Committee, made at its meeting held on 15 March 2018, in respect of Options for a Housing Investment Company (Minute 6 refers):

“RECOMMENDED TO CABINET: That the principle of setting up a wholly owned holding company and trading companies for the purposes of development; and letting existing and future assets as residential dwellings be approved, and the Chief Finance Officer and Executive Member for Finance and IT be given delegated authority to determine the detail of the structure.”

The Chairman of the Cabinet Sub-Committee referred to the £3Million allocation in the Capital Programme for Housing Investment. Although purchasing existing residential properties for renting (buy to let) did not provide sufficient return to be an attractive investment option, the Council currently owned property which could potentially be rented out as residential lettings to generate income.

In order to provide greater flexibility, the Cabinet agreed to the deletion of the words “as residential dwellings” in the above recommendation. It was therefore

RESOLVED: That the principle of setting up a wholly owned holding company and trading companies for the purposes of development; and letting existing and future assets be approved, and the Chief Finance Officer and Executive Member for Finance and IT be given delegated authority to determine the detail of the structure.

97 ITEM REFERRED FROM OVERVIEW & SCRUTINY COMMITTEE: 20 MARCH 2018 - PERFORMANCE MANAGEMENT MEASURES FOR 2018/19

The Cabinet received and considered a referral from the Overview and Scrutiny Committee, made at its meeting held on 20 March 2018, in respect of the Performance Management Measures for 2018/19 (Minute 87 refers):

“RECOMMENDED TO CABINET: That Cabinet considers and formally approves the PIs and any associated targets that will be monitored throughout 2018/19 by Overview and Scrutiny.”

The Executive Member for Finance and IT commented that he would look at the benchmarking issue raised by the Overview and Scrutiny Committee when work commenced on the Performance Management measures for 2019/20

RESOLVED: That the Performance Indicators (PIs) and any associated targets that will be monitored throughout 2018/19 by the Overview and Scrutiny Committee be approved.

98 ITEM REFERRED FROM FINANCE, AUDIT & RISK COMMITTEE: 21 MARCH 2018 - RISK MANAGEMENT UPDATE

The Chairman of the Finance, Audit and Risk Committee presented the following referral from that Committee, made at its meeting held on 21 March 2018, in respect of the Risk Management Update (Minute 80 refers):

“RECOMMENDED TO CABINET: That the reduction in score from a 5 to a 3 of the Office Accommodation Corporate Risk be approved.”

The Executive Member for Finance and IT stated that he was supportive of the recommendation of the Finance, Audit and Risk Committee.

RESOLVED: That the reduction in score from a 5 to a 3 of the Office Accommodation Corporate Risk be approved.

99 **ITEM REFERRED FROM FINANCE, AUDIT & RISK COMMITTEE: 21 MARCH 2018 - THIRD QUARTER REVENUE MONITORING 2017/18**

RESOLVED: That consideration of this referral takes place in conjunction with agenda item number 8 (see Minute 101 below).

100 **STRATEGIC PLANNING MATTERS**

The Executive Member for Planning and Enterprise presented the report of the Head of Development and Building Control informing Members of the current position regarding Other Local Plans and Examinations; North Hertfordshire Local Plan; Neighbourhood Plans; Government announcements; and Strategic Planning. The following appendices were submitted with the report:

Appendix A – Response to Central Bedfordshire pre-submission Local Plan consultation; and
Appendix B – Response to Preston draft Neighbourhood Plan consultation.

The Executive Member for Planning and Enterprise updated the Cabinet on the following matters:

- Central Bedfordshire Council Local Plan – the pre-submission version of their Local Plan was published for consultation from 10 January to 21 February 2018. The NHDC response was attached at Appendix A to the report;
- East Hertfordshire District Council Local Plan – was undertaking a six week main modification consultation between the 15 February and 29 March 2018. Any response to the proposed modifications would be reported to a future meeting;
- Welwyn Hatfield Borough Council Local Plan - – Stage 3 of their examination concentrated on strategic policies and ran from 20 February until 22 February 2018. Stage 4 (site allocations) would take place on 18 and 25 June 2018;
- St. Albans City & District Council Local Plan – following a Draft Issues and Options Consultation (Regulation 18) and ‘Call for’ new housing and employment sites which ran from 9 January to 21 February 2018, the future timetable was set out in the report; and
- Neighbourhood Plans – following a referendum in favour, the Pirton Plan would now be made; Officers were working with Wymondley Parish Council to select an Examiner for their Plan; and the NHDC response to the draft Preston Plan was attached at Appendix B to the report.

