

NORTH HERTFORDSHIRE DISTRICT COUNCIL

DECISION SHEET

Meeting of the Cabinet held in the Council Chamber, Council Offices,
Gernon Road, Letchworth Garden City
on Tuesday, 25th September, 2018 at 7.30 pm

1 APOLOGIES FOR ABSENCE

Audio Recording – Start of Item – Session 1 - 1 minute 27 seconds

Apologies for absence were received from Councillor Julian Cunningham.

2 MINUTES - 31 JULY 2018

Audio Recording – Start of Item – Session 1 - 1 minute 37 seconds

RESOLVED:

- (1) That, subject to the amendment to Minute 25 below, the Minutes of the Meeting of the Committee held on 31 July 2018 be approved as a true record of the proceedings and be signed by the Chairman;
- (2) That the following wording be added to Minute 25 – First Quarter Revenue Monitoring 2018/19, Paragraph 8.1, Bullet Point 4, Second Paragraph:

“The Garden Waste Service was still a subsidised service.”

3 NOTIFICATION OF OTHER BUSINESS

Audio Recording – Start of Item – Session 1 - 3 minutes 7 seconds

There was no other business notified.

4 CHAIRMAN'S ANNOUNCEMENTS

Audio Recording – Start of Item – Session 1 - 3 minutes 15 seconds

- (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.
- (2) The Chairman announced that, in accordance with Council policy this meeting was being audio recorded;
- (3) 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. Members declaring a Declarable Interest wishing to exercise a “Councillor Speaking Right” must declare this at the same time as the Interest;
- (4) 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.

- (5) The Chairman advised that she was amending the order of the agenda as follows:
- Items 1-10 would be as per the agenda;
 - Item 12 would be taken next;
 - Item 15 (Part 2 item) would then be considered;
 - Immediately following this the meeting would return to Part 1 in order to make the decisions regarding Items 12 and 15;
 - This would be followed by Items 11 and 14.

5 PUBLIC PARTICIPATION

Audio Recording – Start of Item – Session 1 - 5 minutes 6 seconds

Councillor David Levett Declared a Disclosable Interest in that he was a Board Member of Letchworth Business Improvement District and had been involved in the preparation of the documents due to be considered late on the agenda. He stated that he believed it was in order for him to listen to the presentation, however he would leave the room for the duration of the Item regarding the Hitchin and Letchworth Business Improvement Districts (BIDs) Renewal (Minute 41 refers).

Hitchin BID Renewal

Mr Tom Hardy, Hitchin BID Manager, thanked the Chairman for the opportunity to address Cabinet in respect of the Hitchin Business Improvement District (BID) Renewal.

The Chairman thanked Mr Hardy for his presentation.

Letchworth (BID) Renewal

Mrs Patricia Saunders, Letchworth BID Manager and the representative from Partnership for Better Business, thanked the Chairman for the opportunity to address Cabinet in respect of the Letchworth Business Improvement District (BID) Renewal.

The Chairman thanked Mrs Saunders and the representative from Partnership for Better Business for their presentation.

6 6A - ITEM REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEE: 18 SEPTEMBER 2018 - INFORMATION NOTE: MOBILISATION OF WASTE, RECYCLING AND STREET CLEANSING CONTRACT

Audio Recording – Start of Item – Session 1 - 17 minutes 5 seconds

RESOLVED:

- (1) That all efforts be made to ensure that staff resources within NHDC are sufficient to meet the needs of the service;
- (2) That a plan demonstrating the actions to be taken in order to bring the Waste and Recycling Service to a “business as usual” status be published and communicated publicly;
- (3) That it be confirmed that a Business Continuity Plan is in place.

REASON FOR DECISION: To consider recommendations from the Overview and Scrutiny Committee regarding the Mobilisation of the Waste, Recycling and Street Cleansing Contract.

7 **6B - ITEM REFERRED FROM LETCHWORTH COMMITTEE: 19 SEPTEMBER 2018 - TRANSFER OF LETCHWORTH GARDEN CITY MUSEUM COLLECTIONS FROM NORTH HERTFORDSHIRE DISTRICT COUNCIL (NHDC) MUSEUM SERVICE TO THE LETCHWORTH GARDEN CITY HERITAGE FOUNDATION (LGCHF) GARDEN CITY COLLECTION**

Audio Recording – Start of Item – Session 1 - 21 minutes 45 seconds

RESOLVED: That consideration of this referral takes place in conjunction with agenda item number 10 (see Minute 44 below).

