
At a meeting of **FULL COUNCIL** held in the Penn Chamber, Three Rivers House, Rickmansworth, on **Tuesday 17 July 2018** from 7.30pm to 10.00 pm.

Present: Councillors Phil Williams (Chairman), Diana Barber, Rupert Barnes, Matthew Bedford, Sara Bedford, Marilyn Butler, Joanna Clemens, David Coltman, Valarie Coltman, Steve Drury, Donna Duncan, Peter Getkahn, Stephen Giles-Medhurst, Alex Hayward, Paula Hiscocks, Margaret Hofman, Heather Kenison, Angela Killick, Joan King, Stephen King, Chris Lloyd, David Major, Joy Mann, Keith Martin, Alex Michaels, Debbie Morris, Sarah Nelmes, Reena Ranger, Ralph Sangster, David Sansom, Alison Scarth, Andrew Scarth, Roger Seabourne, Jon Tankard, Martin Trevett, Alex Turner, Kate Turner, and Alison Wall.

CL29/18 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Stephen Cox.

CL30/18 MINUTES

The Minutes of the Annual Council held on 22 May 2018 were agreed and signed by the Chairman subject to Councillor Paula Hiscocks' name being removed from the Councillors in attendance at the meeting.

The Chairman moved that under Procedure Rule 6 (2) he would take the William Penn Leisure Centre Motion after the questions from the public at item 8 after his announcements.

CL31/18 RECOMMENDATION FROM THE POLICY AND RESOURCES COMMITTEE

Council considered the recommendations of the Policy and Resources Committee from its meetings held on 18 June as follows:

1. That the favourable revenue outturn variance of (£995,883) be noted;
2. That the capital outturn as summarised in paragraph 2.6 and Appendix 3 be noted;
3. That the unspent service budgets from 2017/18 to 2018/19 which total £460,560 as detailed at Appendix 2 be carried forward; and
4. That the re-phasing on capital projects from 2017/18 to 2018/19 which total £2,961,040 as detailed at Appendix 4 be approved.

Councillor Sara Bedford moved, duly seconded, the recommendations of Policy and Resources Committee.

On being put to the Council the motion was declared **CARRIED** by the Chairman of the Council the voting being 20 For, 0 Against and 16 Abstentions. Councillors Matthew Bedford and Margaret Hofman were not present during the vote.

RESOLVED: -

1. That the favourable revenue outturn variance of (£995,883) be noted;
2. That the capital outturn as summarised in paragraph 2.6 and Appendix 3 be noted;
3. That the unspent service budgets from 2017/18 to 2018/19 which total £460,560 as detailed at Appendix 2 be carried forward; and
4. That the re-phasing on capital projects from 2017/18 to 2018/19 which total £2,961,040 as detailed at Appendix 4 be approved.

CL32/18 AMENDMENTS TO THE SCHEME OF DELEGATION IN THE COUNCIL CONSTITUTION

This item (Amendments to the Scheme of Delegation in the Council Constitution) had not been available five clear days before the meeting, but was considered by Council to enable the Council to amend the Scheme of Delegation with regard to Tree Preservation Orders (TPO).

Councillor Sarah Nelmes advised the amendment would allow the authority to delegate to the Head of Community Services under such circumstances that there was a Structural Engineer's report stating that the tree with the TPO was causing structural damage. This would allow the tree to be felled as quickly as possible to stop any further damage occurring.

Councillor Alex Hayward had concerns regarding the lateness of the report which had not allowed Members time to read it before the Council meeting.

Councillor Paula Hiscocks was concerned that Members should be making these decisions and they should not be delegated to Officers.

Councillor Sarah Nelmes said on the point on 'Lawfulness and prior approval', the Committee would not have the right to turn applications down anyway.

On Councillor Alex Hayward asking why the report was late, the Chief Executive suggested that the report should have been signed off with the papers. It was a late report, but it was listed as an item on the Agenda and was expected.

