

Minutes



To: All Members of the Cabinet,
Chief Executive, Chief Officers

From: Legal, Democratic & Statutory Services
Ask for: Deborah Jeffery
Ext: 25563

CABINET **9 July 2018**

ATTENDANCE

MEMBERS OF THE CABINET

D A Ashley, P Bibby, T L F Douris, T C Heritage, T W Hone, R M Roberts, R Sangster,
J D Williams (Leader of the Council)

Deputy Executive Members attending on behalf of an Executive Member

A D Williams (attending on behalf of R M Roberts)

Other Members in Attendance

T R Hutchings, C B Woodward

Upon consideration of the agenda for the Cabinet meeting on 9 July 2018 as circulated,
copy annexed, conclusions were reached and are recorded below:

*Note: No conflicts of interest were declared by any member of the Cabinet in relation to the
matters on which decisions were reached at this meeting.*

PART I ('OPEN') BUSINESS

1. MINUTES

- 1.1 The Minutes of the Cabinet meeting held on 18 June 2018 were confirmed as a
correct record and signed by the Chairman.

2. QUESTIONS FROM MEMBERS OF THE COUNCIL TO EXECUTIVE MEMBERS

- 2.1 There were no questions from Members of the Council to Executive Members.

CHAIRMAN'S INITIALS

.....

3. PUBLIC PETITIONS

3.1 There were no public petitions.

4. ADDITIONAL SCHOOL PLACES – STATUTORY PROPOSAL TO ENLARGE ST PETER’S SCHOOL, ST ALBANS

[Forward Plan Ref: A040/18]

Decision

4.1 Cabinet agreed to the proposal to enlarge the premises of St. Peter’s Primary School, St. Albans, to 2 f.e. from September 2020.

Reasons for the decision

4.2 On 23 April 2018, Cabinet authorised the publication of statutory proposals to enlarge the premises of two primary schools to enable additional places to meet a rising and local demand. The statutory notice period ended on 31 May 2018 after a 4 week notice period.

4.3 No objections have been received to the proposals for the enlargement of Belswains School; therefore the Director of Children’s Services has determined that proposal using delegated authority. Four comments have been received on the proposed expansion of St. Peter’s Primary school, which have been responded to in section 4.4 of the report. The comments included a response from the Chair of Governors of the school, concerned about the perceived reduction of facilities available to the school post implementation; however, following further discussions between the Governing body and officers, this objection has since been withdrawn.

4.4 Cabinet considered the above in reaching its decision, together with the financial implications; the equalities implications in that this will improve access to school places to all sectors of the community in which it is located; and the recommendations of the Education, Libraries & Localism Cabinet Panel.

Any alternative options considered and rejected

None.

**CHAIRMAN’S
INITIALS**

.....

5. HERTFORDSHIRE'S STRATEGIC PLAN FOR CHILDREN AND YOUNG PEOPLE 2018-21

[Forward Plan Ref: A020/18]

Decision

- 5.1 Cabinet recommended to Council that the Hertfordshire's Strategic Plan for Children and Young People 2018-21, as attached at Appendix A to the report, be adopted.

Reasons for the decision

- 5.2 Hertfordshire's Strategic Plan for Children and Young People 2018-21 outlines the Council's vision of giving every child, young person and their family the opportunity to live happy and fulfilling lives. It has been developed through discussions with staff, young people and partners and highlights the Council's ambition for children and young people in relation to Children's Services 'Outcome Bees'.
- 5.3 The three year plan will build on what the Council is already doing well to target our resources on those children, young people and families that really need help and guidance. The Council is committed to meeting its statutory duties to protect children and young people effectively and ensuring that no child, family or community is left behind.
- 5.4 Cabinet considered the above in reaching its decision, together with the the financial implications; the equalities implications; and the recommendations of the Children, Young People & Families Cabinet Panel. A meeting of full Council will take place on 17 July 2018.

Any alternative options considered and rejected

None.

6. PROPOSAL TO CHANGE THE CATEGORY OF BARLEY (VC) C OF E SCHOOL, ROYSTON FROM VOLUNTARY CONTROLLED TO VOLUNTARY AIDED

[Forward Plan Ref: A041/18]

Decision

- 6.1 Cabinet approved the change of category of Barley (VC) Church of England First School, Royston, from Voluntary Controlled to Voluntary Aided from September 2018.

Reasons for the decision

- 6.2 Governing bodies of maintained schools may propose to change category by following the statutory process as set down in The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and its associated Guidance. The Local Authority is the final decision maker.
- 6.3 On 29 March 2018, the governing body of the Barley/Barkway First Schools Federation authorised the publication of statutory proposals to change the category of Barley (VC) Church of England First School from Voluntary Controlled (VC) to Voluntary Aided (VA) from September 2018. The 4-week statutory notice period ended on 31 May 2018. No responses have been received to the statutory notice.
- 6.4 In arriving at its decision to approve the change of category of Barley (VC) Church of England First School, Royston, from Voluntary Controlled to Voluntary Aided from September 2018, Cabinet considered the above, together with the financial implications; the property implications; the equalities implications; and the recommendation of the Education, Libraries and Localism Cabinet Panel.

Any alternative options considered and rejected

None.

- 7. PREVENTION INVEST TO TRANSFORM: CHILDREN'S SERVICES
SPECIAL EDUCATIONAL NEEDS/DISABILITIES TRANSFORMATION
[Forward Plan Ref: A030/18]**

Decision

- 7.1 Cabinet approved the proposed approach of Children's Services to transforming the system, services and approach to support children and young people with Special Educational Needs and/or Disabilities (SEND), and their families and agreed to the investment of £3,012,357 from the Prevention Invest to Transform funding.

Reasons for the decision

- 7.2 The Council is responsible for a range of services for children and young people with Special Educational Needs and/or Disabilities (SEND). There are already financial pressures on these services, and the increasing demography and complexity of need means the demand for high cost specialist services will significantly increase these pressures over the next five years.
- 7.3 The business case sets out the current barriers to success, context and data, required business changes, resources needed for transformation, outcomes for children, young people and their families. It also includes the anticipated savings and cost avoidance from the transformation. The outcomes from the

transformation programme will ensure services for children and young people with SEND and their families provide effective intervention, manage the increasing demand and make efficient use of resources. Families will be able to access support in their local communities, be connected and more independent of public sector services, which will reduce pressure across the SEND system in the local authority and the local health economy.

- 7.4 Cabinet's decision was reached following consideration of the Council's statutory responsibilities, the financial implications of the proposal, and the recommendation of the Education, Libraries and Localism Cabinet Panel.

Any alternative options considered and rejected

None.

8. REGULATION OF INVESTIGATORY POWERS (RIPA): ANNUAL REPORT AND ADOPTION OF NEW POLICY ON THE USE OF SOCIAL MEDIA IN INVESTIGATIONS

[Forward Plan Ref: A042/18]

Decision

- 8.1 *Cabinet approved the policies on:*

(a) Directed Surveillance and Covert Human Intelligence Sources (Appendix A);

(b) Acquisition and Disclosure of Communications Data from communication service providers (Appendix B); and

(c) Use of Social Media in Investigations (Appendix C).

Reasons for the decision

- 8.2 The Regulation of Investigatory Powers Act 2000 (the Act) regulates covert investigations and the acquisition and disclosure of communications data from communication service providers by a number of bodies, including local authorities. It was introduced to ensure that 'individuals' rights are protected, while also ensuring that law enforcement and security agencies have the powers they need to do their job effectively.

- 8.3 RIPA authorisations are an integral part of the Authority's enforcement work, enabling the detection and prevention of crime. The Council's policies on (a) Directed Surveillance and Covert Human Intelligence Sources and (b) the Acquisition and Disclosure of Communications Data had been reviewed and updated. Cabinet also considered the use of Social Media in Investigations Policy which was a new policy to support officers who may be using social media in their work. Cabinet were also informed that RIPA training continued

to be made available and an e-learning package was in the process of being rolled out.

Any alternative options considered and rejected

None.

**9. WELWYN-HATFIELD BOROUGH COUNCIL LOCAL PLAN:
AMENDMENT TO STATEMENT OF COMMON GROUND AND HEARING
STATEMENT (JANUARY 2018) IN RELATION TO NEW BARNFIELD,
HATFIELD**

[Forward Plan Ref: A043/18]

Decision

- 9.1 Cabinet recommended that County Council approves the revision to the Statement of Common Ground and Hearing Statement for Welwyn Hatfield Borough Council Policy SP14 in relation to the land at New Barnfield, as set out in paragraph 6.7 of the Report.

Reasons for the decision

- 9.2 The County Council has provided advice and feedback on a wide range of infrastructure matters throughout the preparation process for the Welwyn Hatfield Borough Council (WHBC) Local Plan, including all consultation stages of the Local Plan and various versions of WHBC's Infrastructure Delivery Plan (IDP). The information provided has been used by WHBC to inform the site selection and evaluation process, which has formed the basis for allocation of land within the Local Plan.
- 9.3 Through representations submitted on behalf of County Council services, the need for 20 forms of entry (FE) of secondary education provision was identified to meet existing and new demand. It was anticipated that the need would be met via school expansions and through the identification of three new secondary school sites.
- 9.4 The emerging Local Plan identified two sites at North West Hatfield and Birchall Garden Suburb, the latter of which is located in East Hertfordshire but will also meet the need from the WHBC Local Plan. The County Council also commissioned a site search to identify a third site in the identified area of need. The assessment resulted in a shortlist of seven potential sites. Six of the sites were located, either wholly or partially, in the Green Belt (including New Barnfield) and one of the sites was promoted for an alternative use, and has since been developed.
- 9.5 Through a Statement of Common Ground (SoCG) (signed in October 2017 between the County Council, WHBC and Gascoyne Cecil Estates), it was agreed that up to 10FE of provision could be accommodated at a strategic

**CHAIRMAN'S
INITIALS**

.....

housing site at North West Hatfield, in addition to the already agreed 8FE school site as part of the strategic allocation for Birchall Garden Suburb. This agreement enabled the County Council to secure a secondary education strategy with only two new secondary schools, avoiding the need for a third. This SoCG was supported by a Hearing Statement submitted to the Inspector at the Local Plan Examination in Public in January 2018.

