

POLICY AND RESOURCES COMMITTEE

MINUTES

Of a meeting held in the Penn Chamber, Three Rivers House, Rickmansworth, on Monday 21 March 2016 between 7.30pm and 8.39pm.

Councillors present:

Ann Shaw OBE (Chairman)

Sara Bedford (Health)

Phil Brading (Public Services)

Stephen Cox

Stephen Giles-Medhurst (Economic Development, Sustainability and Transport)

Ty Harris

Paula Hiscocks

Heather Kenison

Angela Killick

Matthew Bedford (Vice-Chairman) (Resources and Shared Services)

Chris Lloyd (Leisure, Community and Wellbeing)

Ralph Sangster

David Sansom

Roger Seabourne (Community Safety)

Martin Trevett (Housing, Planning and Strategic Schemes)

Also in attendance: Councillors David Major, Alison Scarth, Andrew Scarth and Alison Wall

Officers Present:

Steven Halls, Chief Executive

Geof Muggerridge, Director of Community and Environmental Services

Joanne Wagstaffe, Director of Finance

Andy Stovold, Head of Community Partnerships

Ray Figg, Leisure Manager

Ryan Watson, Sports Development Officer

Alan Head, Head of Major Projects

Jonathan Bowers, Bond Dickinson

Sarah Haythorpe, Principal Committee Manager

PR99/15 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Kemal Butt.

PR100/15 MINUTES

The minutes of the meeting held on 25 January 2016 were agreed by the Committee and were signed by the Chairman.

PR101/15 NOTICE OF OTHER BUSINESS

The Chairman ruled that the following items, which had not been available for five clear days before the meeting were of sufficient urgency to be considered by the Committee for the reasons indicated:

The Chairman declared

Item 9: South Oxhey Initiative – to enable the project to progress

Item 12: Budget Monitoring (Month 11) February – to enable amendments to the budget to be made.

Item 14a: Service Planning 2016-19 – to enable the service plans to be implemented

Item 14b: South Oxhey Initiative – to enable the project to progress.

PR102/15 DECLARATION OF INTERESTS

None received.

PR103/15 LEASE OF LAND WITHIN WOODCOCK HILL CEMETERY

The report sought authority to alter the lease terms proposed for the leasing of graves to Battlers Wells Foundation (BWF).

Councillor Sara Bedford moved, duly seconded, the recommendations in the report as set out in paragraphs 8.1.1 and 8.1.2.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

- 1) the Exchange of Contract for 260 graves within Woodcock Hill Cemetery takes place in May 2016, with final completion by 31 March 2017; and
- 2) the lease term be until 2029, in order to make it co-terminous with the other graves within the same section.

PR104/15 CHARGING FOR DISCRETIONARY ADVICE SERVICES – ENVIRONMENTAL HEALTH FOOD SAFETY FUNCTIONS

To report sought approval for the introduction of a charging regime for new food business advice service requests.

Councillor Sara Bedford moved, duly seconded, the recommendations in the report as set out in paragraphs 14.1 and 14.2.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

- 1) agreed the introduction of the charging regime, in principle, during the first quarter of 2016/17, subject to the timely completion of website improvements.
- 2) The rate to be charged would be twice the full hourly on cost rate for a fully qualified Environmental Health Practitioner employed at PO4 (SCP 36) plus Market Factor Supplement with a service charge and VAT levied on top.

PR105/15 REVISED CORPORATE ANTI-SOCIAL BEHAVIOUR POLICY

This report asked the Committee to adopt a revised Corporate Anti-Social Behaviour Policy.

Councillor Roger Seabourne moved, duly seconded, that the policy be adopted.

A Member asked if information could be provided on where the policy had been updated. The Head of Community Partnerships said the website would be updated accordingly and clarification provided to Members.

RESOLVED:

- 1) That the Committee adopts the new Anti-Social Behaviour Policy; and
- 2) That officers complete a review of this policy in three years' time.

POST MEETING NOTE:

Further to the question raised at Policy and Resources Committee, as the report outlined to the Committee, officers produced a new policy, rather than editing the old one.