Councillor Sarah Nelmes moved, duly seconded, the recommendation that Members agree the amendments to the Responsibility of Functions as they related to trees protected by a Tree Preservation Order as outlined in the extract below:

11.5 Planning

(5) Note Tree Preservation Order applications are specifically dealt with at 11.6 below.

11.6 That the Head of Community Services is approved and authorised after having ensured that all statutory requirements have been complied with and after considering all representations received, to:-

DETERMINE all types of applications submitted under the Town and Country Planning Act 1990 and Planning (Listed Building and Conservation Areas) Act 1990 relating to trees protected by Tree Preservation Order or by virtue of growing with a designated Conservation Area; specifically,

11.6.1 To authorise the making of Tree Preservation Orders in cases of urgency and to authorise and make and confirm Tree Preservation Orders where no objections have been received.

11.6.2 To revoke Tree Preservation Orders only in cases where significant trees on the site are also protected by other Tree Preservation Orders.

11.6.3 To modify Orders at the confirmation stage to correct drafting inaccuracies.

11.6.4 (1) To grant or refuse, following consultation with Members, via the Tree Bulletin, applications to lop, top or fell trees within a Tree Preservation Order or on land in the Council's ownership; note that specifically in relation to applications to fell protected trees where they are implicated in subsidence claims, Members will be made aware of these applications via the weekly tree bulletin but will no longer be able to call in such applications to Planning Committee (as in 11.5.2 of the Scheme of Delegation).

(2) To determine, following consultation with Members, via the Tree Bulletin, applications to lop trees where such work is necessary in the interests of good forestry practice or to ensure the future health and safety of a tree;

(3) To determine whether the Council's consent is required in cases where it is claimed the tree is dead, dying or dangerous or to abate a nuisance; and

(4) To consider, following consultation with Members via the Tree Bulletin, notices affecting trees in Conservation Areas and to determine whether or not a Tree Preservation Order should be made.

(5) To deal with hedgerow removal notices, following consultation with Members via the Tree Bulletin.

On being put to Council the Motion was declared CARRIED the voting being 20 For, 10 Against and 8 Abstentions.

RESOLVED:

That the amendments to the Scheme of Delegation in the Council Constitution be Agreed.

CL33/18 UPDATE ON PROPERTY INVESTMENT ACTIVITY

Councillor Matthew Bedford introduced the item as one of the actions put in place to address the significant reduction in the Government grant the Council had faced over a number of years. The impact of generating a significant sum of income to the Council would help to support the services. The Appendix set out the details of the progress made which included reference to the second part of the item of the possibility of over achieving on the budgeted income. This would potentially give some flexibility in terms of the overall budgetary situation.

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

On being put to Council the Motion was declared CARRIED the voting being 20 For, 18 Against and 0 Abstentions. A recorded vote was requested the details of which were as follows:

For: Councillors Matthew Bedford, Sara Bedford, Steve Drury, Peter Getkahn, Stephen Giles-Medhurst, Margaret Hofman, Chris Lloyd, David Major, Joy Mann, Keith Martin, Alex Michaels, Sarah Nelmes, Alison Scarth, Andrew Scarth, Roger Seabourne, Jon Tankard, Martin Trevett, Alex Turner, Kate Turner and Phil Williams.

Against: Diana Barber, Rupert Barnes, Marilyn Butler, Joanna Clemens, David Coltman, Valerie Coltman, Donna Duncan, Alex Hayward, Paula Hiscocks, Heather Kenison, Angela Killick, Joan King, Stephen King, Debbie Morris, Reena Ranger, Ralph Sangster, David Sansom and Alison Wall.

RESOLVED:

Endorsed the current approach of allowing flexibility to the Property Investment Board to manage a spread of risk in its commercial investment portfolio in relation to retail, office, industrial and specialist accommodation.

CL34/18 TO RECEIVE ANY PETITIONS UNDER PROCEDURE RULE 19

None received.

