

# NORTH HERTFORDSHIRE DISTRICT COUNCIL

## DECISION SHEET

Meeting of the Cabinet held in the Council Chamber, District Council Offices, Gernon Road,  
Letchworth, Herts, SG6 3JF  
on Tuesday, 14th January, 2025 at 7.30 pm

### 1 APOLOGIES FOR ABSENCE

There were no apologies for absence received.

### 2 MINUTES - 19 NOVEMBER AND 26 NOVEMBER 2024

**RESOLVED:** That the Minutes of the Meeting of the Committee held on 19 November 2024 and 26 November 2024 be approved as a true record of the proceedings and be signed by the Chair.

### 3 NOTIFICATION OF OTHER BUSINESS

There was no other business notified.

### 4 CHAIR'S ANNOUNCEMENTS

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be recorded.
- (2) The Chair reminded Members that the Council had declared both a Climate Emergency and an Ecological Emergency. These are serious decisions, and mean that, as this was an emergency, all of us, Officers and Members had that in mind as we carried out our various roles and tasks for the benefit of our District.
- (3) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and 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.
- (4) The Chair advised for the purposes of clarification that 4.8.23(a) of the Constitution did not apply to this meeting.
- (5) The Chair advised of a change in the order of the agenda. Agenda Item 17 would be considered after Agenda Item 21.
- (6) The Chair advised that a supplementary document had been published for Agenda Item 21, 'Decarbonisation of Leisure Centres Update', with a cover report which superseded the cover report in the main agenda pack.

### 5 PUBLIC PARTICIPATION

There was no public participation at the meeting.

### 6 ITEMS REFERRED FROM OTHER COMMITTEES

The Chair advised that the items referred from the Overview and Scrutiny Committee and the Finance Audit and Risk Committee would be taken with the respective items on the agenda.

**7 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the said Act (as amended).

**8 LEISURE AND ACTIVE COMMUNITIES AGENCY MODEL - PART 2**

**RESOLVED:** That Cabinet:

- (1) Agreed in principle to entering into an Agency Agreement with SLM (Everyone Active) for the operation of our leisure facilities and varying the Contract in accordance with the external Part 2 Appendix C legal advice and Part 2 legal implications.
- (2) Delegated the final decision on entering into the Agency Agreement to the Service Director – Place, in consultation with the Executive Member for Leisure, Environment and Green Spaces and the Executive Member for Finance and IT and Service Directors – Resources and Legal & Community.

**REASON FOR DECISION:** To ensure the maximum financial sustainability of our leisure services, in line with our council priorities.

**9 LEISURE AND ACTIVE COMMUNITIES AGENCY MODEL - PART 1**

**RESOLVED:** That Cabinet:

- (1) Agreed in principle to entering into an Agency Agreement with SLM (Everyone Active) for the operation of our leisure facilities and varying the Contract in accordance with the external Part 2 Appendix C legal advice and Part 2 legal implications.
- (2) Delegated the final decision on entering into the Agency Agreement to the Service Director – Place, in consultation with the Executive Member for Leisure, Environment and Green Spaces and the Executive Member for Finance and IT and Service Directors – Resources and Legal & Community.

**REASON FOR DECISION:** To ensure the maximum financial sustainability of our leisure services, in line with our council priorities.

**10 CORPORATE PEER CHALLENGE REPORT**

**RESOLVED:** That Cabinet:

- (1) Noted the content of the Corporate Peer Challenge report and its recommendations.
- (2) Requested that the Managing Director, Leader of the Council and Deputy Leader develop an action plan responding to the recommendations in the Corporate Peer Challenge report, to be reported to Cabinet on 18 March 2025.

**REASON FOR DECISIONS:** To ensure that the Council responds to the matters identified within the CPC report, ensuring that the benefits of the CPC process are realised.

11 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN'S REPORT OF FAILINGS IN THE INVESTIGATION OF STATUTORY NOISE NUISANCE BY NORTH HERTFORDSHIRE DISTRICT COUNCIL (REF NO: 23 014 065)

**RESOLVED:** That Cabinet:

- (1) Considered the LGO report.
- (2) Noted the LGO recommended action compliance information as in para 7.2 – 7.3 below.
- (3) Considered the measures that the Environmental Health Service has put / will put in place to prevent the recurrence of the failings.
- (4) Noted that the Council's Comments, Compliments and Complaints Policy and Procedure will be reviewed in 2025, to potentially include remedies, and supporting guidance will be issued for Officers.