In respect of Government announcements, the Executive Member for Planning and Enterprise commented as follows:

- National Planning Policy Framework (NPPF) – the proposed changes were summarised. Officers would be reviewing the proposed changes and, in consultation with the Executive Member, would prepare a response for circulation and/or inclusion in a future report;
- Consultation on Pre-Commencement Regulations – the Officer response to the consultation was summarised in Paragraph 8.4.3 of the report;
- Planning Delivery Fund - NHDC on behalf on Stevenage, East Herts and Welwyn Hatfield Councils submitted an Expression of Interest (Eol) under the Joint Working Fund, focussed on putting in place strong processes to consider long term housing and economic needs; approaches to new settlements; and Growth Delivery Models. The Eol sought £250,000 of funding through to the end of 2018/19 and was successful - officers were currently working on the next steps.

The Cabinet noted that the Local Planning Authorities in South West Hertfordshire (Dacorum, Hertsmere, Three Rivers, Watford and St. Albans) had been discussing the ways in which they could respond to the challenges of future growth demands by examining the options for strategic planning. This approach was confirmed at a meeting of relevant Leaders, Executive

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Members and officers on 23 January 2018 and work was underway with regard to a Memorandum of Understanding (MoU).

In respect of the North Hertfordshire Local Plan, the Executive Member for Planning and Enterprise advised that the Examination Hearing sessions had now been completed. The next step was for NHDC to complete the further work set by the Inspector and submit it as soon as possible; the Inspector also asked for the Main Modifications to be drafted and sent to him as soon as possible; those Main Modifications would then be subject to a six week statutory consultation period (any consultation comments should only relate to those Main Modifications); the Inspector would take into account any consultation comments and representations made during the Hearing sessions when completing his report. The Inspector had not indicated a firm timescale, but had stated that he hoped to complete it promptly once he had received all of the information required.

The Executive Member for Planning and Enterprise explained that the Inspector would then send a draft report to the Council, purely for a factual check of the content. The final version of the Inspector's report would then be submitted to Council, with the Main Modifications, Inspector's comments and his recommendations. The Council would then vote on whether or not to adopt the Local Plan, as modified, and as presented (no further changes could be made to the Plan at this stage).

The Executive Member for Planning and Enterprise reiterated his thanks to the Inspector and his Programme Officer, as well as officers in the Planning Policy Team, who had worked long hours in supporting the Plan through the Examination process. He further thanked all those who had made representations to the Inspector at the various Hearing sessions.

The Executive Member for Planning and Enterprise answered a number of Members' questions on the report.

RESOLVED: That the report on Strategic Planning Matters be noted.

REASON FOR DECISION: To keep the Cabinet informed of recent developments on strategic planning matters and progress on the North Hertfordshire Local Plan.

101 THIRD QUARTER REVENUE MONITORING 2017/2018

The Executive Member for Finance and IT presented the report of the Head of Finance, Performance and Asset Management in respect of the Third Quarter Revenue Budget Monitoring 2017/18.

The Chairman of the Finance, Audit and Risk Committee presented the following referral from that Committee, made at its meeting held on 21 March 2018, in respect of Third Quarter Revenue Monitoring 2017/18 (Minute 82 refers):

“RECOMMENDED TO CABINET: That Cabinet be requested and encouraged to carry forward the unallocated Area Committee funds from 2017/18 into 2018/19.”

The Executive Member for Finance and IT referred to Table 2 in the report and advised that it was still the intention to move most of the Planning Services income into an earmarked reserve to mitigate the impact of risks associated with the Council's Local Plan.

The Executive Member for Finance and IT also drew attention to the commentary against the income reduction for NHDC burials for the quarter, which could be a consequence of the recently opened crematorium in Holwell.