CL35/18 QUESTIONS FROM THE PUBLIC UNDER PROCEDURE RULE 15

The following questions from the public were considered:

1) *Question received from Ms Kesteven*

“William Penn sports hall is currently a fully inclusive and versatile space which accommodates team sports, racquet sports, and the widest range of physical exercise and activities for all ages and all levels of ability, as demonstrated by the current wide range of existing user groups.

Dividing the hall in half will severely reduce and limit access to the sporting activities available to existing users and will turn half the space into a restricted area that can only be used by a very limited demographic of young children and those who are sufficiently agile and wish to use a clip and climb wall.

How does this fit in with the policy objective included in TRDC’s Strategic Plan for 2018/21 to: “Improve and facilitate access to leisure and recreational activities for adults”?

Post meeting response:

Within the Three Rivers District Council Strategic Plan for 2018-21, it details:

2.5.1 Improve and facilitate access to leisure and recreational	LL31 – Number of attendances by adults at leisure venues and activities.	427,904	Leisure & Landscape
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activities for adults	<p>CP02 – Satisfaction with parks and open spaces</p> <p>LL24 – Sheltered Housing Scheme: Percentage of older people reporting specific health benefits.</p>	<p>92%</p> <p>90%</p>	<p>Community Partnerships</p> <p>Leisure & Landscape</p>
2.5.3 Provide a range of supervised leisure activities and facilities for young people.	<p>LL33 – Number of attendances by young people at leisure venues and activities.</p> <p>LL28 – Children's play activities will be termed at least 'Good' by Ofsted</p> <p>LL29 – no. of attendances by children from low income families at Easter and summer play schemes</p> <p>LL30 – Vulnerable children's satisfaction with leisure projects</p>	<p>226,178</p> <p>Good</p> <p>1,110</p> <p>90%</p>	<p>Leisure & Landscape</p>

It is a strategic priority for Three Rivers District Council to increase the number of attendances by *both* young people and adults at leisure venues and activities at numerous locations across the District. This includes but is not exclusive to the activities at William Penn.

Three Rivers District Council's Leisure Team organises and delivers a wide range of activities for adults across the District, forming part of the Get Active programme. This includes tennis, netball, creative dance, disability sports and Nordic walking to name a few. In addition to this, adult activities taking place at William Penn will continue, including the Active Life programme, squash, badminton, short tennis and Dance for Parkinson's.

2) *Question from Mr Lee*

"In the minutes of the Leisure, Wellbeing and Health Committee meeting on 6 September 2017 it is reported that 'A Member said that while all sports should be supported the money should not be spent if there is no demand.'

What level of demand have TRDC established for a Clip and Climb Wall, a Soft play area and a larger crèche within the confines of the William Penn sports hall?"

Post Meeting Response:

Amersham and Hemel have traditional climbing walls as opposed to Clip & Climb and as such they are different products. Clip & Climb will attract new users to climbing as well as existing junior climbers.

SLM has confirmed that it "recognises the Clip & Climb at Intu in Watford, but there are 42,000 children aged 0-14 across Watford and Three Rivers and as such we feel there is sufficient demand for two Clip & Climb facilities. 15,000 of these children are aged 0-4, as such we again believe there is sufficient demand for a new soft play which will comfortably compete with the aforementioned facilities. It is also important to state that all of these facilities are outside of the Three Rivers District and local TRDC residents who perhaps can't travel outside of the District will benefit from these facilities."

It has been a consistent concern of the Women's Netball players that they cannot travel in the daytime to an equivalent activity and facility. It follows that the 'parent and toddler' demographic who may be users of the crèche, Clip & Climb and soft play facilities cannot travel to the aforementioned facilities outside Three Rivers.

As a result of the additional footfall the new facilities will generate, the Crèche will also attract further usage.'

3) *Question from Mr O'Grady*

"Were TRDC aware of the soft play schemes in Garston (Gambado), Watford (Parent's Paradise) and Intu shopping centre Watford and the climbing walls at Hemel Hempstead, Amersham and Intu shopping centre Watford and how they would affect the usage and profitability of the same facilities proposed at William Penn Leisure Centre before deciding to go ahead with this scheme?"