8 **6C - ITEM REFERRED FROM FINANCE, AUDIT AND RISK COMMITTEE: 24 SEPTEMBER 2018 - RISK MANAGEMENT**

Audio Recording – Start of Item – Session 1 - 22 minutes 1 second

RESOLVED:

- (1) That the Office Accommodation (TR51) risk be deleted;
- (2) That the new Waste parent risk (RRNEW1) be created, with a score of 9;
- (3) That nine Waste sub-risks (RR287, RR424, RR455, TR59, TR59.001, TR59.002, TR59.004, TR59.005 and TR59.006) be deleted;
- (4) That the Waste sub-risk for Sale of Recyclable Materials (TR59.007) be amended, to include an increase in the risk score from a 8 to a 9;
- (5) That the new Waste sub-risk for Route Optimisation of Collection Rounds (RRNEW2) be created, with a score of 7;
- (6) That in order to enable the Finance, Audit and Risk Committee and Cabinet to monitor the effective development and operation of risk management, all future reports and discussions regarding all Corporate risks should include more detail of ongoing work associated so that any the detail of any mitigation can be taken in to account when assessing risk.

REASON FOR DECISION: To enable Cabinet to undertake its responsibilities regarding the management of the risks and monitoring the effective development and operation of risk management.

9 **HITCHIN AND LETCHWORTH BUSINESS IMPROVEMENT DISTRICTS (BIDs) RENEWAL**

Audio Recording – Start of Item – Session 1 - 30 minutes 57 seconds

Prior to the item being discussed Councillor David Levett declared a Disclosable Pecuniary Interest as he was the Council's representative on the Letchworth BID Board and had been involved in the preparation of the documents regarding the Letchworth BID renewal being considered by Cabinet. His business would also be providing space for the board to meet and for the AGM. He advised that he would leave the room for the duration of the item.

RESOLVED;

- (1) That any further decisions be delegated to the Leader of the Council, in consultation with officers from relevant NHDC services on instruction to hold the BID ballots (including confirmation of any conflict of the BID Proposals with the Council's adopted policies, and upon receipt of the finalised BID Proposals, instructing the Returning Officer to hold the BID ballots);
- (2) That the Service Director – Customers be authorised to cast the Council's votes in the BID ballots in favour of acceptance.

REASON FOR RECOMMENDATIONS: The Council is under a legal duty to comply with the BID arrangements under section 44 of the Local Government Act 2003 ("the Act"). This includes compliance with the Act and The Business Improvement Districts (England) Regulations 2004 (as amended) ("the Regulations") in respect of receipt of any BID renewal.

Councillor Levett returned to the meeting.

10 STRATEGIC PLANNING MATTERS

Audio Recording – Start of Item – Session 1 - 46 minutes 19 seconds

RESOLVED:

- (1) That the report on Strategic Planning Matters be noted;
- (2) That the submissions in Appendix A and Appendix C 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.

11 COUNCIL TAX REDUCTION SCHEME 2018/2019

Audio Recording – Start of Item – Session 1 - 55 minutes 28 seconds

RESOLVED:

- (1) That the Council Tax Reduction Scheme position relating to this and previous financial years be noted;
- (2) That if it becomes possible that there is scope to amend the standard percentage reduction, this is considered by Cabinet at its meeting on 18 December 2018.

RECOMMENDED TO COUNCIL: That there be no changes to the Council Tax Reduction Scheme for 2019/2020;

REASONS FOR RECOMMENDATIONS: To enable Cabinet to consider the Council Tax Reduction Scheme for 2019/2020 prior to making a final recommendation to Council.

12 TRANSFER OF LETCHWORTH GARDEN CITY MUSEUM COLLECTIONS FROM NORTH HERTFORDSHIRE DISTRICT COUNCIL (NHDC) MUSEUM SERVICE TO THE LETCHWORTH GARDEN CITY HERITAGE FOUNDATION (LGCHF) GARDEN CITY COLLECTION

Audio Recording – Start of Item – Session 1 - 1 hour 0 minutes 19 seconds

RESOLVED:

- (1) That the transfer of the museum collections relating to Letchworth Garden City, which are currently on loan to the Garden City Collection which is part of the Letchworth Garden City Heritage Foundation be approved;
- (2) That Cabinet approve the use of the Delegation of Authority (under the constitution, section 14.6.7 (a) (iii) and 14.6.7 (b) (v)) by the Service Director – Commercial to make the required arrangements for a formal transfer document to be drafted between North Hertfordshire District Council and the Letchworth Garden City Heritage Foundation.

REASON FOR DECISION: To ensure that the museum collections relating to the First Garden City, currently on loan to the Garden City Collection, remain under one ownership in museum conditions in Letchworth Garden City.

13 FUTURE OF TOWN LODGE SITE

Audio Recording – Start of Item – Session 2 - 1 hour 0 minutes 19 seconds

RESOLVED: That the contents of this report and the proposals for the future of the Town Lodge site be noted.

