

NORTH HERTFORDSHIRE DISTRICT COUNCIL

CABINET

MEETING HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES,
GERNON ROAD, LETCHWORTH GARDEN CITY
ON TUESDAY, 30TH JULY, 2019 AT 7.30 PM

MINUTES

Present: *Councillors Martin Stears-Handscomb (Chairman), Paul Clark (Vice-Chairman), Ian Albert, Judi Billing, Elizabeth Dennis-Harburg, Gary Grindal, Keith Hoskins, Steve Jarvis, Ruth Brown, Ian Mantle, Sam North and Helen Oliver.*

In Attendance: *Councillor David Levett (Chairman of Overview and Scrutiny Committee, Councillor Kate Aspinwall (Chairman of Finance, Audit and Risk Committee), David Scholes (Chief Executive), Anthony Roche (Deputy Chief Executive), Ian Couper (Service Director - Resources), Jeanette Thompson (Service Director - Legal and Community), Vaughan Watson (Service Director - Place), Ian Fullstone (Service Director - Regulatory), Martin Lawrence (Strategic Housing Manager), Andrew Mills (Service Manager - Greenspace), Steve Cobb (Licensing Manager), Nigel Smith (Strategic Planning Manager), Antonio Ciampa (Accountancy Manager), Reuben Ayavoo (Policy and Community Engagement Manager), Jamie Sells (Service Manager- Waste and Recycling) and Hilary Dineen (Committee, Member and Scrutiny Manager)*

Also Present: *Councillor Michael Muir.*

21 APOLOGIES FOR ABSENCE

Audio Recording – 26 seconds

Apologies for absence were received from Councillors Sean Prendergast (Deputy Executive Member), Carol Stanier (Deputy Executive Member) and Kay Tart (Deputy Executive Member).

22 MINUTES - 11 JUNE 2019

Audio Recording – 34 seconds

It was moved by Councillor Martin Stears-Handscomb, seconded by Councillor Paul Clark and

RESOLVED: That the Minutes of the Meeting of the Committee held on 11 June 2019 be approved as a true record of the proceedings and be signed by the Chairman.

23 MINUTES - 27 JUNE 2019

Audio Recording – 50 seconds

It was moved by Councillor Martin Stears-Handscomb, seconded by Councillor Paul Clark and

RESOLVED: That the Minutes of the Meeting of the Committee held on 27 June 2019 be approved as a true record of the proceedings and be signed by the Chairman.

24 NOTIFICATION OF OTHER BUSINESS

Audio Recording – 1 minute 1 second

There was no other business notified.

25 CHAIRMAN'S ANNOUNCEMENTS

Audio Recording – 1 minutes 5 seconds

- (1) The Chairman welcomed those present at the meeting:
- (2) The Chairman advised that, in accordance with Council Policy, the meeting would be audio recorded;
- (3) The Chairman 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 Chairman informed Members that there would be an additional Cabinet meeting on 31 October 2019.

26 PUBLIC PARTICIPATION

Audio Recording – 2 minutes 31 seconds

The Chairman welcomed Councillor Tony Hunter and County Councillor Fiona Hill, who would be speaking immediately prior to Item 13 - Playgrounds.

27 ITEMS REFERRED FROM OTHER COMMITTEES

Audio recording – 2 minutes 59 seconds

a - Item Referred from Overview and Scrutiny Committee: 16 July 2019 - Council Plan and Objectives

This referral was considered with Item 9 –Council Plan and Council Objectives 2020 – 2025.

b - Item Referred from Overview and Scrutiny Committee: 16 July 2019 - Waste Collection from Multi Occupancy Properties.

This referral was considered with Item 14 – Waste Collection from Multi Occupancy Properties.

c - Item Referred from Finance, Audit and Risk Committee: 29 July 2019 - Risk Management Update

The Chairman of the Finance, Audit and Risk Committee presented the referral from the meeting held on 29 July 2019 which included the following recommendations to Cabinet:

- (1) That the risk entitled Impact of Anti-Social Behaviour on Council Properties be adopted as a Corporate Risk;
- (2) That the Annual Report on Risk and Opportunities be noted and referred to Full Council for consideration.