Post Meeting Response:

As per response to Question 2

4) *Question from Alex Cutmore*

"At the Leisure, Environment and Community Committee meeting on 6 September 2017, minutes show that 'The Chairman advised that the contract with the preferred bidder would be much more financially sound than the current arrangement and asked the Committee to focus on the finances rather than the leisure provision, which could be explored in more detailed discussion with the preferred bidder in due course.' Everyone Active weren't the preferred bidder, they were the only bidder. Why were you prepared to give away half the sports hall, for their payment of £63,000 a year, displacing hundreds of current hall users?"

Post meeting response:

The proposals are to create an innovative soft-play and climbing area within one half of the sports hall which will be aimed at getting more Children and Young People active (a Key Target Group), as well as providing a new café and facilitating additional party provision at the centre.

The proposal from SLM seeks to deliver the priority outcomes and benefit both the Council and local residents through:

- enhanced facility mix and choice, improving customer experience and sustainability
- supporting participation growth
- new and innovative programme choices
- increased employment opportunities
- improved health and wellbeing within the community, and
- increased customer satisfaction.

Overall the proposals are projected to deliver an additional 40,000 visits per annum to William Penn Leisure Centre than retaining the Sports Hall. Many of these visits will be from the key target group of Children and Young People promoting physical activity amongst them through climbing and soft play. It is expected that many of these will also be from people who wouldn't normally use a Leisure Centre thus promoting health and wellbeing amongst a wider section of the population.

5) *Question from Mrs O'Grady*

"The plan to halve the sports hall at William Penn Leisure Centre and replace it with a soft play area will force many hall users out. These include the Active life group, netball players and numerous clubs that run in the evenings. What steps did officers take before this contract was signed to engage with users and ensure appropriate alternative accommodation was available?"

Post meeting response:

Council Members will be aware that the Council's preferred bidder, Fusion, dropped out of the tender process in January 2018. It had been agreed with Policy & Resources Committee in September 2017 that should this be the case, Officers would start a dialogue with the Council's reserve bidder SLM, based on their variant bid.

The contract with SLM was signed at the end of April 2018 for a contract start date of 1 July 2018. Until SLM were able to obtain the relevant membership data from Hertsmere Leisure, they were unable to make contact with members. Once they had this information, they contacted the users at the earliest opportunity in order to make them aware of the changes. Letters were sent on the 25 May 2018 to all block bookers.

Netball

There are currently 3 netball sessions per week at William Penn and all of the sessions have options to be transferred.

Back to Netball – This could be moved to the sports hall at Woodside Leisure Centre (Garston), albeit the day would change from a Monday at 1.15pm-2.45pm to Thursday at 12.30pm-1.30pm. This session has been provisionally booked.

Walking Netball - This could be moved to the sports hall at Woodside Leisure Centre (Garston), albeit the time would change from Tuesday at 12.30pm-1.45pm to Tuesday at 12.30pm-1.30pm. This session has been provisionally booked.

Junior Netball – This could be switched to YMCA Abbots Langley, on Wednesday's 4pm-6pm, albeit on an outdoor court. This session has been provisionally booked.

The following should be noted:

- YMCA Abbots Langley offers Back to Netball sessions and Walking Netball sessions on their MUGA (outdoors), on Tuesday's (6.30pm – 7.30pm) and Thursday's (12.30pm – 1.30pm)
- TRDC Leisure offers Back to Netball sessions at Clement Danes School (Indoors) on Wednesday's (8.00pm – 9.00pm)
- TRDC offers Netball Now at Royal Masonic School on Tuesday's 8.30pm - 9.30pm (predominately indoors except May to July when it is outdoors)
- Additional sessions could be booked in the evening at the Reach Free School (information relating to the Community Use Agreement is detailed below), either on the MUGA (outdoors) or Sports Hall when it is available for bookings which will be from September 2018
- There is also an option to retain the sessions at William Penn, albeit on a half court, accepting that these sessions can be used for drills and skills sessions only.