In respect of the item referred from the Finance, Audit and Risk Committee, the Executive Member for Finance and IT was informed by the Head of Finance, Performance and Asset

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Management that there was a total of £70,000 of Area Committee funds which would not be spent by the end of the financial year (although £33,000 of this had been allocated).

The Executive Member for Finance and IT supported the carrying forward of the unspent Area Committee funds from 2017/18 to 2018/19, but with the proviso that this should not be expected to be an ongoing occurrence each year going forward.

RESOLVED:

- (1) That the report be noted;
- (2) That the changes to the 2017/18 General Fund Budget, as identified in Table 2 and Paragraph 8.2 of the report, and involving a £60,000 increase in net expenditure, be approved;
- (3) That unspent Area Committee funds of £70,000 be carried forward from 2017/18 to 2018/19; and
- (4) That the changes to the 2018/19 General Fund Budget, as identified in Table 2 and Paragraph 8.2 of the report, and involving a £85,000 increase in net expenditure, be approved.

REASON FOR DECISION: To monitor and request appropriate action of Services who do not meet the budget targets set as part of the Corporate Business Planning process; and to ensure that changes to the Council's balances are monitored and approved.

102 THIRD QUARTER CAPITAL MONITORING 2017/2018

The Executive Member for Finance and IT presented a report of the Head of Finance, Performance and Asset Management in respect of the Third Quarter Capital Programme Monitoring 2017/18. The following appendices were submitted with the report:

Appendix A – Capital Programme Summary 2017/18 onwards; and
Appendix B – Capital Programme Detail including Funding 2017/18 onwards.

The Executive Member for Finance and IT referred to the procurement of the new waste and street cleansing vehicles set out in Table 2 of the report, and commented that the budget would be required to cover the capitalised cost of the vehicles used in the contract.

The Executive Member for Finance and IT drew attention to the ongoing issue of the North Hertfordshire Museum and Community Facility, and that the remaining expenditure would remain on hold until the position of 14/15 Brand Street had been resolved.

RESOLVED:

- (1) That the forecast expenditure of £10.903million in 2017/18 on the Capital Programme, as set out in Paragraph 8.2 of the report, be noted, and the changes detailed in Table 3 of the report, which resulted in a net decrease on the working estimate of £0.028million, be approved;
- (2) That the changes to the Capital Programme for 2018/19 onwards as a result of the revised timetable of schemes detailed in Table 2 of the report, increasing the estimated spend in 2018/19 by £4.139million (re-profiled from 2017/18), be approved; and
- (3) That the position of the availability of capital resources, as detailed in Table 4 of the report, and the requirement to keep the Capital Programme under review for affordability, be noted.

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REASON FOR DECISION: To approve revisions to the Capital Programme, and to ensure that the Capital Programme is fully funded.

103 TREASURY MANAGEMENT THIRD QUARTER MONITORING 2017/2018

The Executive Member for Finance and IT presented a report of the Head of Finance, Performance and Asset Management in respect of Treasury Management Third Quarter Monitoring 2017/18.

RESOLVED: That the position of Treasury Management activity as at the end of December 2017, as set out in the report, be noted.

REASON FOR DECISION: To ensure the Council's continued compliance with CIPFA's Code of Practice on Treasury Management and the Local Government Act 2003 and that the Council manages its exposure to interest and capital risk.

104 INFLATIONARY INCREASE IN OFF-STREET CAR PARKING TARIFFS FOR 2018/19

The Executive Member for Policy, Transport and Green Issues presented a report of the Head of Development and Building Control in respect of a proposed inflationary increase in off-street Car Parking Tariffs for 2018/19. The following appendices were submitted with the report:

Appendix A – Summary of car park trend data 2017/18 and recommendations for 2018/19 inflationary adjustment – consultant's report; and
Appendix B – proposed 2018/19 Tariff increases for NHDC Off-Street Car Parks.