REASONS FOR DECISIONS:

- (1) To release surplus property to raise a capital receipt;
- (2) To help regenerate Letchworth town centre;
- (3) To work with Letchworth Garden City Heritage Foundation to maximise the reuse of a mixed ownership site.

14 NORTH HERTFORDSHIRE MUSEUM AND HITCHIN TOWN HALL: ACQUISITION OF 14/15 BRAND STREET

Audio Recording – Start of Item – Session 1 - 1 hour 9 minutes 40 seconds

Prior to the item being discussed Councillor Bernard Lovewell declared a declarable interest in that he was a member of the Cabinet Sub-Committee (Council Charities). He would follow the legal advice given in the past and leave the room for the duration of the debate and vote for both the Part 1 and Part two items on the agenda regarding this issue.

Prior to the item being discussed Councillor Michael Weeks declared a declarable interest in that he was a member of the Cabinet Sub-Committee (Council Charities). He would follow the legal advice given in the past and leave the room for the duration of the debate and vote for both the Part 1 and Part two items on the agenda regarding this issue.

RESOLVED:

- (1) That the content of the report be noted;

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- (2) That the Settlement Agreement appended to the Part 2 report, as Appendix B, will be provided as a final offer to HTHL/HTHF. HTHL would be required to fully accept the Settlement Agreement by holding an Extraordinary General Meeting (EGM) by the 31 October 2018. Subject to agreement in principle and HTHL having set a date for their EGM, a date would then be arranged for mid-November for an extraordinary Cabinet meeting and a Cabinet Sub-Committee (Council Charities) meeting to consider the final Settlement Agreement.
- (3) That in the event that:
- HTHL/HTHF do not agree to the Settlement Agreement; or
 - HTHL does not agree to take the Settlement Agreement to an EGM by the 31 October 2018; or
 - the Settlement Agreement is not approved at an EGM of HTHL by 31 October 2018;

the Settlement Agreement and current Purchase Price offer will be withdrawn by the Council. A date for an extraordinary meeting of Full Council will be set to consider the use of Compulsory Purchase powers in relation to 14/15 Brand Street as soon as possible.

REASON FOR DECISION: To avoid any further extension to the period of negotiation. If required to move to the use of Compulsory Purchase powers as quickly as possible. All with the ultimate aim of being able to fully open the District Museum and Hitchin Town Hall as soon as possible, whilst still protecting the interests of the Council.

Councillors Lovewell and Weeks returned to the room.

15 EXCLUSION OF PRESS AND PUBLIC

Audio Recoding – Start of Item – 1 hour 18 minutes 47 seconds

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves 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).

16 FUTURE OF TOWN LODGE SITE

RESOLVED:

- (1) That Cabinet supports the principle of the proposed redevelopment and authorises officers to continue negotiations to dispose of the Town Lodge site for the purpose of development and that those negotiations are conducted jointly with Letchworth Garden City Heritage Foundation;
- (2) That authority be delegated to the Deputy Chief Executive in consultation with the Executive Member for Finance & IT and the Service Director Commercial and the Service Director Resources to negotiate, agree terms and dispose the Town Lodge site;
- (3) That should residential development proceed on part of the Town Lodge site, including adjoining properties, authority be delegated to the Deputy Chief Executive in consultation with the Executive Member for Finance & IT and the Service Director Commercial to enter into a non-binding option with the developer to purchase the residential property, subject to the value of the option not exceeding Cabinet's limit of £2.5m;

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- (4) That Cabinet notes that the decision on whether or not to exercise the option at 2.3 will be subject to completion of a business case and further decision in due course.

REASON FOR DECISION:

- (1) To release surplus property to raise a capital receipt;
- (2) To help regenerate Letchworth town centre'
- (3) To work with Letchworth Garden City Heritage Foundation to maximise the reuse of a mixed ownership site.

17 NORTH HERTFORDSHIRE MUSEUM AND HITCHIN TOWN HALL: ACQUISITION OF 14/15 BRAND STREET

This item was discussed following presentation of the Part 1 report, but prior to the debate and vote of Item 12 (Minute 46 refers)

Having declared a declarable interest under Item 12 (Minute 46 refers), Councillor Lovewell remained out of the room for the entire duration this item.

Having declared a declarable interest under Item 12 (Minute 46 refers), Councillor Weeks remained out of the room for the entire duration this item.

RESOLVED: That the report entitled North Hertfordshire Museum and Hitchin Town Hall: Acquisition of 14/15 Brand Street be noted.

REASON FOR DECISION:

- (1) To enable the Council to complete the development of the North Hertfordshire Museum/Hitchin Town Hall project as intended by Council and operate the facility for the benefit of the local community;
- (2) To protect the Council's interests and obtain best return from the Council's existing investment and to secure projected income from the facility to offset some of the operational and fixed costs.