We can also make amendments to the current evening timetable to run additional classes at any of the following times which have also been provisionally reserved at the following schools:

- Tuesdays at St Michael's School from 6.00pm-9.00pm
- Tuesdays at St Clement Danes School from 7.30pm-9.30pm
- Thursdays at Rickmansworth School 6.00pm-8.00pm
- Thursdays at Clement Danes School from 7.30pm-9.30pm

Active Life

This is a protected booking in the service specification. They will continue to be offered the likes of short tennis, badminton, table tennis and swimming on Tuesday and Thursday from 8.30am to 12.30pm.

Active Life currently use 4 sports courts in term time and during all school holiday's access for Active Life is reduced to 2 courts in order to accommodate William Penn's holiday playscheme.

Current Usage and Entrance time - A review by Hertsmere Leisure/SLM of the session attendance and entrance times, the following was found to be the average and normal patterns of use:

- Tuesday Sessions - Average number attending – 24. First Participant arrives at 9.05am and final entrance is at 11.20am. (Majority of users come in between 9.20am – 9.50am)
- Thursday Sessions - Average number attending – 20. First Participant arrives at 8.50am and final entrance is at 10.20am. (Majority of users come in between 9.10am – 9.30am).

Taekwondo

They have 2 sessions:

Tuesday between 5.00pm and 6.00pm – 2 courts (they also use 1 squash court from 4 - 5pm)

Sunday between 5.30pm and 8.30pm – 4 courts. They have been offered space in the squash courts and / or studio free of charge as well as 2 courts in the sports hall, if the proposal goes ahead.

They have confirmed their booking under the present arrangement only.

When Hertsmere Leisure put together the analysis for the sports hall development this was based on the 2 sports courts still providing over 6m² of activity space per person and therefore made this space a maximum occupancy of 50 people which would accommodate the Taekwondo booking which stated 50 participants on the booking form.

Skanska

Presently book 3 courts in the Sports Hall for Badminton on a Wednesday between 6.00pm and 7.00pm. They have not confirmed their booking going forward. This could potentially be relocated to the Reach Free School.

They have confirmed their booking under the present arrangement only.

Hertsmere Leisure did not advise that this booking would be affected by the sports hall development during undertaking the analysis of the sports hall, due to them planning to offer them additional hours or space to offset any loss of the sports hall.

One-off bookings such as Badminton

There are approximately 20 one-off badminton bookings per week. If the proposed sports hall development were to go ahead then 5 of these would not be able to be carried out at the present times.

There are still a lot of slots available particularly during the day and at weekends.

The Reach Free School would be a potential venue for these casual bookings in evenings and weekends.

Usage

SLM have confirmed that Sports hall usage would reduce from an estimated 21,000 to 9,300 per annum

The MUGA will generate 16,667 and the Fitness will increase from 125,000 to 222,000, visits per annum the majority of which would be an increase in adult attendances.

6) Question from Sayjel Patel

“Your proposals set out for William Penn Leisure Centre include a 3G pitch, where you state netball can be played. Sport England and all sources indicate this is an unsuitable surface to play netball and therefore netball cannot be played at William Penn Leisure Centre if the current proposals go ahead. Can the Council clarify how this was overlooked and why this misinformation is still being sent out to the public?”

Post meeting response:

The 3G pitch is available for the local community to hire for a variety of sports, which includes recreational netball, should a hirer choose to use this surface.

Competitive netball is not recommended to be played on 3G pitches, as per the following statement from England Netball:

3Gs are considered unsuitable mainly because of the loose rubber crumb particles. Netball is played at eye level, and the risk of these little bits of rubber being picked up by the ball and thrown into players' eyes is deemed to be too high from a risk management / insurance perspective. Slip resistance is also a major factor, and all outdoor artificial surfaces really must be capable of achieving a slip resistance value of equal to or greater than 75 in wet and dry conditions.