In accordance with the Fess and Charges Policy set out in the Medium Term Financial Strategy (MTFS), the Executive Member for Policy, Transport and Green Issues referred to the proposal to increase the Council's car park tariffs for 2018/19, as set out in Appendix B to the report; the proposed increase in season ticket prices for 2018/19 set out in Table 6 of the report; and the proposal not to increase the charges for resident permits, visitor permits, business permits or visitor tickets for resident permit zones for 2018/19.

The Executive Member for Policy, Transport and Green Issues drew attention to the three forecast models for car park usage set out in Paragraph 8.4 of the report, and Paragraph 8.5 showed the budgetary information connected with the proposed inflationary tariff increases. One of the key drivers was to spread the cost of car parking charges across the District in an equal fashion. He stated that one of the successes over the past few years was the "free after 3pm" scheme in all Royston car parks, which it was proposed to retain for 2018/19.

The Executive Member for Policy, Transport and Green Issues advised that, in the main, the 2018/19 increases were 10p above the 2017/18 rates. He did not subscribe to the argument that the tariff increases would discourage the use of Town centre car parks. However, nationally there had been a reduction in car parking in town centres, and so the local position reflected the national decline.

The Executive Member for Community Engagement and Rural Affairs stated that he did not support the proposed tariff increases, and neither did his councillor colleagues in Royston (including Councillors Hill and Green). He felt that the idea behind the MTFS was that there would not be huge tariff increases. However, as far as he was concerned CPI + 2% equated to a 5.1% rise, but it had been rounded up to 10p. For some tariffs, therefore, such as a rise from a 50p to a 60p charge, this was effectively a 20% increase.

The Executive Member for Community Engagement and Rural Affairs therefore considered that this unilateral increase across the District would not aid in the vitality of towns, as all the towns were different. He referred to the general decline of car parking in all of the District's towns, and so less people were visiting town centres. Income had held up to some small degree in Hitchin and Letchworth Garden City, but not so in Royston.

The Executive Member for Community Engagement and Rural Affairs considered that increase would drive people out of the town centres, and that it was evident that town centres were becoming service-led, with users not visiting a specific shop, but obtaining a service. He felt that users would not wish to pay the increased tariffs and would look to obtain the service out of town or on the edge of town.

The Executive Member for Community Engagement and Rural Affairs referred to the “free after 3pm” scheme information set out in Paragraph 11.3 of the report, and commented that the £13,000 loss of income figure stated was probably a guess, as there had been no estimate of usage at the time that the scheme was introduced.

The Executive Member for Community Engagement and Rural Affairs stated that the impact of the proposed tariff increases would not be apparent until at least six months’ time, but he foresaw a gradual decline in parking in the Royston car parks.

The Executive Member for Finance and IT accepted that the nature of town centres was changing, with the proliferation of service-led retailers. The Council had a MTFs which stated that fees and charges would be increased by CPI + 2%, although it had never been intended that every price level in every policy would be increased by this amount, and that this logic had never been applied to the parking charging policy.

The Executive Member for Policy, Transport and Green Issues drew attention to the fact that Royston, in common with Knebworth, had the lowest parking charges across the District. If charges were not increased in Royston, then they would have to be increased elsewhere, and there would no doubt be objections from the other towns that they were effectively subsidising Royston. The car park usage and income generation figures would be looked at going forward, and he hoped that the Executive Member for Community Engagement and Rural Affairs’ prediction of a reduction in usage would not be realised.

RESOLVED:

- (1) That the proposed off-street car park tariffs for 2018/19, as set out in Tables 1 to 5 of Appendix B of the report, be adopted;
- (2) That the proposed increase in season tickets prices of 5.1%, for 2018/19, as set out in Table 6 at Paragraph 9.2 of the report, be agreed for each of the Council’s long stay car parks in Hitchin, Letchworth Garden City and Royston;
- (3) That it be agreed not to increase the charges for resident permits, visitor permits, business permits or visitor tickets for resident permit zones for 2018/19; and
- (4) That the proposed tariff changes, as agreed in Resolutions (1) and (2) above, be implemented as soon as practicable, and that officers, in consultation with the Executive Member for Policy, Transport and Green Issues, proceed with the implementation as required.

REASON FOR DECISION: To effectively manage the use of the car parks in accordance with the Council’s Fees and Charges Policy as set out in its Medium Term Financial Strategy (MTFS).

