

NORTH HERTFORDSHIRE DISTRICT COUNCIL

CABINET

**MEETING HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES,
GERNON ROAD, LETCHWORTH GARDEN CITY
ON TUESDAY, 25TH SEPTEMBER, 2018 AT 7.30 PM**

MINUTES

Present: *Councillors Lynda Needham (Chairman), David Barnard, Tony Hunter, David Levett, Bernard Lovewell and Michael Weeks*

In Attendance: *Anthony Roche (Deputy Chief Executive), Ian Couper (Service Director - Resources), James Ellis (Legal Advisor), Louise Symes (Strategic Planning and Projects Manager), David Charlton (Senior Estates Surveyor), Stuart Izzard (Communities Manager), Ros Allwood and Hilary Dineen (Acting Committee and Member Services Manager)*

Also Present: *At the commencement of the meeting Councillors Judi Billing and Elizabeth Dennis-Harburg and one member of the public..*

33 APOLOGIES FOR ABSENCE

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

Apologies for absence were received from Councillor Julian Cunningham.

34 MINUTES - 31 JULY 2018

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

Minute 25 - First Quarter Revenue Monitoring 2018/19

The Executive Member for Community Engagement and Rural Affairs referred to Paragraph 8.1, bullet point 4 and proposed that the statement made by the Executive Member for Finance and IT that the Garden Waste Service was still a subsidised service, be included.

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.”

35 NOTIFICATION OF OTHER BUSINESS

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

There was no other business notified.

36 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.

37 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 as follows:

- The BID renewal had to include all businesses and every business had been consulted;
- Opinions and ideas of those businesses had been gathered through surveys, workshops and the newly created BID renewal group;
- A 5-year Business Plan had been developed;
- Many of the activities and events already provided by the BID had been retained;
- There were four key elements to the Business Plan:
 - VIBRANT – Keeping the town a vibrant place to visit by providing floral displays, Christmas lights, events and promotions;
 - PROMOTING THE TOWN – Developing a tourism strategy and promoting the town to a wider area

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CLEAN AND SAFE – Considering how to provide additional methods of cleaning the town and ensuring that the night time economy is kept safe by use of night time security and day time Rangers.

SAVE AND SUPPORT – Considering mass procurement initiatives and being a voice for the businesses in the town.

- There had been a small extension to the BID area.

Mr Hardy concluded by thanking the Council for the support over the last 5 years and the ongoing support provided through the renewal process.

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 as follows:

- Business in Letchworth voted in favour of setting up the Letchworth BID in October 2013;
- Reasons for setting up the BID included having a cohesive voice, a lack of activities for the public and a dependency on NHDC and Letchworth Garden City Heritage Foundation;
- The BID had now established a respected events programme which generated additional footfall and repeat visits, generated commercial revenue from events and helped improve access and signage into and around the town.
- The BID provided training for businesses, introduced network events, customer service excellence award schemes and promoted businesses to a wider audience;
- The public facing brand “Love Letchworth” had been developed and now not only promoted businesses but promoted charitable activities and initiatives and was the place that people actively turned to find out what was happening in the town centre;
- The amount of traffic on the Love Letchworth social media sites demonstrated how vibrant the town is and how much pride people had in the town.

The representative from Partnership for Better Business informed Members that:

- The new Business Plan and BID proposal had started by reviewing what the current BID had achieved;
- They were grateful for the support provided by NHDC throughout the process, in particular the support provided by Councillor David Levett;
- An essential part of the process was to ensure that all the businesses had an opportunity to contribute to the development of the Business Plan;
- All business had received a 4-page survey as well as ebulletins and newsletters and many had received a personal visit to discuss the BID;
- There have been a number of events to which businesses were invited including the launch event, vision, objective and budget workshops;
- Overarching strategies such as NHDC’s Economic Development Strategy had been taken account of in order to ensure that the Business Plan complimented and supported them;
- Objectives 1 and 2 of the Business Plan took account of and supported NHDC’s Economic Development Strategy;
- Objectives 1 and 4 of the Strategy were particularly important as it recognised that investment was necessary to ensure that Town Centre are competitive and attractive for modern day use, which in turn increased vitality and made them desirable places to be;
- The Strategy also aimed to strengthen links between NHDC and the business in Letchworth;
- The new BID proposal also took account of and complimented the new Local Plan 2016 – 2031, in particular SP4 regarding the vitality and viability of all town centres;

- The approach to the Business Plan had been to take into account the uncertain times and economic challenges faced by towns.

He concluded by stating that the only way of creating an economically stable and vibrant place with a sense of community was for everyone to work together collaboratively. A successful BID could not work on its own and need to work with stakeholders including NHDC, Letchworth Garden City Heritage Foundation and the County Council. He asked that the Cabinet accept and support the Letchworth BID proposal.

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

38 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

The Chairman of the Overview and Scrutiny Committee presented the following referral from that Committee, made at its meeting held on 18 September 2018, in respect of the Mobilisation of Waste, Recycling and Street Cleansing Contract.

The referral had been tabled together with the following documents:

- Information Note: Mobilisation of Waste, Recycling and Street Cleansing Contract;
- Appendix A - Questions Raised During June Overview & Scrutiny Committee;
- Appendix B - Call Handling Statistics;
- Appendix C - Performance Management Regime ;
- Appendix D - Formal Complaints Waste and Recycling Services.

“RECOMMENDED TO CABINET:

- (1) That all efforts are 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 Cabinet confirm that a contingency plan detailing what will happen should the current contract continue to underperform is in place;”

The Executive Member for Waste Management, Recycling and Environment responded to the recommendations of the Overview and Scrutiny Committee and it was:

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.

39 **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).

40 **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

The Chairman of the Finance, Audit and Risk Committee presented the following referral from that Committee, made at its meeting held on 24 September 2018, in respect of Risk Management.

The referral had been tabled together with the following documents:

- Report entitled Risk Management Update;
- Appendix A – Table of Risks.

“RECOMMENDED TO CABINET:

- (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 an 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.”

The Leader of the Council responded to the recommendations of the Finance, Audit and Risk Committee and it was:

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.

41 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.

The Leader of the Council presented the report of the Communities Manager in respect of the Hitchin and Letchworth Business Improvement Districts (BIDs) Renewal. The following appendices were submitted with the report:

- Appendix A – Hitchin BID Renewal Business Plan 2019 – 2024
- Appendix B – Letchworth BID Renewal Proposal & Business Plan 2019 - 2024

The Leader of the Council advised that Cabinet was being asked for their endorsement to progress the renewal ballots for the Business Improvement Districts for Hitchin and Letchworth.

The Communities Manager advised that the following corrections should be made to the report:

Paragraph 6.1

The date should read:

“10 July 2018”

Paragraph 7.3

This should read:

“In NHDC the past process of consideration of the BID proposals and instruction to hold a renewal ballot has been through Cabinet.”

Paragraph 8.7

The first sentence of the last paragraph should read:

“Any last minute sealed votes not posted to UK Engage by 5 December 2018 can be handed in at the Council Offices, North Hertfordshire District Council, Gernon Road, Letchworth Garden City, Herts SG6 3JF up until 5.00pm on Wednesday 5 December 2018.”

The Communities Manager drew attention to the recommendations at Paragraph 2 of the report and informed Members of the following:

- If the ballots were successful the BIDs would be renewed on 1 April 2019;
- This was the third ballot for Hitchin and the second ballot for Letchworth;
- The Authority had sought an external body, Engage UK, to undertake the ballot process;

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- Paragraph 8.6 of the report gave details of the amount that would be charged for each levy;
- Monies raised by the BID levy would be used by the BIDs to meet the objectives detached in each proposal;
- Paragraph 10.4 of the report gave details of the amount that NHDC would pay as a BID levy in each area;
- Paragraph 8.7 of the report laid out the timetable for BID renewal;
- The Council had good working relationships with all of the BIDs and the BID Managers;
- NHDC was the only District in the Country to have three BID areas and were held up as an example of how to support BIDS.

In respect of the third BID area in the District, a report would be submitted to Cabinet on 18 December 2018 to consider renewal, with the BID ballot planned for early 2019 and commencement from 1 April 2019.