The existing netball provision currently offered at William Penn would be accommodated at alternative sites due to its competitive nature as outlined below:

There are currently 3 netball sessions per week at William Penn and all of the sessions have options to be transferred.

Back to Netball – This could be moved to the sports hall at Woodside Leisure Centre (Garston), albeit the day would change from a Monday at 1.15pm-2.45pm to Thursday at 12.30pm-1.30pm. This session has been provisionally booked.

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- Thursdays at Rickmansworth School 6.00pm-8.00pm
- Thursdays at Clement Danes School from 7.30pm-9.30pm

7) *Question from Ms Venn*

"These plans have been conducted in complete secrecy. £8.6m was allocated to the project in September 2017 but by March 2018 after Everyone Active had been appointed the allocation had gone up to £10.073m, an increase of £1.473m, with exactly £1m assigned to Fairway Inn, Golf and William Penn. In the contract Everyone Active has agreed to pay £63,000 per annum to Three Rivers Council for half the hall, £1.26m over 20 years yet you have given them an extra £1.473m on the contract. They are £213,000 up on that deal and are getting the hall for nothing. In what way is this deal good value for money for the residents of Three Rivers and the users of William Penn Leisure Centre?"

Post meeting response:

The increase in £1.473 million for the capital was based on the difference between Fusion's capital submission and SLM's capital submission. This is not purely the additional cost for the Sports Hall conversion. The additional costs for the conversion of the Sports Hall are £634,000 of capital. In return the Council receives on average an additional £102,000 per annum (excluding costs of capital). Once the costs of capital are included then the additional income reduces to £63,000 per annum.

8) *Question from Ms Jenkins*

"The Sport England website says that leisure centres which offer both dry and wet facilities specifically both a sports court and a swimming pool-- are more likely to generate a surplus and be financially sustainable. Has TRDC conducted any research into current usage and future sustainability of our leisure centre following the end of its contract with Everyone Active, and is the Council knowingly selling off half the 4 court sports hall at market price at £1.26million, and with it the future option of a sustainable Council-managed community leisure centre?"

Post Meeting Response:

The conversion of the sports hall is creating an additional 40,000 visits per year over and above the projections if the sports hall is retained. The proposed amendments will deliver a more sustainable facility in improving the surplus the Council will receive as opposed to the retention of the Sports Hall. The number of users who can use the new facility at any one time is significantly higher than half a sports hall and thus there is the opportunity to create and deliver more users (many of whom will be Children and Young People) to participate in physical activity and improve their health and wellbeing.

In particular the current proposals to convert the Sports Hall will deliver on average an additional £102,000 of income per annum to the Council, to assist a more sustainable future.

The activities proposed include climbing and soft play both of which are showing sustainable growth in the market with many Sports Centres converting spaces to these activities and facilities. The contract is for 20 years and the future sustainability of the facilities during this time is robust

based on the future projections. Beyond 20 years ahead the Council will be able to react and develop the right facilities for the population at that time, and if necessary there is the potential opportunity to convert the facilities back to a sports hall if this proves more sustainable in 20 years.

Councillor Matthew Bedford asked for it to be noted that the Council would not be selling off anything under the contract. That was not factually correct

The Chairman thanked Members of the public for attending the meeting.

CL36/18 CHAIRMAN'S ANNOUNCEMENTS

The Chairman had attended many events, some of the highlights being:

- HMS Wildfire on Armed Forces Day
- Primary School Youth Council. He congratulated the Officers and Councillors from all parties for their work with primary school children.
- Catholic Worker Farm Open Day in West Hyde
- HIT Initiative at the Football Club
- South Oxhey School Games

CL37/18 MOTIONS UNDER PROCEDURE RULE 11

Following the Chairman's earlier statement he advised that the under Rule 6(2) the Motion on William Penn Leisure Centre was brought forward and debated by the Council.