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Cabinet considered the report entitled Risk Management Update together with the following associated appendices:

- Appendix A - New Risk Anti Social Behaviour
- Appendix B - Annual Report on Risk Management

No alternative options were considered.

It was moved by Councillor Martin Stears-Handscomb, seconded by Councillor Keith Hoskins and

RESOLVED: That the risk entitled Impact of Anti-Social Behaviour on Council Properties be adopted as a Corporate Risk.

RECOMMENDED TO COUNCIL: That the Annual Report on Risk and Opportunities be considered and noted.

REASON FOR DECISION: The responsibility for ensuring the management of risks is that of Cabinet;

d - Item Referred from Finance, Audit and Risk Committee: 29 July 2019 – First Quarter Revenue Budget Monitoring 2019/20

This referral was considered with Item 11 – First Quarter Revenue Monitoring 2019/20.

e - Item Referred from Finance, Audit and Risk Committee: 29 July 2019 – First Quarter Investment Strategy (Capital and Treasury) Review 2019/20

This referral was considered with Item 12 - First Quarter Investment Strategy (Capital and Treasury) Review 2019/20

f - Item Referred from Finance, Audit and Risk Committee: 29 July 2019 – Medium Term Financial Strategy 2020-2025

This referral was considered with Item 10 - Medium Term Financial Strategy 2020 – 2025.

28 STRATEGIC PLANNING MATTERS

Audio Recording – 8 minutes 2 seconds

The Executive Member for Planning and Transport presented the report entitled Strategic Planning Matters together with the following appendices:

- Appendix A - Response to Welwyn Hatfield promoted sites consultation;
- Appendix B - Inspector's letter re. Examination of the North Hertfordshire Local Plan 2011-2031;
- Appendix C - Response to Baldock, Bygrave and Clothall Reg 16 consultation;
- Appendix D – Response to Luton SoCC;
- Appendix E – Response to Central Bedfordshire Planning Application for M1 to A6 Link road;
- Appendix F – Response to Aviation 2050: The Future of UK Aviation- Consultation.

No alternative options were considered.

It was moved by Councillor Paul Clark, seconded by Councillor Martin Stears-Handscomb and

RESOLVED:

- (1) That the report on strategic planning matters be noted;
- (2) That the submission(s) in Appendices A, C and D be noted and endorsed; and
- (3) That the submissions in Appendices B, E and F be noted.

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

29 COUNCIL PLAN 2020 - 2025 and COUNCIL OBJECTIVES 2020-2025

Audio Recording – 10 minutes 50 seconds

The Leader of the Council presented the report entitled Council Plan 2020 -2025 and Council Objectives 2020 – 2025 together with the following appendix:

- Appendix A - Draft Council Plan outline.

No alternative options were considered.

The Leader explained that the report presented a top level view of the Plan.

There would be an all Member workshop, at which, the Executive Members and their Deputies would present the detail regarding their Portfolio and that the final report would then be considered by Cabinet.

The Chairman of the Overview and Scrutiny Committee presented the referral from the meeting held on 16 July 2019 which contained the following recommendations to Cabinet.

That the comments contained in the referral be taken into consideration during the process of drawing up and adopting the Council Plan and Council Objectives.

The Leader of the Council accepted the recommendations of the Overview and Scrutiny Committee.

It was moved by Councillor Martin Stears-Handscomb, seconded by Councillor Paul Clark and:

RESOLVED:

- (1) That the draft Council Plan - ' North Hertfordshire District Council: Working with our Communities, It's Your Council' 2020 – 2025;
- (2) That the following Council Objectives be noted:
 - Be a more welcoming and inclusive council;
 - Building thriving and resilient communities;
 - Responding to challenges to the environment;
 - Enabling an enterprising and co-operative economy; and
 - Supporting the delivery of good quality and affordable housing.
- (3) That the intention to finalise a draft for Full Council approval, following consideration with the leadership team, Member Workshop and further Cabinet meeting be noted;
- (4) That the comments made by Overview and Scrutiny Committee at the meeting held on 16 July 2019 (contained in the referral to Cabinet) be taken into consideration during the process of drawing up and adopting the Council Plan and Council Objectives.

REASON FOR DECISIONS: The Council Plan is a key element of the corporate business planning process, as a high level strategic document it sets out the Council's priorities for the next year. As an overarching policy framework document it guides and influences the use of Council resources; providing a focus for activities, plans and services of the Council provide.