**RECOMMENDED TO COUNCIL:** The revisions to section 14 of the Constitution relating to LGO decisions and payments, as detailed under section 8.5 of this report [extract as follows deletion/amendment underlined]

8.5 In terms of recommendation 2.5, the proposed wording to amend section 14.6.5/ 14.6.13 of the Constitution, would assist with ensuring that this matter is discussed between the three statutory officers (Head of Paid Service, Section 151 and Monitoring Officers), with the removal of the settlement limit to reflect the increasing awards now being made by the LGO. It should be noted that at the time the compensation payment of £3,000 was made, this was not in line with the original delegation (albeit under the Managing Director's general delegation to make such a payment above £2,000, on urgency grounds, under section 14.6.5(a)(iv)). **The proposed amended wording would be:**

**14.6.5(a)(xiii) Managing Director's delegation, to be amended (as underlined):**  
**"(xiii) To consider any report of the Local Government Ombudsman and to settle any compensation payments up to £2000 (in conjunction with the section 151 Officer and Monitoring Officer)"**

**14.6.13 Proper Officers Schedule to be amended as (as underlined):**  
**"Local Government Act 1974 S.30(5) To give notice ~~and that~~ copies of an Ombudsman's report, in draft and final ~~are available to the~~ Managing Director, and Monitoring Officer (where maladministration identified)"**

**REASONS FOR RECOMMENDATION:**

- (1) Recommendations 2.1-2.4 are to cover the issues that have arisen / linked to the LGO in its report dated 19 September 2024, titled 'Investigation into a complaint about North Hertfordshire District Council (reference number: 23 014 065)', appended at A, and in the opinion of the Monitoring Officer, are necessary steps for the Council in this matter.
- (2) Recommendation 2.5 is to recognise the wider involvement of the statutory officers in such matters and specifically in relation to the issue of compensation, to increase notification and flexibility.

**12 LOCAL DEVELOPMENT SCHEME**

**RESOLVED:** That Cabinet approved the Local Development Scheme, attached at Appendix A.

**REASONS FOR RECOMMENDATION:** To provide an up-to-date timetable on the production of an updated Local Plan in accordance with the requirements of national legislation and policy.

**13 STRATEGIC PLANNING MATTERS**

**RESOLVED:** That Cabinet:

(1) Noted the report on strategic planning matters.

(2) Endorsed the documents at Appendices A – D.

**REASON FOR RECOMMENDATIONS:** To keep Cabinet informed of recent developments on strategic planning matters.

**14 COUNCIL TAX REDUCTION SCHEME 2025/2026**

**RESOLVED:** That Cabinet:

(1) Noted the cost of the scheme was currently £9.18m noting that this is not an actual cost but a reduction of the amount of council tax collected.

(2) Noted that the Discretionary Exceptional Hardship Scheme, previously agreed to provide additional transitional support would continue to be used to support cases of exceptional hardship.

**RECOMMENDED TO COUNCIL:** That the continuation of the banded scheme for working age applicants which remains largely unchanged for 2025/2026, a small adjustment to the income bands to reflect CPI has been incorporated to ensure the scheme continues to support those most in need.

**REASON FOR RECOMMENDATION:** To ensure that the Council has a Council Tax Reduction Scheme that continues to:

- Provide the greatest support to the lowest income households.
- Reduce the administrative burden that has been placed on the Council since the introduction of Universal Credit (UC).
- Be simple to understand, meaning that customers will be able to calculate entitlement and assess the impact of potential changes in circumstances.

**15 REPORT ON RISK MANAGEMENT GOVERNANCE (MID-YEAR UPDATE)**

**RESOLVED:** That Cabinet:

(1) Noted the mid-year Risk Management governance update.

(2) Approved the changes to the Risk Management Framework.

**REASONS FOR DECISIONS:**

(1) The responsibility for ensuring the management of risks is that of Cabinet.

- (2) This Committee has responsibility to monitor the effective development and operation of Risk Management.

## 16 SECOND QUARTER REVENUE BUDGET MONITORING 2024/25

**RESOLVED:** That Cabinet:

- (1) Noted this report.
- (2) Approved the changes to the 2024/25 General Fund budget, as identified in table 3 and paragraph 8.2, a £550k decrease in net expenditure.
- (3) Noted the changes to the 2025/26 General Fund budget, as identified in table 3 and paragraph 8.2, a total £306k increase in net expenditure. These will be incorporated in the draft revenue budget for 2025/26.
- (4) Approved the debt write-offs detailed in paragraphs 8.16 and 8.17.

**REASON FOR DECISIONS:** Members are able to monitor, make adjustments within the overall budgetary framework and request appropriate action of Services who do not meet the budget targets set as part of the Corporate Business Planning process.

## 18 REVENUE AND CAPITAL BUDGETS FOR 2025/26 ONWARDS

**RESOLVED:** That Cabinet:

- (1) Noted the Council's expected funding for 2025/26.
- (2) Confirmed (in line with the Medium-Term Financial Strategy) that budget forecasts should be based on increasing Council Tax by 2.99% (the maximum amount allowable without a local referendum). Noting that Government have assumed Council Tax will increase by the maximum allowed in calculating Core Spending Power.
- (3) Noted that the Council may see real-term reductions in its funding in future years.
- (4) Agreed. in context of the above, which proposals (revenue and capital) should be taken forward as part of the budget-setting process for 2025/26.

**REASON FOR DECISIONS:** To ensure that all relevant factors are considered in arriving at a proposed budget, Investment Strategy and Council Tax level for 2025/26, to be considered by Full Council on 27 February 2025.

## 19 COUNCIL DELIVERY PLAN 2024-25 (QUARTER 2 UPDATE)

**RESOLVED:** That Cabinet:

- (1) Noted the progress against Council projects as set out in the Council Delivery Plan and approves the changes to the milestones (Appendix A).
- (2) Noted the performance against the performance indicators and confirms the actions detailed in paragraph 8.4.

**REASON FOR DECISIONS:** The Council Delivery Plan (CDP) monitoring reports provide Overview and Scrutiny Committee, and Cabinet, with an opportunity to monitor progress against the key Council projects, and understand any new issues, risks, or opportunities.

**20 GARDEN WASTE CHARGE**

**RESOLVED:** That Cabinet approve the garden waste subscription charge for the period 1 April 2025 – 31 March 2026, at £55.

**REASON FOR DECISION:** To ensure the Council's garden waste service is financially sustainable, in line with the priorities of the Council and of the Shared waste service.

**21 DECARBONISATION OF LEISURE CENTRES UPDATE**

**RESOLVED:** That Cabinet agreed in principle to proceed with Option 4a as detailed in paragraph 8.9.

**RECOMMENDED TO COUNCIL:** To proceed with Option 4a and approve the additional forecast capital and ongoing revenue costs (including revenue costs of capital) and note the ongoing project risks.

**REASON FOR RECOMMENDATION:** To identify the most appropriate way forward for the leisure centre decarbonisation project, taking into account both the environmental benefits of the project and the impact on the Council's wider financial position.

**17 SECOND QUARTER INVESTMENT STRATEGY (CAPITAL AND TREASURY) REVIEW 2024/25**

**RESOLVED:** That Cabinet:

- (1) Noted the forecast expenditure of £16.999M in 2024/25 on the capital programme, paragraph 8.3 refers as amended by the decision to reduce the slippage on museum storage.
- (2) Noted the position of the availability of capital resources, as detailed in table 4 paragraph 8.6 and the requirement to keep the capital programme under review for affordability.

**RECOMMENDED TO COUNCIL:** That it:

- (1) Notes the position of Treasury Management activity as at the end of September 2024.
- (2) Approves capital budget in 2025/26 for a new flume (£300k) and a refurbishment of the pool changing rooms (£330k) at North Herts Leisure Centre, subject to the revised assessments following the decision by Cabinet regarding Public Sector Decarbonisation Scheme on 14 January 2025.

**REASONS FOR RECOMMENDATION:**

- (1) Cabinet is required to approve adjustments to the capital programme and ensure the capital programme is fully funded.
- (2) 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.
- (3) The proposal to approve the 2025/26 capital budgets at North Herts Leisure Centre in January (rather than in the usual budget report at the end of February) means that the works can take place at the same time as the decarbonisation works, and therefore not require two periods where the pool cannot be used. It also provides a more obvious benefit to users of the facility.