Councillor Sara Bedford moved, seconded by Councillor Chris Lloyd, the Motion under Notice duly given as follows:

Council notes:

1. The concerns expressed by some residents regarding the leisure facilities available at William Penn Leisure Centre (WPLC) under the new leisure contract.
2. That the motions to accept the new contract were discussed and agreed through the Council's democratic decision-making structure, with no Councillor objecting to this part of the contract at any stage, nor to the final contract.
3. Government imposed cuts of £4 million per annum to the Council's budget, together with underfunded new legal obligations, and a cap on Council Tax increases.

Council resolves to:

1. Place a moratorium on changes to the existing sports hall at WPLC for a 12 month period.
2. Re-examine the current and future user profile of WPLC, and other sports and leisure venues in the area.

3. Speak with a cross-section of residents across the District to discuss future leisure needs.
4. Look for further sources of income which could be used to increase spending on Council services.
5. Fund the additional spending during the 12 month moratorium period by releasing the sum from general reserves.

An amendment to the Motion was proposed by Councillor Diana Barber, seconded by Councillor Alex Hayward as follows:

“This Council will retain the big sports hall and generate the funding from offering a wider range of activities which will meet the diverse needs of our growing population.”

The amendment to the Motion was declined by the proposer and seconder of the substantive Motion.

The substantive Motion on being put to Council was declared CARRIED the voting being 37 For, 0 Against and 1 Abstention.

RESOLVED:

Council noted:

1. The concerns expressed by some residents regarding the leisure facilities available at William Penn Leisure Centre (WPLC) under the new leisure contract.
2. That the motions to accept the new contract were discussed and agreed through the Council's democratic decision-making structure, with no Councillor objecting to this part of the contract at any stage, nor to the final contract.
3. Government imposed cuts of £4 million per annum to the Council's budget, together with underfunded new legal obligations, and a cap on Council Tax increases.

Council resolved to:

1. Place a moratorium on changes to the existing sports hall at WPLC for a 12 month period.
2. Re-examine the current and future user profile of WPLC, and other sports and leisure venues in the area.
3. Speak with a cross-section of residents across the District to discuss future leisure needs.
4. Look for further sources of income which could be used to increase spending on Council services.
5. Fund the additional spending during the 12 month moratorium period by releasing the sum from general reserves.

LEADER OF THE COUNCIL

The Leader of the Council congratulated Marko Kalik on gaining a distinction for his MA in Spatial Planning and his dissertation. It showed the excellent calibre of staff employed by the Council.

She thanked the depot staff for all their hard work and particularly Howard Ringland for ensuring the grounds maintenance team kept our open spaces looking so good. At the Waterways Festival he provided extra bales of straw for the children's zoo. Having emailed him early one morning to cut back some hedging this was carried out at 8.45am that same morning. Other people had mentioned that they received a similar service from him.

Kimberley Grout and the Housing team were thanked for managing to cut the number of families living in temporary accommodation from over 90 down to 50. There were now fewer than 40 families living in temporary accommodation and the number of families living in Harlow had been halved.

She was pleased that work for temporary accommodation had commenced at the Bury site. This would enable local families to be housed in decent temporary accommodation and remain close to their families, schools and jobs.

Question from Cllr Alex Hayward to the Leader of the Council.

What is the Administration doing to address the recent feedback in the Omnibus Survey where:

2.10 - 52% said can't influence decisions in own area.

The Leader of the Council replied that there had been a slight increase in the proportion of those surveyed reporting they can influence decisions affecting their local area – up 3% to 35%. This compared to a county wide position of 32% feeling they could influence decisions affecting the local area. As such Three Rivers was better than the County average position.

It was important to note that it was not necessarily influencing decisions of this Council, there could be a number of reasons, for example policing or the rate pot holes being filled within their area, or a planning decision that would have to be made as it was within policy. The Council was not complacent but were ahead of both the County and National average and would continue to move forward.

2.15 - