

**PUBLICATION OF DECISION LIST NUMBER 02/15-16**

MUNICIPAL YEAR 2015/16

Date Published: 10 July 2015

This document lists the decisions taken by the Cabinet at its meeting on 7 July 2015. Decisions outside the budget or policy framework that are called-in cannot come into force until the ten working day “call-in” period from the date of this document (i.e. 24 July 2015) has elapsed except for those decisions taken under emergency procedures.

Cabinet decisions are subject to pre-implementation review through the following call-in procedure:-

“Call-in” requires at least a quarter of the Members of the appropriate Overview and Scrutiny Committee to request the “call-in”, in writing, within four working days of the publication of the decision by the Cabinet, to be effective. Where the appropriate Committee has been previously involved in the decision which is being “called-in”, the request should be made by Members of one of the other two Overview and Scrutiny Committees. A Notification of Call-in Form can be obtained from and should be completed, signed and returned to Graham Seal, Governance Services Manager. The meeting of the Overview and Scrutiny Committee to consider the “called-in” item(s) must take place within twenty working days of the publication of the decision by the Cabinet. The Call-In procedure does not apply where the decision being taken by the Cabinet is urgent.

Where an Overview and Scrutiny Committee is of the opinion that an executive decision which relates to an area covered by that Committee yet to be made or made but not yet implemented would be, contrary to the policy framework, or contrary to or not wholly in accordance with the Council’s budget, then it should seek advice from the Monitoring Officer and/or Director (Finance and Operations).

If you have any queries or wish to obtain further report information or information on a decision please refer to:  
Graham Seal, Governance Services Manager at the Council Offices, Campus  
East, Welwyn Garden City, Herts AL8 6AE  
Telephone number (01707) 357444 or e-mail [g.seal@welhat.gov.uk](mailto:g.seal@welhat.gov.uk)

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List Ref.	Decision Made by	Date of Decision	Part 1/2	Subject/Title of Report	Category of Decision	Affected Wards	Eligible for Call-In & Date Decision must be called in by (If applicable)	Appropriate Overview and Scrutiny Committee	Page No.
1/2/15-16	Cabinet	7 July 2015	1	Business Plan and Action Plan	Budget and Policy Framework Item for Recommendation to the Council	All	No	Resources	1.
2/2/15-16	Cabinet	7 July 2015	1	Treasury Management Annual Report 2014/15 and Amendment to Schedules to Treasury Management Practices	Budget and Policy Framework Item for Recommendation to the Council	All	No	Resources	2.
3/2/15-16	Cabinet	7 July 2015	1	Review of Welwyn Garden City Estate Management Scheme	Key Forward Plan Ref: FP700	Haldens, Handside, Hollybush, Howlands, Panshanger, Peartree and Sherrards	No	Environment	3-4
4/2/15-16	Cabinet	7 July 2015	1	Revenue Budget Outturn for the Financial Year 2014/15	Key Forward Plan Ref: FP705	All	No	Resources	5.
5/2/15-16	Cabinet	7 July 2015	1	2014/15 Capital Outturn and Funding Position	Key Forward Plan Ref: FP705	All	No	Resources	6.
6/2/15-16	Cabinet	7 July 2015	1	ICT – Sopra Steria – Broxbourne Borough Council Partnership	Non-Key	All	No	Resources	7.

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7/2/15-16	Cabinet	7 July 2015	1	Risk Management	Non-Key	All	No	Resources	8.
8/2/15-16	Cabinet	7 July 2015	2	Settlement of Land Charges Property Searches Claim by Amalgamated Personal Property Searches Limited (and others)	Non-Key	All	No	Resources	9.
9/2/15-16	Cabinet	7 July 2015	2	Serco Limited Novation	Non-Key	All	No	Environment	10.
10/2/15-16	Cabinet	7 July 2015	2	Joint Building Control Service	Key Forward Plan Ref: FP703	All	No	Environment	11.

**LIST REFERENCE: 1/2/15-16**

<b>SUBJECT / TITLE OF REPORT</b>
Business Plan and Action Plan

<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by the Decision</b>	<b>Decision taken by</b>	<b>Date decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>	<b>Appropriate Overview and Scrutiny Committee</b>
1	All	Cabinet	7 July 2015	No	Budget and Policy Framework Item for Recommendation to the Council	Thom Burn 01707 357245 <a href="mailto:t.burn@welhat.gov.uk">t.burn@welhat.gov.uk</a>	No	Resources

<b>DECISION:</b>
The Council was recommended to approve the new Business Plan for 2015-18 and the Action Plan for the current financial year.

<b>BACKGROUND:</b>
Report of the Head of Policy and Culture to the Cabinet item 7(a) refers.

**LIST REFERENCE: 2/2/15-16**

<b>SUBJECT / TITLE OF REPORT</b>								
Treasury Management Annual Report 2014/15 and Amendment to Schedules to Treasury Management Practices								

<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by the Decision</b>	<b>Decision taken by</b>	<b>Date decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>	<b>Appropriate Overview and Scrutiny Committee</b>
1	All	Cabinet	7 July 2015	No	Budget and Policy Framework Item for Recommendation to the Council	Andrea Plucknett 01707 357453 <a href="mailto:a.plucknett@welhat.gov.uk">a.plucknett@welhat.gov.uk</a>	No	Resources

<b>DECISION:</b>
The treasury management prudential indicators for 2014/15 were noted and the Council was recommended to approve an amendment to the Treasury Management Practices schedules to incorporate the duties and responsibilities of the post of Finance Manager.

<b>BACKGROUND:</b>
Report of the Director (Finance and Operations) to the Cabinet item 7(b) refers.

**LIST REFERENCE: 3/2/15-16**

<b>SUBJECT / TITLE OF REPORT</b>
Review of Welwyn Garden City Estate Management Scheme

<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by the Decision</b>	<b>Decision taken by</b>	<b>Date decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>	<b>Appropriate Overview and Scrutiny Committee</b>
1	Haldens, Handside, Hollybush, Howlands, Panshanger, Peartree and Sherrards	Cabinet	7 July 2015	No	Key Forward Plan Ref: FP700	Richard Aston 01707 357298 <a href="mailto:r.aston@welhat.gov.uk">r.aston@welhat.gov.uk</a> Charles Allingham 01707 357466 <a href="mailto:c.allingham@welhat.gov.uk">c.allingham@welhat.gov.uk</a>	No	Environment

<b>DECISION:</b>
<p>(1) Officers were authorised to carry out consultation on the nature of the Scheme with appropriate organisations as to whether another body would be prepared to take over the management of the Scheme and if yes, to explore the implications and report back.</p> <p>(2) If this did not prove to be appropriate, Officers were authorised to carry out a town wide review to establish whether permitted development rights would be prejudicial to the proper planning of the area or constitute a threat to the amenities of that area.</p> <p>(3) Officers were authorised to draft an immediate Article 4 Direction.</p> <p>(4) It was noted that a report would come back to the Cabinet setting out the outcome of the consultation and proposing the content and area of the Article 4 Direction and any further implications.</p> <p>(5) The Article 4 Direction would be advertised by local advertisement and site displays for a period of no less than six weeks and, having regard to the Council's Statement of Community Involvement, Officers were authorised to write to all affected households, Estate Agents and conveyancers stating the date the direction would come into force.</p> <p>(6) The Secretary of State would be notified on the same date notice was given to owner/occupiers.</p>

- (7) Officers would consider representations and report back to the Estate Management Appeals Panel and Cabinet.
- (8) If agreed, the Direction would be confirmed before the end of a six month period from the date it came into force and a copy sent to the Secretary of State.
- (9) Application would be made to the High Court (Property Chamber of the First Tier Leasehold Valuation Tribunal) for the effective variation or termination of the Estate Management Scheme for Welwyn Garden City (in accordance with Paragraph 9(b) of the Scheme) when the Council had evidence that its requirements were better secured through alternative legislation.
- (10) Authorisation was given to fund the implementation of these proposals.

**BACKGROUND:**

Report of the Head of Planning to the Cabinet item 8(a) refers.

**LIST REFERENCE: 4/2/15-16**

<b>SUBJECT / TITLE OF REPORT</b>
Revenue Budget Outturn for the Financial Year 2014/15

Part 1 or 2 (relevant exempt Paragraph)	Wards affected by the Decision	Decision taken by	Date decision taken	Interest declared in respect of the Decision	Category of decision (i.e. Key, Non-Key, Council, Urgent)	Contact Details	Eligible for Call-in & Date to be called in by	Appropriate Overview and Scrutiny Committee
1	All	Cabinet	7 July 2015	No	Key Forward Plan Ref: FP705	Daniel Williams 01707 357389 <a href="mailto:d.williams@welhat.gov.uk">d.williams@welhat.gov.uk</a>	No	Resources

<b>DECISION:</b>
<p>(1) The outturn for the General Fund and the Housing Revenue Account as at the end of March 2015 was noted.</p> <p>(2) The position on debts and rechargeable works was noted.</p> <p>(3) The transfer to and from ring-fenced and one-off reserves totalling a net transfer to reserves of £131,000 was approved.</p>

<b>BACKGROUND:</b>
Report of the Director (Finance and Operations) to the Cabinet item 8(b) refers.



**LIST REFERENCE: 5/2/15-16**

<b>SUBJECT / TITLE OF REPORT</b>
2014/15 Capital Outturn and Funding Position

<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by the Decision</b>	<b>Decision taken by</b>	<b>Date decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>	<b>Appropriate Overview and Scrutiny Committee</b>
1	All	Cabinet	7 July 2015	No	Key Forward Plan Ref: FP705	Tracy Fortune 01707 357219 <a href="mailto:t.fortune@welhat.gov.uk">t.fortune@welhat.gov.uk</a>	No	Resources

<b>DECISION:</b>
The outturn on capital expenditure in 2014/15 of £31.180M was noted and the application of capital receipts and grants to fund the 2014/15 capital expenditure was approved.

<b>BACKGROUND:</b>
Report of the Director (Finance and Operations) to the Cabinet item 8(c) refers.

**LIST REFERENCE: 6/2/15-16**

<b>SUBJECT / TITLE OF REPORT</b>
ICT – Sopra Steria – Broxbourne Borough Council Partnership

Part 1 or 2 (relevant exempt Paragraph)	Wards affected by the Decision	Decision taken by	Date decision taken	Interest declared in respect of the Decision	Category of decision (i.e. Key, Non-Key, Council, Urgent)	Contact Details	Eligible for Call-in & Date to be called in by	Appropriate Overview and Scrutiny Committee
1	All	Cabinet	7 July 2015	No	Non-Key	Farhad Cantel 01707 357011 <a href="mailto:f.cantel@welhat.gov.uk">f.cantel@welhat.gov.uk</a>	No	Resources

<b>DECISION:</b>
<ol style="list-style-type: none"> <li>1. The principle of using the Delegated Authority contracting mechanism to provide a service to Broxbourne Borough Council through this Council’s partnership agreement with Sopra Steria was agreed.</li> <li>2. The Director (Finance and Operations), in conjunction with the Executive Member, Resources, was authorised to agree the terms of a delegation agreement from Broxbourne Borough Council of its relevant functions and to negotiate with Sopra Steria for the extension of the current contract for services for the ultimate benefit of Broxbourne Borough Council (through a Deed of Variation).</li> <li>3. In the event that Broxbourne Borough Council resolved to delegate relevant functions to the Council, a report would be brought to the Cabinet to consider whether to accept the delegation in respect of executive functions (under section 9EA of the Local Government Act 2000) and in addition, to the extent that Broxbourne Borough Council resolved to delegate Council (non-executive) functions under section 101 of the Local Government Act 1972, a report would be taken to the Council to agree whether to accept that delegation.</li> </ol>

<b>BACKGROUND:</b>
Report of the Director (Finance and Operations) to the Cabinet item 12 refers.

**LIST REFERENCE: 7/2/15-16**

<b>SUBJECT / TITLE OF REPORT</b>
Risk Management

<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by the Decision</b>	<b>Decision taken by</b>	<b>Date decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>	<b>Appropriate Overview and Scrutiny Committee</b>
1	All	Cabinet	7 July 2015	No	Non-Key	Andy Cremer 01707 357169 <a href="mailto:a.cremer@welhat.gov.uk">a.cremer@welhat.gov.uk</a>	No	Resources

<b>DECISION:</b>
The current Strategic Risk Register and top operational risks were reviewed, noting particularly that relevant controls were assigned to the risk in question ensuring that mitigation plans were in place where necessary with the current correct status and noting comments in respect of each risk where shown.

<b>BACKGROUND:</b>
Report of the Director (Finance and Operations) to the Cabinet item 13 refers.

**LIST REFERENCE: 8/2/15-16**

<b>SUBJECT / TITLE OF REPORT</b>
Settlement of Land Charges Property Searches Claim by Amalgamated Personal Property Searches Limited (and others)

Part 1 or 2 (relevant exempt Paragraph)	Wards affected by the Decision	Decision taken by	Date decision taken	Interest declared in respect of the Decision	Category of decision (i.e. Key, Non-Key, Council, Urgent)	Contact Details	Eligible for Call-in & Date to be called in by	Appropriate Overview and Scrutiny Committee
1	All	Cabinet	7 July 2015	No	Non-Key	Michel Saminaden 01707 357327 <a href="mailto:m.saminaden@welhat.gov.uk">m.saminaden@welhat.gov.uk</a>	No	Resources

<b>DECISION:</b>
The Cabinet noted the Chief Executive's exercise of his urgency powers to agree the settlement of this litigation.

<b>BACKGROUND:</b>
Exempt report of the Chief Executive to Cabinet item 16 refers. As the report contains confidential/exempt information it is not available to the press or public.

**LIST REFERENCE: 9/2/15-16**

<b>SUBJECT / TITLE OF REPORT</b>
Serco Limited Novation

Part 1 or 2 (relevant exempt Paragraph)	Wards affected by the Decision	Decision taken by	Date decision taken	Interest declared in respect of the Decision	Category of decision (i.e. Key, Non-Key, Council, Urgent)	Contact Details	Eligible for Call-in & Date to be called in by	Appropriate Overview and Scrutiny Committee
2	All	Cabinet	7 July 2015	No	Non-Key	Durk Reyner 01707 357160 <a href="mailto:d.reyner@welhat.gov.uk">d.reyner@welhat.gov.uk</a>	No	Environment

<b>DECISION:</b>
<p>(1) In the event that the proposed novation was acceptable to the Council, (in accordance with section 19.1 of Contract Procedure Rules), the Cabinet agreed to a novation of the contracts and authorised the Director ( Finance and Operations), in consultation with the Leader of the Council, to:-</p> <ul style="list-style-type: none"> <li>(a) complete the negotiations with Serco Limited on the novation and to take any necessary actions to finalise and enter into the novation and variation agreement and any ancillary or incidental documents or agreements;</li> <li>(b) take any other actions necessary to facilitate the transfer of the services under the existing contracts to New-Co;</li> <li>(c) approve the final sign off in relation to financial matters relating to the novation agreement;</li> </ul> <p>(2) In the event that the proposed novation was not acceptable to the Council and the existing contracts were unlikely to continue, the Director (Finance and Operations) would report further to the Cabinet on alternative strategies for service delivery.</p>

<b>BACKGROUND:</b>
Exempt report of the Director (Finance and Operations) to Cabinet item 17 refers. As the report contains confidential/exempt information it is not available to the press or public.

**LIST REFERENCE: 10/2/15-16**

<b>SUBJECT / TITLE OF REPORT</b>								
Joint Building Control Service								

<b>Part 1 or 2 (relevant exempt Paragraph)</b>	<b>Wards affected by the Decision</b>	<b>Decision taken by</b>	<b>Date decision taken</b>	<b>Interest declared in respect of the Decision</b>	<b>Category of decision (i.e. Key, Non-Key, Council, Urgent)</b>	<b>Contact Details</b>	<b>Eligible for Call-in &amp; Date to be called in by</b>	<b>Appropriate Overview and Scrutiny Committee</b>
2	All	Cabinet	7 July 2015	No	Key Forward Plan Ref: FP703	Colin Haigh 01707 357239 <a href="mailto:c.haigh@welhat.gov.uk">c.haigh@welhat.gov.uk</a>	No	Environment

<b>DECISION:</b>
<p>(1) The Cabinet agreed in principle to transfer the Welwyn Hatfield Borough Council Building Control function into a Hertfordshire joint service and confirmed its wish to participate in the current collaborations.</p> <p>(2) A final decision should be based on a more detailed understanding of the financial and legal implications to be considered at a future meeting.</p>

<b>BACKGROUND:</b>
<p>Exempt report of the Director (Finance and Operations) to Cabinet item 18(a) refers. As the report contains confidential/exempt information it is not available to the press or public.</p>