30 MEDIUM TERM FINANCIAL STRATEGY 2020 - 2025

Audio Recording – 14 minutes 53 seconds

The Executive Members for Finance and IT presented the report entitled Medium Term Financial Strategy 2020 – 2025 together with the following appendix:

- Appendix A - Medium Term Financial Strategy.

The following alternative option was considered:

The Council needed to have a strategy for setting its budget to ensure that it meets its statutory duty to set a balanced budget over the medium term, and ensure that spend was prioritised towards delivering statutory services and its strategic aims, (as set out in the Council Plan). It was considered whether to delay the MTFS to follow the same timeline as the Council Plan. However, the development of savings ideas would take time, and it was felt necessary to commence this as early as possible. Having a MTFS provided a structure for formulating, discussing and agreeing savings ideas. To avoid conflict with the Council Plan, the MTFS is focused on headline information and referred to a net savings target, to allow opportunities for investments.

The Chairman of the Finance, Audit and Risk Committee presented the referral from the meeting held on 29 July 2019 which contained the following recommendations to Cabinet:

- (1) That Cabinet ask the Service Director – Resources to update the MTFS to show that it did not take account of any potential impacts of Brexit;
- (2) That Cabinet recommended to Full Council the adoption of the Medium Term Financial Strategy 2020-25, as attached at Appendix A.

It was moved by Councillor Ian Albert, Seconded by Councillor Martin Stears-Handscomb and:

RESOLVED: That the Service Director – Resources be requested to update the MTFS to show that it did not take account of any potential impacts of Brexit;

RECOMMENDED TO COUNCIL: That the Medium Term Financial Strategy 2020-25 as attached at Appendix A be adopted.

REASON FOR DECISIONS: Adoption of a MTFS and communication of its contents would assist in the process of forward planning the use of Council resources and in budget setting for 2020/2021 to 2024/2025, culminating in the setting of the Council Tax precept for 2020/21 in February 2020.

31 FIRST QUARTER REVENUE MONITORING 2019/20

Audio Recording – 22 minutes 48 seconds

The Executive Member for Finance and IT presented the report entitled First Quarter Revenue Monitoring 2019/20.

The following alternative option was considered:

Budget holders had considered the options to manage within the existing budget but considered the variances reported here necessary and appropriate.

The Chairman of the Finance, Audit and Risk Committee presented the referral from the meeting held on 29 July which contained the following recommendation to Cabinet:

- (1) That Cabinet noted this report;
- (2) That Cabinet approved the changes to the 2019/20 General Fund budget, as identified in table 3 and paragraph 8.2, a £239k decrease in net expenditure;
- (3) That Cabinet noted the changes to the 2020/21 General Fund budget, as identified in table 3 and paragraph 8.2, a £130k decrease in net expenditure. These would be incorporated in the draft revenue budget for 2020/21.

It was proposed by Councillor Ian Albert, seconded by Councillor Martin Stears-Handscorn and:

RESOLVED:

- (1) That the report entitled First Quarter Revenue Monitoring 2019/20 be noted:
- (2) That the changes to the 2019/20 General Fund budget, as identified in table 3 and paragraph 8.2, a £239k decrease in net expenditure be approved:
- (3) That the changes to the 2020/21 General Fund budget, as identified in table 3 and paragraph 8.2, a £130k decrease in net expenditure and that these would be incorporated in the draft revenue budget for 2020/21 be noted.

REASON FOR DECISIONS: Members would be 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.

32 FIRST QUARTER INVESTMENT STRATEGY (CAPITAL AND TREASURY) REVIEW 2019/20

Audio Recording – 27 minutes 52 seconds

The Executive Member for Finance and IT presented the report entitled First Quarter Investment Strategy (Capital and Treasury) 2019/20 together with the following appendices:

- Appendix A - Capital Assets as at 31 March 2019;
- Appendix B - Capital Programme Detail including Funding 2018/19 onwards;
- Appendix C - Treasury Management Update.