105 DISTRICTWIDE SURVEY 2017 - KEY FINDINGS AND ACTIONS

The Cabinet Chairman presented a report of the Chief Executive in respect of the key findings and actions arising from the District Wide Survey 2017.

The Cabinet Chairman advised that the biennial District Wide Survey was one of the mechanisms for seeking the views of residents on a range of NHDC services and issues. The

2017 survey had been carried out by BMG, an independent research company commissioned by the Council. The survey was weighted by area, age, gender, working status and ethnicity to ensure that it was representative of the District's residents.

The Cabinet Chairman stated that the questions asked remained consistent with questions in previous surveys, in order to allow benchmarking from year to year. Comparison with previous years were made throughout the survey report. The results would be used by the Senior Management Team and Executive Members to inform future service delivery and service action plans. The figures and tables in the report were extracted directly from the BMG survey report.

The Cabinet Chairman commented that 95% of respondees were satisfied with North Hertfordshire as a place to live, and 63% of that 95% were very satisfied. This compared very favourably with the Local Government Association (LGA) national statistics. 75% of respondees had expressed satisfaction with the Council's performance.

The Cabinet Chairman explained that those residents who had expressed dissatisfaction had also been asked to indicate why they were dissatisfied. 19% felt that the Council should consult and listen more, reduce planning permissions, and to stop building houses. 16% had asked for improved communication.

The Cabinet Chairman drew attention to Paragraph 8.3.1 in the report, which showed how residents normally obtained information about the Council. The highest proportion obtained information from the NHDC website (59%), followed by local newspapers and the Council's Outlook magazine.

In considering the report, Cabinet considered that future reports should contain some LGA national benchmarking comparisons on resident satisfaction. It was further felt that there should be a review of some of the questions asked in the next survey.

The Cabinet Chairman referred to a minor amendment to replace the word "how" with "that" in Recommendation 2.2 of the report.

RESOLVED:

- (1) That the key findings and observations from the District Wide Survey 2017 be noted; and
- (2) That it be noted that the results will be used by the Senior Management Team, in conjunction with Executive Members, to inform the service planning process and to update relevant performance measures.

REASON FOR DECISION: To ensure that the Cabinet is aware of the results and any trends from the survey and previous surveys and how the results will be used to inform future service delivery.

106 GREEN SPACE MANAGEMENT STRATEGY

[Prior to the consideration of this item. Councillor Tony Hunter made a Declarable Interest, as he was personally involved in a business case for the retention of Betjeman Road and Farrier Court play areas in Royston. Following advice, he stated that he would remain in the meeting for the debate on the other items, and withdraw from the meeting immediately prior to the debate on the Royston items and vote on the report recommendations. Due to the uncertainty that this caused, Councillor Hunter was then advised during the item to leave the meeting for the ongoing debate and vote.*]

The Executive Member for Leisure presented a report of the Head of Leisure and Environmental Services in respect of an update on the future management and maintenance

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of facilities identified in the Green Space Management Strategy. The following appendices were submitted with the report:

Appendix A – Communication Plan;
Appendix B – Relevant committee discussions or decisions;
Appendix C – Play Area guide;
Appendix D – Timeline of actions; and
Appendix E – Impact Assessment.

The Executive Member for Leisure advised that over a year ago the Cabinet had reviewed the Council's Green Space Management Strategy, necessitated by the fact that the Council would be unable to sustain its green spaces to previous levels due to diminishing capital resources.

The Executive Member for Leisure stated that the hard decision taken had been to rationalise the play area and pavilion provision across the District. 13 play areas (out of 47) had been identified as having less use, and were earmarked for closure; and 4 pavilions were in a dangerous condition, requiring a significant capital investment were they to be retained, and hence had been identified for demolition.

The Executive Member for Leisure explained that, rather than implement these measures immediately, residents and other groups should be given until 1 March 2018 to work with officers to devise ways in which to take on the maintenance of these facilities, but not at the Council's expense. There had been some positive outcomes, as set out in the report, but not in all areas. She thanked the Parks and Countryside Manager for his work in engaging with residents and groups in order to seek a way forward for the facilities.

