

EXECUTIVE MEETING ON 5 SEPTEMBER 2023



DECISION SHEETS

Record of decisions made by the Executive pursuant to Regulation 12 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of publication: 6 September 2023

** Executive decisions will not be implemented until the expiry of 5 working days to take account of the Call-In procedure.*

<u>No.</u>	<u>Item</u>	<u>Decision</u>	<u>Reasons for the Decision</u>	<u>Details of alternative options considered and rejected at a meeting</u>	<u>Any declarations of conflict of interest and/or dispensations granted</u>
6	Fit and Proper Persons Determination Policy for Mobile	That (A) the 'Fit and Proper Persons Determination Policy for Mobile Homes	Executive's approval of this policy will help to ensure fair, consistent, and transparent	The council could decide to not have a 'fit and proper person'	

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	Homes Sites	<p>Sites' be approved;</p> <p>(B) the structure for charging set out in section 13 of the 'Fit and Proper Persons Determination Policy for Mobile Homes Sites' be approved;</p> <p>(C) the application fee of £180 for the assessment of the fit and proper persons check and inclusion on the fit and proper persons register, subject to an annual</p>	<p>application of these new Regulations across East Hertfordshire and the approval of this fee structure will help to ensure fair, consistent and transparent fee structure which allows the council to undertake this work on a cost-neutral basis.</p>	<p>determination policy. This is not recommended because the council would be failing its legal duties to protect the residents of residential mobile homes sites and thus could open itself up to a challenge or judicial review which would be hard to defend.</p> <p>The council could decide to adopt a</p>	

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		<p>increase in line with the council's fees and charges strategy be approved;</p> <p>(D) the 'appointment of a manager' fee of £51 per hour or part thereof, plus the employment cost of the manager (including agency fees if applicable), subject to an annual increase in line with the council's fees and charges strategy be approved; and</p>		<p>revised version of the proposed 'fit and proper persons' determination policy. This is not recommended as the proposed policy is consistent with others across England and, officers argue, contains the correct balance between protecting the residents of residential mobile homes sites and</p>	

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		(E) authority to make minor amendments to the policy be delegated to the Head of Housing and Health in consultation with the Executive Member for Wellbeing.		<p>the ability of the owners of the sites to legitimately operate.</p> <p>The council adopts the proposed 'fit and proper persons' determination policy. This is recommended as the best course of action.</p>	
7	Castle Park Improvement Project -match	That (A) the sale of St Michael's Mead community centre	It was not anticipated that further cost pressures would arise.	The Council has no capital reserves to fund the gap. There	

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	funding contribution via optioned sale of final community centre	<p>pending trigger by BSTC as defined by the Options Agreement be agreed;</p> <p>(B) £125,000 of the capital receipt from the sale of St Michael's Mead community centre contributes to the funding gap for the Castle Park project; and</p> <p>(C) the option sum of £15,000 and £30,000</p>	<p>However, the project has experienced spiralling costs of archaeology, in a not dissimilar way to the leisure centre project at Grange Paddocks along with some unforeseen building and environmental costs. The gap to fund is £200,000 without allowance for a continued contingency fund to safeguard minor adjustments through the remaining project. A working contingency must be retained and therefore it has been</p>	<p>is a contingency budget in the capital programme, but that is borrowing and as it is in the authorised but not committed section of the capital programme, the borrowing costs are not included in the budget so would have to be funded. Following a risk analysis exercise carried out in partnership with BSTC to ensure that</p>	

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		(deduction in liabilities) is deducted from the sale of this last remaining centre at time of purchase	<p>agreed with BSTC that they will provide £125,000 leaving EHDC to find £125,000 from the income achieved through selling the last community centre. The contingency amount of £50,000 (£25,000 from each authority) will be held in reserve and retained if it is not required.</p> <p>The key pressures have been:</p> <ul style="list-style-type: none"> • archaeology -over x50 human remains found 	<p>remaining contingencies are safeguarded, they have agreed to match fund the Council's contribution from the capital receipts relating to the third community centre</p> <p>a) The Town Council exercise their option to purchase community centre number 3. EHDC put £125k of the</p>	

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			<p>which are now believed to be part of a formal burial ground and not a prison disposal as was initially considered. The archaeological contractor has minimised the removals as much as they can and persuaded the County archaeologists during the planning stage that there should be no digging below 27cm. However, far more than expected were found at this shallow level and the law requires that all</p>	<p>capital receipt towards the funding gap and BSTC match fund the remaining £125k as they have done previously.</p> <p>b) NOT RECOMMENDED - The Town Council exercise their option to purchase community centre number 3 and we put £125k of the capital receipt towards the</p>	

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			<p>remains, including partial remains below that level are removed. The need to bring a mains power supply in through the park unfortunately revealed even more remains in areas that they were not anticipated</p> <ul style="list-style-type: none"> • building - replacement of an existing roof that has deteriorated beyond repair during the period of the project • environmental – voles and bats discovered where none were 	<p>funding gap. We then borrow the remaining £125k over 10 years. The borrowing costs (£15,290) are funded by reducing the grounds maintenance revenue budget for parks and open spaces within Bishop’s Stortford Civil Parish.</p> <p>c) NOT RECOMMENDED - Further value</p>	

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			<p>previously surveyed required further survey and relocation of voles, plus discovery of asbestos in an unexpected location</p> <p>It is not anticipating that any further significant archaeological costs or building works will be required other than those already accounted and budgeted for. Essentially there is only a small area of excavation work below surface level with pipes to lay around</p>	<p>engineering is carried out to make up the funding gap. Considerations for this option include the following:</p> <ul style="list-style-type: none"> • omit pontoon by river intended to offer access to local canoe clubs etc - £20,000 • omit attractive element of hard landscape attached to refurbished community building - £5,000 • omit provision of 	

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			<p>the repurposed building but much of this has already been surveyed. There should therefore be no further opportunity to find more human remains.</p> <p>The sale of the third community centre allows EHDC to meet the funding gap of the castle park project, offset borrowing costs and remove the liabilities of maintaining the building from the Council.</p>	<p>electrical supply to Sworders Field - £700</p> <ul style="list-style-type: none"> • omit removal of old tennis courts (which was to provide new event space linked to monuments and bridge) - £23,000 • Omit new bike stands - £2,500 • Omit demolition of Elsie Barret building and creation of outdoor seating area for café - £35,000 	

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				<ul style="list-style-type: none"> • Omit creation of space to accommodate café and accessible Changing Places toilet - £122,500 	