The following alternative options were considered:

- (1) Options for capital investment were considered as part of the Corporate Business Planning process.
- (2) The primary principles governing the Council's investment criteria were the security of its investments (ensuring that it gets the capital invested back) and liquidity of investments (being able to get the funds back when needed). After this the return (or yield) would then be considered, which provided an income source for the Council. In relation to this, the Council could then take a different view on its appetite for risk, which would be reflected in the Investment Strategy. In general, greater returns could be achieved by taking on greater risk. Once the Strategy had been set for the year, there was limited scope for alternative options as Officers.

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The Chairman of the Finance, Audit and Risk Committee presented the referral from the meeting held on 29 July which contained the following recommendation to Cabinet:

- (1) That Cabinet noted the forecast expenditure of £7.822million in 2019/20 on the capital programme, paragraph 8.2 refers;
- (2) That Cabinet approved the adjustments to the capital programme for 2019/20 onwards as a result of the revised timetable of schemes detailed in table 2, increasing the estimated spend in 2020/21 by £1.408million;
- (3) That Cabinet noted the position of the availability of capital resources, as detailed in table 3 paragraph 8.6 and the requirement to keep the capital programme under review for affordability;
- (4) Cabinet was asked to note the position of Treasury Management activity as at the end of May 2019.

It was proposed by Councillor Ian Albert, seconded by Councillor Martin Stears-Handscomb and:

RESOLVED:

- (1) That the forecast expenditure of £7.822million in 2019/20 on the capital programme, paragraph 8.2 refers be noted.
- (2) That the adjustments to the capital programme for 2019/20 onwards as a result of the revised timetable of schemes detailed in table 2, increasing the estimated spend in 2020/21 by £1.408million be approved;
- (3) That the position of the availability of capital resources, as detailed in table 3 paragraph 8.6 and the requirement to keep the capital programme under review for affordability be noted;
- (4) That the position of Treasury Management activity as at the end of May 2019 be noted.

REASON FOR DECISIONS:

- (1) Cabinet was required to approve adjustments to the capital programme and ensure the capital programme was fully funded.

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.

33 PLAYGROUNDS

Audio Recording – 32 minutes 32 seconds

County Councillor Fiona Hill thanked the Chairman for the opportunity to address Cabinet as follows:

- She thanked the Executive Member for taking account of the needs of Royston.
- She did not support the decision taken to decommission playgrounds;
- She had been due to meet with a potential funder for the remaining playgrounds in Royston, although, depending on the result of Cabinet's discussions, this may not now be required;
- Younger children preferred smaller playgrounds;
- Childhood obesity was a major problem;
- Active play was encouraged;
- She appealed to Cabinet to accept the recommendations contained in the report.

Councillor Tony Hunter thanked the Chairman for the opportunity to address Cabinet as follows:

- He was quietly delighted that their efforts had delayed removal of equipment;
- Removal of equipment was a false economy;
- Betjeman Road was a focal point for youngsters;
- Farrier Court was a favourite for small children;
- He hoped that the Greenspace Strategy would be reviewed.

The Executive Member for Environment and Leisure presented the report entitled Playgrounds together with the following appendices:

- Appendix A – Table of previous committee decisions regarding this issue;
- Appendix B – Table of play areas considered for closure.

The following alternative option was considered:

To implement the recommendations of Cabinet 27th March 2018 and continue to remove the two identified sites.

The following Members took part in the debate:

- Councillor Ian Albert;
- Councillor Judi Billing.

It was moved by Councillor Steve Jarvis, seconded by Councillor Ian Albert and:

RESOLVED:

- (1) That delaying the removal of play equipment at Betjeman Road and Farrier Court both in Royston until the 31st March 2020 be approved;
- (2) That the additional expenditure of £4,400 for 2019/20 be agreed.

RECOMMENDED TO COUNCIL: That a revenue budget of £4,400 for the financial year 2020/21, (as part of the budget setting process) to further delay removal of play equipment at the two play areas in Royston until 31st March 2021. This would provide sufficient time to re-evaluate the current Green Space Management Strategy (GSMS) with regard to playground provision in the District and align with a review of the Medium Term Financial Strategy (MTFS).

REASON FOR DECISIONS:

To delay the removal of the remaining two play areas identified for decommissioning, to allow sufficient time to evaluate the current GSMS (which may include re-evaluation of demand) with regard to playground provision in the District and review the MTFS.