In respect of the pavilions, the Executive Member for Leisure commented that officers had met with 9 different groups who had expressed an interest in taking over various pavilions. One had put forward a business case to take on the Bakers Close, Baldock pavilion, and all other groups had withdrawn their interest. Further work would be required with the Bakers Close group, and hence it was recommended that a further 3 month extension of time be given to finalise the details. In the absence of similar plans for the other 3 pavilions, it was therefore recommended that these be demolished and reverted to green space.

In relation to play areas, the Executive Member for Leisure, over 130 individuals of community groups had been in contact expressing an interest. Notices were displayed in each of the affected play areas and a play area guide was produced. Potential sustainable solutions had been found to retain some of the 13 play areas earmarked for closure, at nil cost to the Council, as follows:

- the Great Ashby Community Council had agreed to provide funding for 3 play areas;
- a proposal to fund the Jackmans play area in Letchworth Garden City was put forward and then subsequently withdrawn;
- the proposed new housing development on the edge of Hitchin would mean there was a reasonable chance of a new play area being provided (and so the Rosehill play area would remain open up to April 2022 or earlier should the play area associated with the new development be provided before that date); and
- the Fairfield Crescent, Great Ashby play area would no longer be considered and managed as a formal play area, with the existing facilities being monitored and managed as part of the overall green space.

In respect of the other play areas, the Executive Member for Leisure stated that the report indicated that Ivel Road, Baldock, Dacre Road and Symonds Road Hitchin, and Jackmans Recreation Ground, Linnet Close and Oaktree Close, Letchworth would be closed, the equipment removed, and the areas returned to green space.

Following representations made at the Overview and Scrutiny Committee regarding usage of the Symonds Road, Hitchin play area and the comments made by Mrs Oliver under Public

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Participation earlier in the meeting in respect of the Linnet Close, Letchworth play area, the Executive Member for Leisure recommended that the Council allowed a period of up to three months to assess whether a business case could be developed with local community groups for retention of these play spaces. The Cabinet supported this recommendation.

*At this point in the proceedings, Councillor Hunter withdrew from the meeting for the remainder of this item.

With regard to Royston, the Executive Member for Leisure commented that, again, she was recommending that the Council allowed a period of time of up to three months for the confirmation of funding sources from third parties for the retention of the Betjeman Road and Farrier Court play areas. The Cabinet supported this recommendation.

RESOLVED:

- (1) That a three month period of time be given for the evaluation of the business case submitted by Templars Football Club for the football changing pavilion at Bakers Close, Baldock;
- (2) That, subject to the sustainability of the business case, the decision to enter into a lease with Templars Football Club or to demolish the building be delegated to the Head of Finance, Performance & Asset Management and the Head of Leisure & Environmental Services;
- (3) That the football changing rooms at St. Johns Road, Cadwell Lane and Walsworth Common, Hitchin be demolished and returned to green space;
- (4) That the Council enters into a contract with Great Ashby Community Council for them to fund the maintenance and replacement of equipment for the play areas at Chilterns, Cleveland Way and Merrick Close, Gt. Ashby;
- (5) That the Council continues to maintain the play equipment at Rosehill, Hitchin up to April 2022, or an earlier date if a new play area is provided in the locality by an independent provider, at nil cost to the Council. The existing Rosehill play area will then be decommissioned;
- (6) That for Betjeman Road and Farrier Court play areas Royston, the Council allows a period of time of up to three months for confirmation of funding sources from third parties; and for Symonds Road, Hitchin and Linnet Close, Letchworth, the Council allows a period of up to three months to assess whether a business case could be developed with local community groups;
- (7) That the equipment be removed from play areas at Ivel Road, Baldock, Dacre Road Hitchin, and Jackmans Recreation Ground and Oaktree Close, Letchworth. Sites to be landscaped as green space and, where appropriate, include elements of natural play such as grass mounds, logs and benches; and
- (8) That the play area at Fairfield Crescent, Great Ashby be no longer be considered and managed as a formal play area. The existing facilities will be monitored and managed as part of the overall green space.

REASON FOR DECISION: To enable the retention of the green space within the budgets available to the Council.

107 FUTURE MANAGEMENT OF HITCHIN MARKET

[Note: This item was considered both before and after Minute 110 below - the Part 2 item on the same matter.]

The Executive Member for Leisure presented the Part 1 report of the Deputy Chief Executive in respect of the Future Management of Hitchin Market.

The Executive Member for Leisure advised that the report was a follow up to the report to Council on 8 February 2018 regarding the Churchgate Centre and Hitchin Market. The report considered the future management arrangements for the market, as the existing contract with Hitchin Markets Limited ended on 31 July 2018.

The Executive Member for Leisure stated that the recommendations in the report were that the Cabinet deferred a decision on whether or not to manage Hitchin Market in-house until there was greater clarity on the deliverability of the proposals for the Churchgate Centre and Hitchin Market and further consideration had been given to the model for operating the market in-house; and that Deputy Chief Executive, in consultation with the Head of Leisure and Environmental Services, the Executive Member for Finance and IT and the Executive Member for Leisure, be authorised to agree with Hitchin Markets Limited the terms of an extension of their existing management contract in the short term.

The Executive Member for Leisure explained that, since the 8 February 2018 Council meeting, officers had met again with Hitchin Market Limited, underscored by the fact that both parties agreed that Hitchin should continue to benefit from a vibrant market. In the meantime, the Council had launched a survey, focussing on current use of the Churchgate Centre and market, what types of operator would be preferred, and whether or not the regeneration proposals were supported.

The Executive Member for Leisure advised that, since Hitchin Market Limited took over the running of the market contract, minimal investment had been made, due to the nature of the operating model. As part of the arrangements an annual payment of £24,000 had been made to the Council. She felt that, without transformative investment into the market, it was difficult to envisage how the current situation would improve.

The Executive Member for Leisure explained that the Association for Public Service Excellence had recently undertaken a questionnaire to seek Local Authorities' thoughts and experiences on insourcing. This demonstrated that Circa 73% had or were considering insourcing. When asked what were the main reasons for insourcing, the top four reasons given were:

- Need to improve efficiency and reduce service cost;
- Need to improve service quality;
- Austerity budgeting/need to reduce spend on external contracts; and
- Need to have a more flexible service.

The Executive Member for Leisure advised that the plan appended to the Council report had shown an indicative layout for the market stalls, but this was not intended to be cast in stone. There remained a number of key issues relating to an in-house management operation which needed to be further investigated before Cabinet could take a fully informed decision, and these were set out in Paragraph 8.3 of the report. Additionally, consideration could still be given to any alternative proposals put forward by Hitchin Market Limited.

The Executive Member for Finance and IT advised that the Council would have needed to look into the running of the market regardless of the regeneration proposals for Churchgate. However, he commented that the Council was not dissatisfied with the current arrangements.

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The Deputy Chief Executive confirmed that the Local Enterprise Partnership (LEP) Board met on 22 March 2018 to consider the Council's bid for funding towards the regeneration scheme, the outcome of which should be received by the end of March 2018.

RESOLVED:

- (1) That a decision on whether to manage Hitchin market in-house be deferred, until there is greater clarity on the deliverability of the proposals for the Churchgate Centre and Hitchin Market and further consideration has been given to the model for operating the market in-house; and
- (2) That the Deputy Chief Executive, in consultation with the Head of Leisure and Environmental Services, the Executive Member for Finance and IT and the Executive Member for Leisure, be authorised to agree with Hitchin Markets Ltd the terms of an extension of their existing management contract in the short term.

REASON FOR DECISION: To await greater clarity on the deliverability of the proposals for the Churchgate Centre and Hitchin Market and further consideration has been given to the model for operating the market in-house.

108 PROPOSED CREMATORIUM AT WILBURY HILLS - PROGRESS UPDATE

[Note: This item was considered both before and after Minute 111 below - the Part 2 item on the same matter.]

The Executive Member for Waste Management, Recycling and Environment presented the Part 1 report of the Head of Leisure and Environmental Services in respect of the proposed Crematorium at Wilbury Hills, Letchworth Garden City.

The Executive Member for Waste Management, Recycling and Environment advised that set out in the report was the Heads of Terms of the lease for the prospective tenant of the proposed Crematorium. The report had been considered by the Overview and Scrutiny Committee, and no recommendations were made in addition to those contained in the report.

The Executive Member for Waste Management, Recycling and Environment was mindful of the timescales for completion of the development, and it was therefore encouraging that the prospective tenant wished to proceed swiftly. It was envisaged that it would take 13 weeks to secure outline planning permission from the Council and Central Bedfordshire Council, following which the tenant would take over the development of the crematorium, including its costs and its risks. This would include obtaining detailed planning permission and progressing the construction works through to practical completion. Once the crematorium was in operation, the Council would receive a percentage of the turnover and receive an income from ground rent.

The Executive Member for Waste Management, Recycling and Environment stated that the prospective tenant had already provided an indicative timetable, which showed that completion should take place at the end of 2020, dependent on any legal challenge to either the outline or detailed planning permissions.

The Executive Member for Waste Management, Recycling and Environment explained that the prospective tenant had a Board meeting in the near future, and it had been indicated that the proposal would be approved should Cabinet agree to the recommendations in the report.

The Executive Member for Waste Management, Recycling and Environment commented that on only had to look at the scale of the proposed additional housing for North Hertfordshire and Central Bedfordshire to appreciate the need for a new crematorium. This was also borne out by research undertaken by the Council, Central Bedfordshire Council and the prospective new tenant.

RESOLVED:

- (1) That progress made to date be noted, and the heads of terms for the proposed lease, option agreement and agreement for lease, as set out in Section 8 of this report and Section 8 of the Part 2 report, be approved; and
- (2) That the Head of Leisure and Environmental Services, in consultation with the Council's Contracts Lawyer and Head of Finance, Performance and Asset Management, be authorised to:
 - complete the option agreement to reflect the heads of terms in the report; and
 - complete the agreement for lease and the lease in due course, in the event that the prospective tenant exercises the option.

REASON FOR DECISION: To progress the development of a Crematorium at Wilbury Hills, Letchworth Garden City.

109 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A of the said Act (as amended).

110 FUTURE MANAGEMENT OF HITCHIN MARKET

[Note: this item was considered after Minute 107, but before a decision was made on the matter in Part 1 of the meeting.]

The Executive Member for Leisure presented the Part 2 report of the Deputy Chief Executive in respect of the Future Management of Hitchin Market. The following appendices were submitted with the report:

Appendix A – Hitchin Markets Ltd finances; and
Appendix B – Draft costs of Council in-house operation.

RESOLVED: That the contents of the report be noted.

REASON FOR DECISION: To consider commercially sensitive information to inform the decision making on proposals for the future management of Hitchin Market.

111 PROPOSED CREMATORIUM AT WILBURY HILLS - PROGRESS UPDATE

[Note: this item was considered after Minute 108, but before a decision was made on the matter in Part 1 of the meeting.]

The Executive Member for Waste Management, Recycling and Environment presented the Part 2 report of the Head of Leisure and Environmental Services in respect of the proposed Crematorium at Wilbury Hills, Letchworth Garden City.

RESOLVED: That the contents of the report be noted.

REASON FOR DECISION: To ensure that the Cabinet is made aware of the commercially sensitive in respect of the proposed Crematorium at Wilbury Hills, Letchworth Garden City.

112 **OPTIONS FOR HOUSING INVESTMENT COMPANY**

[Note: this item was considered after Minute 96, but before a decision was made on the matter in Part 1 of the meeting.]

The Cabinet considered the Part 2 report of the Deputy Chief Executive which had been previously considered by the Cabinet Sub-Committee (Local Authority Trading Companies' Shareholder) at its meeting held on 15 March 2018 in respect of Options for a Housing Investment Company. The following appendices were submitted with the report:

Appendix A – Outline Business Case and Addendum; and
Appendix B – Initial Assessment of Potential Development Sites.

RESOLVED: That the contents of the report be noted.

REASON FOR DECISION: To consider commercially sensitive information to inform the decision making on proposals for a housing investment company.

The meeting closed at 10.57 pm

Chairman