- 9.6 Further to the County Council's submissions, it was noted that any increase in housing numbers would necessitate the need for further secondary school site allocations. The Inspector has since directed Welwyn Hatfield to revisit their housing numbers which will require a review of the education strategy for the WHBC area.
- 9.7 The New Barnfield site is currently a waste site allocation in the County Council Waste Local Plan. Following the unsuccessful application for a Recycling and Energy Recovery Facility, the site remains an unused brownfield site in the Green Belt.
- 9.8 The Inspector has sought direct confirmation from the County Council that, if housing numbers were to increase, the site at New Barnfield would be made available for secondary education. Officers continue to work collaboratively with Welwyn Hatfield Borough Council to seek an alternative allocated site for waste uses.
- 9.9 Given the knowledge of sites being promoted within the Local Plan process, and which may now come forward, it is the opinion of officers that the site at New Barnfield would form part of a revised strategy for secondary education in Welwyn-Hatfield. However, as an allocated waste site in the County Council's Waste Local Plan any submission that the site would be used for education is not in line with County Council policy and so would require the agreement of full Council. As such, a report will be presented to County Council to seek approval to amend the January 2018 SoCG and Hearing Statement. Any decision of the Council on this matter will not amend the County Council's Waste Local Plan but will ensure that the submission of the amended SoCG and Hearing Statement is in line with the requirements of the Council's constitution.
- 9.10

Cabinet considered the above in reaching its decision, together with the financial implications and the recommendations of the Growth, Infrastructure, Planning & the Economy Cabinet Panel.

Any alternative options considered and rejected

None.

**CHAIRMAN'S
INITIALS**

.....

10. THE COUNTY COUNCIL OFFICE ACCOMMODATION STRATEGY
[Forward Plan Ref: A033/18]

10.1 Discussion took place on this item in Part I.

**10.2 PART II ('CLOSED') AGENDA
EXCLUSION OF PRESS AND PUBLIC**

10.3 Cabinet then decided to move into Part II ('closed' session') and passed the decision at paragraph 10.4 below.

10.4 That under Section 100(A)(4) of the Local Government Act 1972, the press and public 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 to the said Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.5 Following discussion on the Part II Report on the item referred to at 10 above and Recommendations, Cabinet moved back into Part I (open session) and considered the Part I Recommendations and made the decision at 10.6 below.

Decision

10.6 Cabinet agreed the Office Accommodation Strategy set out in the report, and:

- (i) delegated to the Director of Resources in consultation with the Executive Member for Resources and Performance authority to conclude the negotiation of a new lease on Apsley 1, agree final financial terms, as set out in Part II of the report, and enter into the required legal documents, in a form approved by the Chief Legal Officer;
- (ii) delegated to the Director of Resources in consultation with the Executive Member for Resources and Performance authority to conclude the negotiation of revised lease terms at Mundells, agree final financial terms as set out in Part II of the report and enter into the required legal documents, in a form approved by the Chief Legal Officer;
- (iii) that the Director of Resources shall undertake feasibility assessing of the development options at County Hall;
- (iv) approved the allocation of £0.5m from the Invest to Transform fund to meet the costs of the preparatory work at Apsley and Mundells;
- (v) delegated to the Director of Resources, in consultation with the Executive Member for Resources and Performance authority to

agree the final financing arrangements for a budget of up to £2m to cover refurbishment works at Apsley 1 and enabling works for Apsley 2; and

(vi) approved the inclusion of dilapidations costs for the Apsley 2 lease surrender in the next Integrated Plan.

Reasons for the decision

- 10.7 The Office Accommodation forms a significant part of the County Council's property portfolio and has a significant role to play in the way staff perform their daily work. Changing the way staff use accommodation has the potential to deliver significant savings to the organisation. Property was set the target of achieving 25% saving by 2020 as part of the smart working programme.
- 10.8 The revised Office Accommodation Strategy will support the continued delivery of high quality services to Hertfordshire by providing staff with a range of fit for purpose locations where they can work. Modern work places are both necessary and expected and will help attract and recruit staff and enable Smart Working. The strategy is consistent with the Asset Management Plan principles and will deliver significant financial savings to the authority which are part of the current Integrated Plan.
- 10.9 In reaching its decision, Cabinet considered the above, together with the information within the Part II report and the financial considerations.

Any alternative options considered and rejected

None.

**KATHRYN PETTITT
CHIEF LEGAL OFFICER**

CHAIRMAN _____

**CHAIRMAN'S
INITIALS**

.....