34 WASTE COLLECTION FROM MULTI OCCUPANCY PROPERTIES (MOP)

Audio Recording – 43 minutes 27 seconds

The Executive Member for Recycling and Waste presented the report entitled Waste collection from Multi Occupancy Properties (MOP) together with the following appendix:

- Appendix A: Urbaser's financial claim to retain weekly collections except recycling.

The following alternative options were considered:

- (1) Continue to implement the agreed fortnightly collection of residual waste from MOP in accordance with the contract; and
- (2) Provide a two tier system where some MOP received residual weekly & others fortnightly collection at MOP.

The Chairman of the Overview and Scrutiny Committee presented the referral from the meeting held on 16 July 2019 which contained the following recommendations to Cabinet:

That the recommendations contained in the report be endorsed.

The following Members took part in the debate and asked questions:

- Councillor Ian Albert;
- Councillor Paul Clark.

The Service Director – Place and Service Director – Waste responded to questions and clarified that weekly collection from multi occupancy properties were in line with the service delivery by East Herts District Council.

It was moved by Councillor Steve Jarvis, Seconded by Councillor Ian Albert and:

RESOLVED:

- (1) That a variation to the waste contract with Urbaser, to retain the existing weekly collection service for residual waste from MOP in accordance with appendix A be approved:
- (2) That an increase in the revenue budget for 2019/20 of £68k to fund those additional costs be approved:
- (3) That the £164k increase in expenditure budget required annually to retain weekly collections from MOPs would be incorporated in the draft revenue budget for 2020/21 be noted.

REASON FOR DECISIONS: To prevent resident dissatisfaction, contamination of waste streams, side waste and costly enforcement action against landlords and managing agents for non compliance that would likely occur in the event fortnightly collection of residual waste at MOP was implemented in accordance with the waste contract obligations.

35 THE DEVELOPMENT AGREEMENT FOR THE JOHN BARKER PLACE AREA OF HITCHIN

Audio Recording – 59 minutes 41 seconds

The Executive Member for Housing and Environmental Health presented the report entitled The Development Agreement for the John Baker Place Area of Hitchin.

The following alternative options were considered:

- (1) Due to the newly proposed JBP scheme, (as shown on the current planning application - 19/01416/HYA - submitted by settle) the existing DA was no longer considered fit-for-purpose. As a result, the option of leaving it in place without review had been discounted.
- (2) Termination of the current DA was considered, however until the necessity for, (and potential content of) a new DA had been fully assessed, this was not recommended.

The following Members took part in the debate and asked questions:

- Councillor Sam North;
- Councillor Martin Stears-Handscomb;
- Councillor Steve Jarvis.

It was moved by Councillor Gary Grindal, seconded by Councillor Martin Stears-Handscomb and:

RESOLVED:

- (1) That officers be authorised to assess the suitability of the existing DA and review if an alternative agreement was required for Settle's new scheme.
- (2) That, should a new DA be required, officers should negotiate its terms with Settle and return to the Cabinet for it to be considered and decided.

REASON FOR DECISIONS: The economic operating environment for registered providers had changed significantly and many items contained in the existing DA appear to be redundant. The Council's financial situation had also changed since 2013.

36 ADOPTION OF A SCRAP METAL DEALERS LICENSING POLICY

Audio Recording – 1 hour 6 minutes 17 seconds

The Executive Member for Housing and Environmental Health presented the report entitled Adoption of a Scrap Metal Dealers Licensing Policy together with the following appendices:

- Appendix A - Proposed Policy; and
- Appendix B – Consultation Responses.

The following alternative option was considered:

The Council could continue to process applications and enforce licensing requirements without a policy, however that would leave the Council at risk of legal challenge.

The following Members took part in the debate and asked questions:

- Councillor Paul Clark;
- Councillor Judi Billing.

The Licensing Manager responded to questions raised and confirmed that there had been no responses received to the consultation on the proposed Policy.

It was moved by Councillor Gary Grindal, seconded by Councillor Martin Stears-Handscomb and:

RESOLVED: That the Scrap Metal Dealers Licensing Policy as attached at Appendix A be adopted.

REASON FOR DECISION: To ensure that the Council had a clear and transparent policy for the determination of applications and the enforcement of licences.

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The meeting closed at 8.44 pm

Chairman