The new policy seeks to set out a framework for the Council to deal with ASB. The key new additions and changes to the agreed new policy are:

Section 2 - an update of the definition as defined in new legislation; and a clearer explanation of what may not be considered ASB.

Section 3 - a new set of aims for responding to ASB that reflect good practice

Section 4 - the addition of a set of values in relation to ASB.

Section 5 - an updated outline of responsibilities within the Council for responding to ASB.

Section 7 - an updated explanation of the Council's approach to dealing with complaints including specific reference to domestic abuse, hate crime and health and social care needs - reflecting best practice and our responsibilities under safeguarding arrangements.

Sections 8 -11 - an updated explanation of how we work in partnership and the roles of other key services including housing providers, the police and health and social care.

Section 13 - a commitment to keeping our website up to date on the range of enforcement actions available.

Section 14 - a commitment to setting and monitoring performance indicators for ASB.

Section 15 - a clearer explanation of our data protection measures.

Section 16 - a commitment to training relevant staff to deliver ASB.

PR106/15 MEMBER TRAINING

The Committee had received a report at the 7 December 2015 meeting on Member Training (Minute PR68/15) and raised a number of comments at the meeting which were addressed in the report.

Members were asked to comment on the suggestions for future Member training in Appendix 1 and on the individual Member training matrix at Appendix 2. Members made the following comments:

- Was there any surplus in the Member training budget for this year.
- Specific Committee training to be provided to all Members not just those on the Committee.
- ICT training for existing Members as well as new Members
- Planning, Green Belt and CIL provisions training to be essential for Planning Committee Members.
- Prioritisation of E-learning modules
- To ask Members whether they had covered any of E-learning modules in another role so as not to duplicate the training.
- To ensure all Members have access to the E-learning module.
- That each Group Leader prioritises training within their Group for its Members.

Members noted that the Member training budget was underspent this financial year.

RESOLVED:

That Members comments made on the suggested categories and training included within them at Appendix 1 be included in the training programme and the individual Member training matrix at Appendix 2 be implemented from the new financial year.

PR107/15 SOUTH OXHEY INITIATIVE

This report presented the detailed Compulsory Purchase Order and Appropriation report prepared by Bond Dickinson, the Council's Solicitors in this matter. This was pursuant to the earlier decision to enter into a Development Agreement for the implementation of the South Oxhey Initiative.

It was noted that representation had been made to the Council by a firm of Solicitors representing Thrive Homes, to which officers will reply.

Councillor Matthew Bedford moved, duly seconded, the recommendations as set out in section 1 of the report.

Mr Bowers provided information on the recommendations in the report which covered the compulsory purchase orders, appropriation of land and acquisition of land in South Oxhey.

A Member asked what principles were in place on the compulsory purchases to ensure the Council paid a fair value or provided reasonable compensation and what were the timescales? Mr Bowers advised that the Council would be following the appropriate codes for compensation and ensuring open market value. The timescales for vacation were the public enquiry anticipated to start in Q4 2016 and continuing into 2017 with 3 years to exercise these powers with a minimum notice of 3 months which could be increased to longer periods for possession.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

1) approved the resolutions as set out at section 1 of the report as follows:

