

Minutes



To: All Members of the Resources and Performance Cabinet Panel, Chief Executive, Chief Officers, All officers named for 'actions'

From: Legal, Democratic & Statutory Services
Ask for: Elaine Manzi
Ext: 28062

RESOURCES AND PERFORMANCE CABINET PANEL FRIDAY 7 JUNE 2019

ATTENDANCE

MEMBERS OF THE PANEL

J Billing; E H Buckmaster; F Button; L A Chesterman (*substituting for S J Taylor*); H K Crofton; S K Jarvis (*substituting for P T Williams*); P V Mason; A J S Mitchell; R Sangster (Chairman); R H Smith; T J Williams; P M Zukowskyj

OTHER MEMBERS IN ATTENDANCE

None

Upon consideration of the agenda for the Resources and Performance Cabinet Panel meeting 7 June 2019 as circulated, copy annexed, conclusions were reached and are recorded below.

Note: PV Mason declared an interest as recorded at minute 5.1.

PART I ('OPEN') BUSINESS

	ACTION
1. MINUTES	
1.1 The minutes (Part I) of the Resources and Performance Cabinet Panel held on 10 May 2019 were agreed.	
1.2 In response to a query from P M Zukowskyj, it was confirmed that in relation to Item 6 on the Part I minutes from 10 May 2019, the land allocated for the site of the new secondary special school at Woodside, Welwyn Garden City had originally been allocated for residential development.	
1.3 It was clarified that further to a successful funding bid to the Department of Education for the development of a school, and subsequent assessment of potential sites for the development, it	

CHAIRMAN'S INITIALS

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had been confirmed that the land at Woodside had been judged as preferred site and that in terms of the local plan, development of the special school was a preferential asset to that of residential development.

- 1.4 In response to a request from the Panel, it was agreed that officers would ensure that Welwyn Hatfield Borough Council had been informed of the decision by Cabinet to approve the proposal for the development of a new secondary special school at Woodside, Welwyn Garden City.

Steven
Pilsworth

2. PUBLIC PETITIONS

- 2.1 There were no public petitions.

3. HERTFORDSHIRE COUNTY COUNCIL'S ANNUAL REPORT 2018/19

Officer contact: Daisy Stanton, Policy Officer, Corporate Policy Team (Tel: 01992 556736)

- 3.1 Members received the draft County Council Annual Report 2018/19 providing a summary of what the council had achieved during the year and how it had managed the income received from its residents.

- 3.2 In consideration of the report, Members expressed concern that the issue of climate change did not appear to be fully addressed within the Annual Report, despite the council previously indicating that this was a matter of priority; an opinion also reflected by members of the public.

- 3.3 It was agreed that although the report contained references to improvements to street lighting and the adoption of the air quality strategy, officers would consider how to place increased emphasis on the broader issues of climate change and the environment within the report.

Alex
James/Da
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Stanton

- 3.4 Further to discussion, it was agreed that whilst the report reflected a number of positive achievements, this should be balanced by providing more detail and transparency on the significant future financial challenges faced by the council.

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James/Da
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Stanton

- 3.5 In response to Member suggestions, it was also agreed to consider revising the wording within the annual report relating to:
- keeping young people safe in the community
 - strategies to manage the traffic increase within the county.

CONCLUSION

3.6 Members noted the content of the Annual Report and recommended to Cabinet that it approved the report, subject to the amendments outlined at section 3 of these minutes.

4. OUTTURN FINANCE BUDGET MONITOR 2018-19

Officer contact: Steven Pilsworth, Assistant Director – Finance (Tel: 01992 555737)

4.1 Members considered the Outturn Finance Budget Monitor for 2018/19 summarising the 2018/19 position against revenue and capital budgets and showing the year end position.

4.2 The Panel were pleased to note that the council had secured a strong overall performance throughout 2018/19; securing a £681k underspend at year end.

4.3 In response to a Member question, it was confirmed that the grants outlined in the report had conditions allowing the funding from them to be carried forward to the next financial year.

4.4 During discussion, the Liberal Democrat Group Lead Spokesman stated that whilst it was acknowledged that the achievement of the balanced budget was to be commended, the intention to transfer unspent contingency to the 2019/20 reserves budget was diametrically opposed to the proposals outlined in the alternative budget outlined by the Liberal Democrat Group at the beginning of the year. An example of this was a proposal to use some reserve budget monies to mitigate the issue of highways surface water flooding.

4.5 The Labour Group Lead Spokesman indicated that the Labour Group whilst also acknowledging the achievement of a balanced budget, also had different views on the spending allocation outlined within the report, and that that the current position was 'not where we had tried to be'.

4.6 In response to a Member question, it was clarified that there were two different areas within the reserves budget:

1. **Transition Reserve** - to act as contingency in the event of individual departments not being able to meet their savings targets;

2. **Corporate Transformation Reserve** – to fund transformation and change budgets.

4.7 Further to discussion, the Chairman rejected a request from Liberal Democrat Group Lead Spokesman to vote separately on the individual recommendations outlined at section 4 of the report.

4.8 The Liberal Democrat Lead Spokesman stated that if the recommendations had been separated, Liberal Democrat Group opposition Members would have voted in favour of all the recommendations bar 4.1 b (i) for the reasons outlined at 4.4 of these minutes.

4.9 In response to a Member question it was agreed that officers would circulate a link to the full breakdown of budgets including the detail of the current status of the reserve budgets to Members of the Panel.

Steven
Pilsworth

CONCLUSION

4.10

Further to a vote by a show of hands, **SEVEN** Members voted in **FAVOUR** of the following recommendations and **FIVE** Members **ABSTAINED** from agreeing to the following recommendations:

- a. To note the overall financial performance for the Council during 2018/19.
- b. To consider and recommend to Cabinet as appropriate
 - i. the proposed transfers to reserves to be made from the revenue contingency budget not required during 2018/19
 - ii. the proposed carry forward amounts relating to ring-fenced budgets
 - iii. the proposed carry forward amount relating to general budgets
 - iv. the proposed re-programming of capital investment amounts from 2018/19 to future years
 - v. the performance of treasury and debt management

5. DEVELOPER SELECTION FOR GREATER BROOKFIELD, CHESHUNT

Officer contact: Mike Evans, Head of Estates Management (Tel: 01992 555634)

5.1 P V Mason declared an interest in this item as he advised he was a Member of Broxbourne Borough Council. Cllr Mason remained in the room and participated in the debate.

- 5.2 Members were presented with a summary of the outcome of the joint procurement exercise with the Borough of Broxbourne for a development partner for the Brookfield Riverside project.
- 5.3 Prior to discussion, Members were introduced to Kevin Clark, Head of Property at Broxbourne Borough Council. It was explained that Mr Clark was present in order to assist with any questions Members may have on the item.
- 5.4 In response to a Member challenge, it was explained that officers would start work on creating a business case, for presentation at a future meeting of Cabinet, whilst the conditional development agreement was being drawn up. It was confirmed that should the business case be judged by Cabinet not to be sound, and therefore subsequently rejected, no abortive fees would be required to be paid by the council. However should the business case be sound, but the council decide not proceed, then abortive fees would be payable.
- 5.5 In considering the report, Members noted that the relocation of the traveller's site at Halfhide Line was key to the development. In response to a Member question, it was confirmed that ongoing negotiation with the traveller's community had resulted in tentative agreement identifying a site for the relocation. It was confirmed that this was scheduled to be discussed further as part of the Local Plan inquiry during the week commencing 10 June 2019.

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

**DEVELOPER SELECTION FOR GREATER BROOKFIELD,
CHESHUNT**

- 5.6 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.
- 5.7 Following discussion on the Part II Report and recommendation, the Panel moved back into Part I (open session) to note the Part I recommendations
- 5.8 Further to discussion of the Part II report, it was agreed that the following recommendation be added to the Part I report:

'At the appropriate time during the negotiations should, in the opinion of the Director of Resources, a material change occur

**CHAIRMAN'S
INITIALS**

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to the scheme an update will be brought forward to Cabinet Panel'

5.9 CONCLUSION

Members agreed the following recommendations, with the addition of the recommendation outlined at 5.8 of these minutes:

That Cabinet:

- i. approves the appointment of Company D (as identified in the Part II Report) as the Council's preferred partner in accordance with the procurement process for the development of land at Brookfield Riverside, Cheshunt;
- ii. delegates to the Director of Resources, in consultation with the Executive Member for Resources and Performance, the negotiation and completion of a partnership agreement with the Borough of Broxbourne;
- iii. delegates to the Director of Resources, in consultation with the Executive Member for Resources and Performance, the agreement of detailed Heads of Term for the development and the negotiation and subsequent completion of a development agreement with Company D and the Borough of Broxbourne in line with the heads of terms and other elements of the tender submission made by Company D, such development agreement also being based on the initial masterplan and phase 1 concept scheme submitted by Company D;
- iv. agrees the business case setting out and justifying the investments and the return to the Council for the development and the Masterplan for the development to be brought back to Cabinet for approval, it being acknowledged that this will occur after the development agreement has been entered into as part of the detailed implementation of the arrangements to be contained in the Development Agreement ;
- v. notes that officers will at the appropriate stage prepare a business case for Cabinet approval with regards to the relocation of the council's household waste recycling centre and traveller's site at Halfhide Lane, Cheshunt. This business case may either form part of the Brookfield Riverside business case referred to in (iv) or may be presented as a standalone business case; and
- vi. At the appropriate time during the negotiations should, in the opinion of the Director of Resources, a material change occur to the scheme an update will be brought forward to Cabinet

**CHAIRMAN'S
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Panel

- vii. notes and approves the proposed governance arrangements as set out in this report.

6. OTHER URGENT PART I BUSINESS

6.1 There was no other urgent Part I Business.

**QUENTIN BAKER
CHIEF LEGAL OFFICER**

CHAIRMAN _____

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