



Minutes
of the
Meeting of the
Cabinet
on
Monday, 12 July 2021

1. **Public Notice 1**
2. **Minutes**
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4. **Agenda**
5. **Appendices to Item 13**
6. **Minutes**

Minutes



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

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

CABINET **12 July 2021**

ATTENDANCE

MEMBERS OF THE CABINET

P Bibby, S J Boulton, M Bright, E H Buckmaster, R C Deering, T L F Douris, T C Heritage,
S N M Nash, R M Roberts (*Leader of the Council*)

Other Members in Attendance

M B J Mills-Bishop

Upon consideration of the agenda for the Cabinet meeting on 21 June 2021 as circulated, copy annexed, conclusions were reached and are recorded below:

PART I ('OPEN') BUSINESS

1. MINUTES

1.1 Cabinet agreed the Minutes of the meeting held on 21 June 2021.

2. QUESTIONS FROM MEMBERS OF THE COUNCIL TO EXECUTIVE MEMBERS

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

3. PUBLIC PETITIONS

3.1 There were no public petitions.

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The full Cabinet Meeting can be viewed here: [Cabinet - 12 July 2021](#).

4. REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA): ANNUAL REPORT 1 APRIL 2020 – 31 MARCH 2021

[Forward Plan Ref: A024/21]

Decision

4.1 Cabinet approved the policies in relation to:

- (a) Directed Surveillance and Covert Human Intelligence Sources, attached at Appendix A to the report;
- (b) Acquisition and Disclosure of Communications Data from Communication Service Providers, attached at Appendix B to the report; and
- (c) Use of Social Media in Investigations, attached at Appendix C to the report.

Reasons for the decision

4.2 The Regulation of Investigatory Powers Act 2000 (RIPA) regulates Directed Surveillance and Covert Human Intelligence Sources. The Investigatory Powers Act 2016 (IPA) regulates the acquisition and disclosure of communications data from communication service providers, including such by local authorities. They were introduced to ensure that individuals' rights are protected, whilst also ensuring that law enforcement and security agencies have the powers they need to do their job effectively.

4.3 The County Council has separate policies on covert investigations, the acquisition and disclosure of communications data, and on the use of social media in investigations. These each require Councillors to consider reports on their use of RIPA and IPA on at least an annual basis, to ensure that they are being used consistently with the Council's policies and that the policies remain fit for purpose. Cabinet has, therefore, received its Annual Report on their use and has approved updated policies for 2021/22.

Any alternative options considered and rejected

4.6 None.

5. DEVELOPER CONTRIBUTIONS GUIDANCE: A REPLACEMENT FOR THE HERTFORDSHIRE TOOLKIT

[Forward Plan Ref: A016/21]

Decision

- 5.1 Cabinet:
- i) approved the final version of the Guide to Developer Infrastructure Contributions (including Technical Appendices) and The Legal Pack (Appendices 1a, 1b and 2); and
 - ii) agreed that the Appendices and Technical Appendices of the Guide can be amended under delegated authority by the Director of Environment and Infrastructure, in consultation with the Executive Member, and (in respect of the Technical Appendices) alongside the relevant Director (or equivalent), in consultation with the Executive Member of the respective County Council service department.

Reasons for the decision

- 5.2 The Planning Obligations Guidance – Toolkit for Hertfordshire (referred to as the Toolkit) was adopted in 2008. The Toolkit outlines the Council’s approach to securing S106 planning obligations on behalf of Hertfordshire County Council services.
- 5.3 The new Guide, attached at Appendix 1 to the report, presents an up to date view of S106 and the integration with Community Infrastructure Levy (CIL). It provides more detail on Council working practices, providing clarity and transparency for developers and our local planning authority partners in a number of areas. The Guide is aimed at all persons involved in town planning processes such as the making of planning applications and particularly professionals such as town planners, surveyors, lawyers and highway engineers working within the County Council, the District/Borough councils and the development industry. It provides information on how the Council will coordinate a response to developer applications and advice on the infrastructure contributions required to mitigate the impact of developments.
- 5.4 In reaching its decision, Cabinet considered the above, together with the financial implications; the equalities implications; the sustainable Hertfordshire impact assessment; and the recommendations of the Growth, Infrastructure & Planning Cabinet Panel.

Any alternative options considered and rejected

- 5.5 None.