- a. To recommend that the Council resolves:
- b. To make a compulsory purchase order (the **Order**) to acquire compulsorily all or part of the land shown edged red coloured pink (**Order Land**) on the plan attached at **Appendix A** entitled Map referred to in the Three Rivers District Council (Land at Henbury Way, Oxhey Drive, Bridlington Road, St. Andrews Road, The Parade, Prestwick Road, Fairfield Avenue and Station Approach, South Oxhey) Compulsory Purchase Order 2016 (the **CPO Map**) (which may include additional sheets to show the acquisition at different floor levels) in order to enable the implementation of the South Oxhey Initiative redevelopment.
- c. To delegate to the Solicitor to the Council:
 - i. to agree the wording of the Order, the Statement of Reasons and finalise the CPO Map, and to take all steps necessary to make and confirm the Order; and
 - ii. to take all steps to seek to acquire the necessary interests in land by agreement or by utilising compulsory acquisition powers.
- d. If the Secretary of State authorises the Council to do so, to confirm the Order.
- e. To utilise, where appropriate, either the general vesting declaration procedure under the Compulsory Purchase (Vesting Declarations) Act 1981 or the notice to treat procedure under Section 5 of the Compulsory Purchase Act 1965 in respect of the confirmed Order.
- f. To give authority under Section 6(4) of the Acquisition of Land Act 1981 to dispense with individual service of notices in respect of areas of land where the Council is satisfied that it has not been possible following proper enquiry to establish the ownership of the land in question and for the service of notices in the manner set out in Section 6(4) of the Acquisition of Land Act 1981.
- g. to authorise:
 - i. the appropriation of the land:
 1. at Maylands Road, Hallows Crescent and Hayling Road all as shown on the plans at **Appendix B** having considered any objections received to the same; and
 2. forming part of the Order Land which is owned freehold by the Council under the provisions of Section 122 of the Local Government Act 1972

for planning purposes to enable the Council to override third party rights and easements pursuant to Section 237 of the Town and Country Planning Act 1990 as amended; and

- ii. further in respect of the land at Maylands Road its disposal of public open space pursuant to s.233 of the Town and Country Planning Act 1990 having considered any objections received to the same.
 - iii. the consideration of any objections be delegated to the Chief Executive in consultation with the Chair of Policy & Resources Committee (P&RC).
- h. That in doing so the Council has considered the provisions of the Equalities Act 2010 and the Human Rights Act 1998 contained in paragraph 16 of this report so far as they might be applicable in deciding whether or not to make the Order and all other statutory powers that the Council seeks to exercise and resolves the following:
- i. With regard to Article 8 it is considered that in balancing the rights of the individuals who are affected by the Order against the benefit to the community of proceeding with the Order, the making of the Order resulting in the interference with the individuals rights is justified in the interests of improving the economic, environmental and social well-being of the centre of South Oxhey.
 - ii. With regard to Article 1 Protocol 1, it is considered that the interference with the individual's property is justified by the advantages accruing to the public by proceeding with the Scheme particularly taking into account the fact that there is a legal right to compensation for the property taken and any rights extinguished under the Order.

2) recommends those resolutions to Full Council for adoption.

RECOMMEND:

- 3) That Council accepts the recommendations of the Policy and Resources Committee.

PR108/15 SCOTSBRIDGE ALL-WEATHER ARTIFICIAL SPORTS PITCH UPDATE REPORT

The purpose of this report was to update Members on the progress of the Scotsbridge artificial all-weather pitch project and to highlight a current shortfall in capital funding. This Committee need to agree the request for funding in recommendations 11.3, 11.4 and 11.5 of this report, subject to comments received from the Leisure, Wellbeing and Health Committee on the identical report which went to their meeting on 16 March 2016.

The Leisure, Wellbeing and Health Committee had asked for an annual report from the Hockey Club to Members for the Members' Information Bulletin. If officers are not satisfied with the progress made, the item to come back to Committee.

Councillor Chris Lloyd, Chairman of Leisure, Wellbeing and Health Committee, moved the following amendments to the recommendations set out in the report which included providing the funding as a capital loan, as follows:

11.3 of the report to be amended to: 'That the Committee supports the request for additional funding of £96,660 from the Hockey Club, and the Committee recommends to the Policy and Resources Committee the preferred funding option of a capital loan. Any loan would be subject to full due diligence by council officers and that the final decision is delegated to the Director of Finance in consultation with the Lead Member for Finance.'

11.5 of the report to be amended to: 'If Members resolve to commit extra Section106 monies, this be subject to officers securing an acceptable level of free and subsidised use of the facilities by local residents which reflects planning policy and the level of investment being made and that this be delegated to Director of Community and Environmental Services in consultation with Chairman of Leisure, Wellbeing and Health Committee and Chairman of P&R.'

Members of the Policy and Resources Committee said it was important that before the legal agreement was made, the use of the facilities must be provided to local schools, local community groups and other local people for their use.

On being put to the Committee the amended clause 11.3 (to agree a capital loan of £96,660) was declared CARRIED the voting being unanimous.

RESOLVED:

11.1 To approve negotiations for a lease of the land to be entered into.

11.2 That delegated authority be given to the Director of Community and Environmental Services and the Head of Finance, in consultation with the Lead Member for Leisure, Community and Wellbeing to consider any objections to the proposed lease made under Section 123A of the Local Government Act 1972.

11.3 That this Committee adopts Leisure, Wellbeing and Health Committee's preferred option of a capital loan of £96,660 to the Hockey Club, as set out in 4.3 of the report. Any loan would be subject to full due diligence by council officers and that the final decision is delegated to the Director of Finance in consultation with the Lead Member for Finance and Lead Member for Leisure, Community and Wellbeing.

11.4 That officers be satisfied that the pitch is sufficient for community use.

11.5 That an annual report from the Hockey Club to Members be supplied for the Members' Information Bulletin. If officers are not satisfied with the progress made, the item to come back to Committee.

PR109/15 PURCHASE OF INDIVIDUAL PROPERTY

This report requested authorisation to purchase an individual property in Mill End, Rickmansworth subject to comments received from the Sustainable Development, Planning and Transport Committee at their meeting on 10 March 2016.

Councillor Martin Trevett advised that there had been unanimous support for the purchase at the Committee meeting on 10 March. He moved the recommendations in the report, duly seconded.

On being put to the Committee the motion was declared CARRIED the voting being unanimous.

RESOLVED:

- 1) To purchase the individual property in Mill End subject to satisfactory survey for use as temporary accommodation to alleviate homelessness on this occasion due to the urgency of the acquisition;
- 2) give authorisation to Sustainable Development, Planning and Transport Committee to purchase any property for use as temporary accommodation and that the change of remit of the Committee and its Terms of Reference be agreed by Council; and
- 3) to seek approval from Council to extend its Terms of Reference and Remit to enable it to authorise the purchase of property for investment.

PR110/15 BUDGET MONITORING

Budget Monitoring was a key tool in scrutinising the Council's financial performance. It was designed to provide an overview to all relevant stakeholders.

Councillor Matthew Bedford moved, duly seconded, the recommendations in the report.

On being put to the Committee the motion was declared CARRIED the voting being 9 For, 0 Against and 6 Abstentions.

RECOMMEND:

To Council:

That the following revenue budget variations be approved and incorporated into the three-year medium-term financial plan:-

Revenue	2015/16 £	2016/17 £	2017/18 £	2018/19 £
Overspend/(Underspend) at P6	72,400	0	0	0

That the following capital budget variations be approved and incorporated into the three-year medium-term financial plan:-

Capital	2015/16 £	2016/17 £	2017/18 £	2018/19 £
Increase/(Decrease) in Expenditure at P6	(482,025)	482,025	0	0

PR111/15 WORK PROGRAMME

To agree the Committee's work programme. The following reports were to be added to the work programme:

Vehicle Crossover
Article 4 direction (change of use from office accommodation to housing)
Land Acquisitions

RESOLVED:

That the work programme be agreed subject to the above amendments.

PR112/15 SERVICE PLANNING 2016-2019

This report enabled the Committee to comment on the service plans which report to them.

Members asked if the performance indicators for Revenue and Benefits could be revisited in the light of the improved performance.

On the budgets for Elections and Committee to provide written confirmation that they are the global budgets.

RECOMMEND:

That the contents be recommended to Council at its meeting on 17 May 2016.

PR113/15 SOUTH OXHEY INITIATIVE

This report proposed the establishment of a Project Board and a Scrutiny Board in the interests of good governance and best practice of the South Oxhey Initiative.

The Head of Major Projects advised some amendments to the formation of the South Oxhey Project Board in paragraph 2.6 of the report which had been put forward by the Solicitor to the Council.

"The Terms of Reference in this instance would be as per the SIAS report recommendations set out at 2.3 above. The Board will be composed of senior TRDC Officers, namely the Chief Executive, Director of Finance and the Director of Community and Environment who will chair the meetings. All will have equal voting rights and will make the decisions on the matters delegated to the Board. The development partner and their representatives, as senior suppliers will be invited to attend and participate in Board meetings but will have no voting rights or decision making powers."

Councillor Stephen Cox moved, duly seconded, an amendment to the start time for the meetings to be 7.30pm instead of 6pm. As a compromise the Committee agreed a start time of 7pm.

Councillor Ralph Sangster moved, duly seconded, some proposed amendments to the recommendations as follows:

Proposal for the SO Scrutiny Panel (SOSP)

2.10 Purpose and function of the SO Scrutiny Panel (SOSP)

The purpose of the SOSP is to provide more frequent oversight of the project for Lead Members, Group Spokespersons and general members. This Panel is not a subcommittee of the P&R Committee and has no decision making capacity.

2.11 Meeting Arrangements

The Scrutiny Panel will meet on a monthly basis, generally on a Tuesday at 7.00pm. All TRDC Councillors will be entitled to attend the meetings as observers, however there would be nominated Members from each political party represented on the Council as formal members, the current proposed split being 2 Liberal Democrats, 2 Conservatives and 1 Labour Member. Each party would also have one additional nominated Member as a reserve to ensure consistency in representation at Panel meetings. As this is not a decision making panel there is no requirement for it to be politically balanced.

2.12 Opportunity to escalate

The SOSP's function is to receive on a regular basis briefings from the Project Manager and Chairman of the SOPB as described in the attached appendix.

It is envisaged that the Scrutiny Panel will have the ability to escalate any issue it considers requires the consideration of the P&R Committee. Where relevant, certain decisions may have to be referred onwards to full Council for final approval.

The Policy and Resources Committee remained the ultimate decision making Committee subject to issues which require approval by the Council. It will receive regular and thorough reports on the strategic issues related to the SOI and detailed reports on any subject which has been escalated by the Scrutiny Panel or has moved outside the agreed performance levels monitored by the SOPB.

On being put to the Committee the amendments to the start time, the members of the project board and recommendations on the scrutiny board were CARRIED the voting being unanimous.

RESOLVED:

That the Committee approves the establishment of the SO Board subject to the amendments to its membership detailed above and the SO Scrutiny Panel with the delegated authority as set out in the paper.

PR114/15 EXCLUSION OF PRESS AND PUBLIC

If the Committee wishes to consider the remaining item in private, it will be appropriate for a resolution to be passed in the following terms:-

"that under Section 100A 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 under paragraph 3 of Part I of Schedule 12A to the Act. It has been decided by the Council that in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

(Note: If other confidential business is approved under item 3, it will also be necessary to specify the class of exempt or confidential information in the additional items.)

PR115/15 SOUTH OXHEY INITIATIVE

This report sought approval to the expenditure of monies already held as commuted sums, to provide additional affordable housing within the South Oxhey Initiative. These monies have been received by the Council as financial contributions in lieu of actual provision of affordable homes on other projects across the district.

Councillor Matthew Bedford moved, duly seconded, the recommendation as set out in the report.

Councillor Stephen Cox, seconded by Councillor Ralph Sangster, moved an amendment that recommendation to read “that the £1.5m funds available from the Council’s commuted sum reserves be together with other funding for the conversion of blocks of flats into proper affordable housing i.e. social housing or affordable housing at 80% of market rate.”

On being put to the Committee the amendment was declared LOST the voting being 7 For, 8 Against and 0 Abstentions.

On being put to the Committee the recommendations as set out in the report were declared CARRIED the voting being 8 For, 0 Against and 7 Abstentions.

RESOLVED:

- 1) That the £1.5m funds available from the Council’s commuted sum reserves be utilised for the conversion of the 21 units in block G to shared ownership tenure;
- 2) That public access to the report be denied until the project was completed; and
- 3) That public access to the decision be immediate.