



## **PUBLICATION OF DECISION LIST NUMBER 10/17-18**

MUNICIPAL YEAR 2017/18

Date Published: 9 March 2018

This document lists the decisions taken by the Cabinet at its meeting on 6 March 2018. The list covers key and non-key decisions. These decisions will come into force within ten working days of the date of this document (i.e. 23 March 2018) unless the appropriate Overview and Scrutiny Committee calls a decision in.

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

Decisions that involve expenditure over £100,000 can be called in. "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. Either a special meeting of the Overview and Scrutiny Committee to consider the "called-in" item(s) will be convened within three working days of the call-in request or the item will be placed on the Agenda of the next available meeting of that Committee, depending on which can be achieved earliest. 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 Executive Director (Resources, Environment and Cultural Services).

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)

## INDEX OF PUBLISHED CABINET DECISIONS

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.
1/10/17-18	Cabinet	6 March 2018	1	Transfer of Building Control Functions to Three Rivers District Council	Budget and Policy Framework Item for Recommendation to the Council	All	No	Environment	1.
2/10/17-18	Cabinet	6 March 2018	1	Tenancy Policy and Flexible Tenancy Policy	Budget and Policy Framework Item for Recommendation to the Council	All	No	Social	2.
3/10/17-18	Cabinet	6 March 2018	1	Garage Maintenance Contract – Extension of Contract	Key Forward Plan Ref: FP838	All	No	Resources	3.
4/10/17-18	Cabinet	6 March 2018	1	Data Protection Policy	Non-Key	All	No	Resources	4.
5/10/17-18	Cabinet	6 March 2018	1	Performance Exception Report – Quarter 3 (2017/18)	Non-Key	All	No	All	5.
6/10/17-18	Cabinet	6 March 2018	1	Council's Achievements List – October to December 2017	Non-Key	All	No	Resources	6.
7/10/17-18	Cabinet	6 March 2018	2	Minor Works Contract	Key Forward Plan Ref: FP844	All	Yes by 15 March 2018	Resources	7.
8/10/17-18	Cabinet	6 March 2018	2	Cleaning Contract	Key Forward Plan Ref: FP845	All	Yes by 15 March 2018	Resources	8.

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.
9/10/17-18	Cabinet	6 March 2018	2	Property Investments	Non-Key	All	No	Resources	9.

**LIST REFERENCE: 1/10/17-18**

<b>SUBJECT / TITLE OF REPORT</b>								
Transfer of Building Control Functions to Three Rivers District Council								

<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 &amp; Scrutiny Committee</b>
1	All	Cabinet	6 March 2018	No	Budget and Policy Framework Item for Recommendation to the Council	Nick Long 01707 357401 <a href="mailto:n.long@welhat.gov.uk">n.long@welhat.gov.uk</a>	No	Environment

<b>DECISION:</b>
<p>(1) The Council’s statutory building control functions (as set out in Appendix A to the report) would be transferred to Three Rivers District Council so that it could carry out the duties and responsibilities of LA1 as described in the report on behalf of Welwyn Hatfield Borough Council.</p> <p>(2) The Executive Director (Public Protection, Planning and Governance) to be given delegated authority to authorise the Services Agreement and Inter-Authority Agreement referred to in the report using the power in Section 5(2)(a) of the Local Authorities (Arrangements for Discharge of Functions) (England) Regulations 2012 to transfer the functions listed in Appendix A to the report to Three Rivers District Council.</p> <p>(3) The Head of Public Health and Protection to be appointed as the Council’s “Commissioning Panel Representative” as part of the Commissioning Panel established in accordance with the Services Agreement and Inter-Authority Agreement.</p> <p>(4) Delegated authority to be given to the Head of Public Health and Protection in consultation with the Executive Director (Public Protection, Planning and Governance), to appoint a “Deputy Commissioning Panel Representative” to attend the Commissioning Panel in the event of the Commissioning Panel Representative’s absence.</p> <p>(5) The Council to be recommended to give delegated authority to the Head of Public Health and Protection, in consultation with the Executive Director (Resources, Environment and Cultural Services) as the Council’s Section 151 Officer and Executive Member (Resources) to negotiate and agree fees for both statutory and non-statutory building control activities, in negotiation with other members of the Commissioning Panel, Three Rivers District Council acting as LA1 and Hertfordshire Building Control Ltd.</p> <p>(6) Consideration to be given to any consequential revisions to be made to the Council’s Constitution and schemes of delegation with recommendations made to the Council for adoption of these revisions.</p>

<b>BACKGROUND:</b>
Report of the Executive Director (Public Protection, Planning and Governance) to the Cabinet item 7(a) refers.

**LIST REFERENCE: 2/10/17-18**

<b>SUBJECT / TITLE OF REPORT</b>								
Tenancy Policy and Flexible Tenancy Policy								

<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	6 March 2018	No	Budget and Policy Framework Item for Recommendation to the Council	Annette Benson 01707 357685 <a href="mailto:a.benson@welhat.gov.uk">a.benson@welhat.gov.uk</a>	No	Social

<b>DECISION:</b>
The revised Tenancy policy was recommended for adoption by the Council.

<b>BACKGROUND:</b>
Recommendations of Cabinet Housing Panel on 22 January 2018 to the Cabinet item 7(b) refers.

**LIST REFERENCE: 3/10/17-18**

<b>SUBJECT / TITLE OF REPORT</b>
Garage Maintenance Contract – Extension of Contract

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	6 March 2018	No	Key Forward Plan Ref: FP838	Mike Storey 01707 357457 <a href="mailto:m.storey@welhat.gov.uk">m.storey@welhat.gov.uk</a>	No	Resources

<b>DECISION:</b>
The Cabinet agreed to a one year extension of the current contract (from 1 May 2018 to 30 April 2019) with RPT Building and Maintenance.

<b>BACKGROUND:</b>
Report of the Executive Director (Resources, Environment and Cultural Services) to the Cabinet item 8(a) refers.

**LIST REFERENCE: 4/10/17-18**

<b>SUBJECT / TITLE OF REPORT</b>
Data Protection Policy

<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	6 March 2018	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>
<p>(1) The Cabinet agreed the Data Protection Policy.</p> <p>(2) Delegated authority was given to the Executive Board for approval of the following policies and procedures:</p> <ul style="list-style-type: none"> <li>• Subject Access Requests Procedure</li> <li>• Data Breaches Procedure</li> <li>• Data Protection Training Procedure</li> <li>• Privacy Impact Assessment Procedure</li> <li>• Paper Records Secure Handling Procedure</li> <li>• Secure Office Procedure</li> <li>• Patient Identifiable Information Policy</li> </ul>

<b>BACKGROUND:</b>
Report of the Executive Director (Resources, Environment and Cultural Services) to the Cabinet item 9 refers.

**LIST REFERENCE: 5/10/17-18**

**SUBJECT / TITLE OF REPORT**

Performance Exception Report – Quarter 3 (2017/18)

<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	6 March 2018	No	Non-Key	Paul Underwood 01707 357220 <a href="mailto:p.underwood@welhat.gov.uk">p.underwood@welhat.gov.uk</a>	No	All

**DECISION:**

Strategic performance data was noted and any proposed actions highlighted approved.

**BACKGROUND:**

Report of the Executive Director (Resources, Environment and Cultural Services) to the Cabinet item 10 refers.



**LIST REFERENCE: 6/10/17-18**

**SUBJECT / TITLE OF REPORT**

Council's Achievements List – October to December 2017

<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	Non-Key	Cabinet	6 March 2018	No	Non-Key	Thom Burn 01707 357245 <a href="mailto:t.burn@welhat.gov.uk">t.burn@welhat.gov.uk</a>	No	Resources

**DECISION:**

The Achievements List was noted.

**BACKGROUND:**

Report of the Executive Director (Resources, Environment and Cultural Services) to the Cabinet item 11 refers.

**LIST REFERENCE: 7/10/17-18**

<b>SUBJECT / TITLE OF REPORT</b>
Minor Works Contract

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	6 March 2018	No	Key Forward Plan Ref: FP844	Mike Storey 01707 357457 <a href="mailto:m.storey@welhat.gov.uk">m.storey@welhat.gov.uk</a>	Yes by 15 March 2018	Resources

<b>DECISION:</b>
<p>(1) A three year framework contract, with an optional one year extension, for minor building works was awarded to</p> <ul style="list-style-type: none"> <li>• RCP Contractors Ltd</li> <li>• D. Smith Builders (Welwyn) Ltd</li> </ul> <p>(2) The contract for electrical minor works (undertaken by Baldwin and Bleakley Electrical Services Ltd) was extended by a further twelve months until 31 March 2019.</p>

<b>BACKGROUND:</b>
Exempt report of the Executive Director (Resources, Environment and Cultural Services) to Cabinet item 14(a) refers. As the report contains confidential/exempt information it is not available to the press or public.

**LIST REFERENCE: 8/10/17-18**

<b>SUBJECT / TITLE OF REPORT</b>
Cleaning Contract

<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	6 March 2018	No	Key Forward Plan Ref: FP845	Mike Storey 01707 357457 <a href="mailto:m.storey@welhat.gov.uk">m.storey@welhat.gov.uk</a>	Yes by 15 March 2018	Resources

<b>DECISION:</b>
(1) The Cabinet decided not to exercise the extension clause in the contract. (2) A Member Procurement Board would be established to oversee the procurement process (Constitution 3 Members Ratio 3:2).

<b>BACKGROUND:</b>
Exempt report of the Executive Director (Resources, Environment and Cultural Services) to Cabinet item 14(b) refers. As the report contains confidential/exempt information it is not available to the press or public.

**LIST REFERENCE: 9/10/17-18**

<b>SUBJECT / TITLE OF REPORT</b>								
Property Investments								

<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	6 March 2018	No	Non-Key	Ka Ng 01707 357275 <a href="mailto:k.ng@welhat.gov.uk">k.ng@welhat.gov.uk</a>	No	Resources

<b>DECISION:</b>
<p>(1) The Cabinet noted the recent changes in the statutory prudential framework of capital finance and the implications on commercial property investment.</p> <p>(2) Delegated authority was given to the Executive Director (Resources, Environment and Cultural Services) in consultation with the following Members to agree direct property investments:- Leader/or Deputy Leader plus any two of the following three Executive Members:-</p> <ul style="list-style-type: none"> <li>• Executive Member (Business, Partnerships and Public Health)</li> <li>• Executive Member (Governance, Community Safety, Police and Crime Commissioner and Corporate Property)</li> <li>• Executive Member (Resources).</li> </ul> <p>(3) A maximum threshold of £3M to be applied for any individual transaction under this delegated authority.</p>

<b>BACKGROUND:</b>
Exempt report of the Executive Director (Resources, Environment and Cultural Services) to Cabinet item 15 refers. As the report contains confidential/exempt information it is not available to the press or public.