- 6. HERTFORDSHIRE COUNTY COUNCIL ADMISSION ARRANGEMENTS FOR 2021/22 AND 2022/23**
[Forward Plan Ref: A031/21]

Decision

6.1 Cabinet agreed that: -

- i) the County Council's admission arrangements for 2021-22 and 2022-23 are varied in line with the requirements of the new School Admissions Code:
 - Rule 1 of the County Council's oversubscription criteria is amended to include all previously looked after children, including **those who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted.**
 - The definition and explanation regarding the allocation of places to children of service personnel and crown servants is amended to specifically reflect the new Code
- ii) these variations are conditional on the Code passing through its Parliamentary process (on or around 1 July 2021).

Reasons for the decision

- 6.2 The County Council must determine on an annual basis the admission arrangements and published admission number for all community and voluntary schools in Hertfordshire; and the coordinated schemes of admission to all maintained schools and academies in the county.
- 6.3 The School Admissions Code requires all admission authorities to consult on their admission arrangements (if there have been no changes) every 7 years. Hertfordshire County Council consulted on its admission arrangements for both 2021-22 and 2022-23 and Cabinet then determined arrangements.
- 6.4 The School Admissions Code, paragraph 3.6, only allows admission authorities to vary their admission arrangements in very limited circumstances, if:
“such revision is necessary to give effect to a mandatory requirement of the Code, admissions law, a determination of the Adjudicator or a misprint in the admissions arrangements”
All other revisions (except an increase in a school's Published Admission Number) require the approval of the Office of the Schools Adjudicator.
- 6.5 The new School Admissions Code will be implemented, subject to Parliamentary approval, on 1 September 2021. The County Council is required to vary its determined admission arrangements for 2021-22 and 2022-23, in line with the new Code, before that date.
- 6.6 In reaching its decision, Cabinet considered the above, together with the consultation responses; the financial implications; the equalities implications; the sustainable Hertfordshire impact assessment; and the recommendations of the Education, Libraries & Lifelong Learning Cabinet Panel.

Any alternative options considered and rejected

6.7 None.

7. OUTCOME OF THE PUBLIC CONSULTATION ON THE PROPOSAL TO CHANGE THE AGE RANGE OF OXHEY EARLY YEARS CENTRE TO ENABLE THE SCHOOL TO OFFER NURSERY PROVISION TO 2-YEAR-OLD CHILDREN FROM JANUARY 2022

[Forward Plan Ref: A029/21]

Decision

7.1 Cabinet accepted the proposal to change the age range of Oxhey Early Years Centre to enable the school to offer nursery provision to 2-year-old children from January 2022 and authorised the Director of Children’s Services to publish a statutory notice.

Reasons for the decision

7.2 A public consultation began on 11 May 2021 and ended on 7 June 2021. At the close of the consultation a total of 8 responses were received of which 5 respondents agreed with the proposal, 1 disagreed and 2 were undecided. The school’s governing body responded to the consultation and is in agreement with the proposal.

7.3 The proposal will ensure that 2-year-old children in the community, particularly the most vulnerable, are able to access the free place that they are entitled to.

7.4 In reaching its decision, Cabinet considered the above, together with the consultation responses; financial implications; the equalities implications; the sustainable Hertfordshire impact assessment; and the recommendations of the Education, Libraries & Lifelong Learning Cabinet Panel.

Any alternative options considered and rejected

7.5 None.

8. HERTFORDSHIRE SKILLS AND EMPLOYMENT STRATEGY 2021-24

[Forward Plan Ref: A026/21]

Decision

8.1 Cabinet noted the work undertaken by Hertfordshire County Council, the Local Enterprise Partnership (LEP) and the Department for Work and Pensions (DWP) adopted the Skills and Employment Strategy, including but not limited to:

- i) by unlocking emerging talent with support for young people aged 16-24 years.
- ii) through adult learning and employment, working towards full employment, promoting lifelong learning and retraining opportunities
- iii) skills to grow small and medium size businesses, enabling employers to build their future workforce
- iv) priority and growth sectors, harnessing the opportunities and investing in skills of the future
- v) placemaking, seizing the opportunities of Hertfordshire's business assets together with the proximity to London and other key economic areas

Reasons for the decision

- 8.2 The aim of the strategy is to ensure the county's skills provision addresses the local skills challenges and opportunities and meets the employment needs of the future, whilst supporting all residents to reach their potential.
- 8.3 The need for collective leadership on skills development remains and the County Council, together with the Hertfordshire Local Enterprise Partnership (LEP) and the Department for Work and Pensions (DWP) will continue the partnership approach of developing and implementing the strategy.
- 8.4 The strategy is a joined-up approach to develop Hertfordshire's workforce to support a strong economy where businesses can thrive, whilst enabling all residents to maximise their potential.
- 8.5 In reaching its decision, Cabinet considered the above, together with the financial implications; the equalities implications; the sustainable Hertfordshire impact assessment; and the recommendations of the Education, Libraries & Lifelong Learning Cabinet Panel.

Any alternative options considered and rejected

- 8.6 None.

9. OUTTURN FINANCE BUDGET MONITOR

[Forward Plan Ref: A011/21]

Decision

- 9.1 Cabinet approved the following:
- i) The proposed carry forward amounts including ring-fenced funding, attached at Appendix B to the report;
 - ii) The proposed application of the final outturn underspend and unallocated COVID-19 emergency funding; and
 - iii) The proposed reprogramming of capital budgets, attached at

Reasons for the decision

9.2 Cabinet approved the carry forward amounts and recommended re-programming in order to continue to support the delivery of key capital investments in Hertfordshire during 2021/22.

Any alternative options considered and rejected

9.3 None.

10. COVID-19 RECOVERY STRATEGY

Decision

10.1 Cabinet:-

- i) noted the progress made to date on developing a Covid-19 Recovery Strategy;
- ii) approved the proposed two-stage approach to delivering the strategy; and
- iii) approved the initial investment of £9.6m to support Covid-19 recovery

Full Council will be invited to endorse the proposals at its meeting on 20 July 2021.

Reasons for the decision

10.2 Over the past eighteen months, the Council has been working closely with its strong network of partners to ensure Hertfordshire's residents and businesses can live and work as safely as possible, as the Council responds to the unprecedented challenges brought about by the global Covid-19 pandemic. As the focus starts to move beyond immediate responses to the crisis, it is critical that a clear plan is in place to ensure that services are effectively restored, and the Council help our communities recover from the impacts of the pandemic. This work will build on the lessons learned and opportunities to further innovate services, so they are fit for the future.

10.3 Work has now begun to develop a strategy that sets out the Council's recovery from the challenges and pressures faced in Hertfordshire. The strategy is being developed alongside the urgent, immediate responses and recovery projects that are already in progress. It is not intended to duplicate or re-work any existing recovery plans.

10.4 The Strategy provides an overview of the next steps that the Council and partners will take to drive local recovery and describes the short-term priorities

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and longer-term ambitions, specifically focusing on managing the emerging issues across Hertfordshire.

- 10.5 As part of the Integrated Plan approved in February 2021, funding was established to support recovery actions. A total of £11.5m was set aside, comprising an initial sum of £5.5m in 2021/22 and £2m in each of the subsequent three years.
- 10.6 Full Council will be invited to endorsement the proposal of the initial investment of £9.6m to support Covid-19 recovery, and the actions that investment will support at its meeting on 20 July 2021.
- 10.7 In reaching its decision, Cabinet considered the above, together with the financial implications; the equalities implications; and the recommendations of the Resources & Performance Cabinet Panel.

Any alternative options considered and rejected

- 10.8 None.

11. COVID LOCAL SUPPORT GRANT

Decision

- 11.1 Cabinet noted the £2.3m additional funding from the Governments Local Support Grant for Hertfordshire and agreed:
- (i) £1,720,000 to be allocated through a £50 voucher to support all children in families facing financial difficulties, defined as those currently in receipt of benefit-dependant Free School Meals, and those who meet the national criteria for free two-year-old education and childcare, and for Early Years Pupil Premium;
 - (ii) £445,000 allocation of funding to support adults;
 - (iii) £194,850 other support for families and children.

Reasons for the decision

- 11.2 Hertfordshire County Council has been allocated a further £2.3m of Covid Local Support Grant from the Department of Work and Pensions (DWP) for the period from 21 June to 30 September 2021. This follows on from earlier phases of Covid Winter Support Grant (£2.9m for Dec – March) and Covid Local Support Grant (£1.1m for April – June).
- 11.3 The DWP has confirmed that this will be the final allocation of this grant, bringing it in line with the ending of the furlough scheme. Notice of the grant extension was received on 22 June 2021, and in order to issue vouchers before the end of term, schools will need time before the end of term to process this.
- 11.4 Cabinet considered the above, together with the financial implications and the

equalities implications when making its decision.

Any alternative options considered and rejected

11.4 None.

12. ADDITIONAL SCHOOL PLACES – THE PRIORY SCHOOL, HITCHIN
[Forward Plan Ref: A030/21]

Decision

12.1 Cabinet:

- (i) approved the capital costs of The Priory School enlargement (contained within the Part II Report);
- (ii) authorised the Director of Children’s Services to enter a Funding Agreement with The Priory School, Hitchin, to enable it to permanently enlarge to 7fe from September 2023; and
- (iii) approved the allocation of s106 funding secured for the enlargement of The Priory School, and to other previously approved schemes as contained in Appendix 1.

Reasons for the decision

12.2 The Council has been working with The Priory School in Hitchin to agree the provision of an additional 1 form of entry of permanent capacity through its enlargement to 7fe.

12.3 The School’s determined Published Admission Number (PAN) is 180. Although it has offered over its PAN in recent years, it has insufficient permanent accommodation to accommodate an increase in the number of places it offers and therefore capital funding approval is sought to enable the School to deliver a building scheme which provides the right level of additional accommodation to meet its increased PAN.

12.4 The enlargement of The Priory School will meet the forecast need for additional secondary school places in the area.

12.5 In reaching its decision, Cabinet considered the above, together with the information within the Part II report; the financial implications; the equalities implications; the sustainable Hertfordshire impact assessment; and the recommendations of the Education, Libraries & Lifelong Learning Cabinet Panel.

Any alternative options considered and rejected

12.6 None.

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13. ACQUISITION OF BROOKDELL YARD, WATFORD, ADJACENT TO WATERDALE RECYCLING CENTRE, WATFORD, TO ENLARGE CAPACITY OF FACILITY TO ENSURE LONG TERM FUTURE OF SERVICE

[Forward Plan Ref: A028/21]

Decision

13.1 Cabinet:

- i) recommended to County Council that it approves the amendments to the Capital Strategy outlined in Section 5 and Appendix A to the report to enable the scheme to be added to the 2021/22 Integrated Plan;
- ii) subject to County Council approval of 13.1(i) above, approves the acquisition of Brookdell Goods Yard; and
- iii) delegates authority to the Director of Resources in consultation with the Executive Member for Resources and Performance, the Director of Environment and Infrastructure and the Executive Member for The Environment to agree final terms of the purchase.

Full Council will be invited to approve the amendments at its meeting on 20 July 2021.

Reasons for the decision

13.2 The Hertfordshire Local Authority Collected Waste (LACW) Spatial Strategy sets out the requirement to invest in the Waterdale Waste Transfer Station and the potential for short, medium and long-term improvements that would substantially improve the resilience of the network and develop Hertfordshire's ability to sustainably manage its waste.

13.3 The Brookdell site sits immediately to the south of Waterdale and represents a once in a lifetime opportunity to expand and reconfigure the site to provide necessary operational improvements and safeguard the most significant asset for waste management in Hertfordshire.

13.4 In reaching its decision, Cabinet considered the above, together with the information within the Part II report; the financial implications; the equalities implications; the sustainable Hertfordshire impact assessment; and the recommendations of the Resources & Performance Cabinet Panel.

PART II ('CLOSED') AGENDA

- 1. **ADDITIONAL SCHOOL PLACES – THE PRIORY SCHOOL, HITCHIN**
[Forward Plan Ref: A030/21]

Decision

- 1.1 The Part I decision reached on this item of business is recorded at item 12.1 above. The Part II decision reached on this item of business is recorded in the separate Part II Minutes.

- 2. **ACQUISITION OF BROOKDELL YARD, WATFORD, ADJACENT TO WATERDALE RECYCLING CENTRE, WATFORD, TO ENLARGE CAPACITY OF FACILITY TO ENSURE LONG TERM FUTURE OF SERVICE**
[Forward Plan Ref: A028/21]

Decision

- 2.1 The decision reached on this item of business is set out at item 13.1 above.

**QUENTIN BAKER
CHIEF LEGAL OFFICER**

CHAIRMAN _____

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