The Communities Manager responded to a number of questions from Members

Following a vote it was:

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.

42 STRATEGIC PLANNING MATTERS

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

The Executive Member for Planning, Enterprise and Transport presented a report of the Service Director – Regulatory informing Members of the current position regarding other Local Plans, North Hertfordshire Local Plan, Neighbourhood Plans, Government announcements and Strategic Planning. The following appendices were submitted with the report:

- Appendix A – Uttlesford Local Plan consultation response;
- Appendix B – Letter from the Secretary of State regarding East Herts Local Plan;
- Appendix C – London Luton Airport consultation response.

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

Other Local Plans and Examinations

- South Cambridgeshire
This will be considered by South Cambridgeshire Council for adoption on 27 September 2018.
- East Hertfordshire District Council

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The Secretary of State issued a holding order following an intervention by one of the MPs. The Plan remains on hold with no further updates available.

- Stevenage
The Secretary of State issued a holding order following an intervention by one of the MPs. The Plan remains on hold with no further updates available.
- Uttlesford
A copy of NHDC's response to the consultation regarding the Uttlesford Local Plan was provided at Appendix C.

North Hertfordshire Local Plan

- No information has yet been received from the Inspector.

Neighbourhood Plans

- An Examiner had now been appointed for Wymondley Parish Council and all documentation has been sent to that examiner for review.
- Early indications from the Examiner were that she may hold an exploratory meeting prior to stating the examination, although a date for this meeting had not yet been set.

Government announcements

- Revised National Planning Policy Framework
The revised National Planning Policy Framework was published on 23 July 2018 and took immediate effect;
There had not yet been an opportunity to fully review the new NPPF, but this would be done and key points would be circulated to Planning Control Committee Members;
The NHDC Local Plan was being judged on the NPPF in force at the time of submission rather than the new version.

Strategic Planning

- Luton Airport
NHDC's response to the non statutory consultation was provided at Appendix C.
This was a comprehensive response which had been developed collaboratively between all responsible Officers, who had kept their Executive Members informed. It also included points that have also been raised by other Councils in the area.
The results of this consultation and details of next steps were awaited.
This was a National Infrastructure Project and, as such, would be determined by the Planning Inspectorate.

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

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.

43 COUNCIL TAX REDUCTION SCHEME 2018/2019

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

The Leader of the Council presented the report of the Service Director – Customers in respect of the Council Tax Reduction Scheme 2018/2019.

The Leader of the Council advised that the Scheme was virtually unchanged from that of last Civic Year and drew attention to the following:

- Paragraph 8.8 outlined the current maximum levels that Council Tax could be increased without triggering a local referendum.
- More detailed information would be available in December and the Scheme would be considered again by Cabinet at that time.
- The recommended amount of reduction was 25 percent.
- The decline in the number of claimants continued, but the rate of decline was slower than in previous years.
- Paragraph 8.14 detailed that the amount to be distributed to Parish, Town & Community Councils is proposed to be maintained at £38,885 and explained the reasons for this.

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.

44 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

The Leader of the Council reminded Cabinet that Letchworth Committee had made the following referral, made at its meeting held on 19 September 2018, in respect of the 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 (Minute 39 refers):

“RECOMMENDED TO CABINET: That the Letchworth Committee was unanimously in support of the proposal to transfer the Letchworth Garden City Museum Collections to Letchworth Garden City Heritage Foundation Garden City Collection.”

The Leader of the Council presented the report of the Cultural Services Manager in respect of the 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

The Leader of the Council advised that the LGHF, and its predecessors, had been custodians of this collection since 1984.

The Council had made clear that the collection would not be permanently transferred to LGHF until the museum had achieved accreditation.

Following a number of years work, the museum had now gained accreditation and have met the requirement of the Council for the transfer to take place.

The Cultural Services Manager advised that in the past it was normal for museums to permanently loan items to another museum however this was no longer considered good practice by Arts Council England.

The North Hertfordshire Museum did not have the resources or capacity to look after this collection but felt it was important that the items remained in Letchworth Garden City.

In response to a question the Cultural Services Manager advised that, although the Garden City Collection was not open as a traditional museum, it was accredited as a museum and ran regular tours.

Following debate it was:

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.

45 FUTURE OF TOWN LODGE SITE

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

The Leader of the Council introduced the report of the Deputy Chief Executive in respect of the Future of Town Lodge Site. The following appendix was submitted with the report:

- Appendix A - Site Plan.

The Leader advised that the report considered the future of Town Lodge, Letchworth now that the Council had vacated the building after its temporary use during the refurbishment of the District Council Offices.

The Deputy Chief Executive reminded Members that Town Lodge had been declared as surplus by Cabinet on 22 March 2011, although any plans for disposal had been postponed due to its use during the refurbishments of the District Council Offices.

Consideration had been given to the future of Town Lodge and other adjacent land and buildings, different parts of which were owned by three different organisations.

The proposals considered using Town Lodge and part, but not all, of the adjacent building for an alternate use.

In response to a question the Senior Estates Surveyor advised that the plan identified the proposed development site which included not only land owned by North Herts District Council but also land owned by the Letchworth Garden City Heritage Foundation.

At this point the meeting moved into Part 2 discussions (Minute 48 refers).

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.

46 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.

The Deputy Chief Executive presented the report, and addendum report, in respect of North Hertfordshire Museum and Hitchin Town Hall: Acquisition of 14/15 Brand Street.

The Deputy Chief Executive explained that the original report had been written prior to a response being received from Hitchin Town Hall Limited and therefore contained a number of scenarios. A response had since been received and the addendum report reflected that.

He gave a brief outline of the background of the discussions between NHDC, Hitchin Town Hall Limited and Hitchin Town Hall Finance Limited and reminded Members of the decision made by Cabinet at the meeting held on 19th June 2018, when a deadline of 31st July 2018 was set for an agreed purchase to be concluded by.

The detail of the agreement would be discussed in Part 2, however it should be noted that, although there were points of agreement, there were also areas that were not agreed and others that had previously been agreed that HTH Ltd no longer agreed with and items that HTH Ltd have sought to add.

Members expressed disappointment that HTH Ltd were still seeking to add clauses to the proposed settlement agreement and to attach conditions to the Town Hall when the proposed transaction was solely about 14/15 Brand Street

At this point the meeting moved into Part 2 discussions (Minute 49 refers).

Following the Part 2 discussions the meeting moved back into Part 1.

Audio Recording – Session 2 – 12 seconds

The Deputy Chief Executive clarified that the recommendations contained in the addendum report were those to be considered.

The date quoted for the HTH Ltd EGM of 30 October 2018 was the date indicated by HTH Ltd that this meeting could take place, although there was no commitment from them, at this time,

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to meet on that date. The indication of a potential meeting date had led to the timescales proposed in the recommendations.

The Executive Member for Community Engagement and Rural Affairs praised Officers and Mr Fergus from the East of England LGA for their hard work in getting to this point and again expressed disappointment that HTH continued to seek amendments to the settlement agreement.

Members of Cabinet agreed that the document presented at Appendix B to the Part 2 report was a fair settlement agreement that should be presented to HTH Ltd and HTF Ltd as a final offer and it was:

RESOLVED:

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

47 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).

48 FUTURE OF TOWN LODGE SITE

The Deputy Chief Executive presented the report in respect of the Future of Town Lodge Site. The following appendices were submitted with the reports:

- Appendix A – Land Registry Freehold Ownership Plan;
- Appendix B - Proposal for Mixed Use Redevelopment Offices and Residential;
- Appendix C - Draft Heads of Terms.

Following detailed debate it was

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;
- (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.

49 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.

The Deputy Chief Executive presented the report, and addendum report, in respect of North Hertfordshire Museum and Hitchin Town Hall: Acquisition of 14/15 Brand Street. The following appendices were submitted with the reports:

- Addendum - Appendix A
- Addendum - Appendix B

Following detailed debate it was

Tuesday, 25th September, 2018

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.

The meeting closed at 9.20 pm

Chairman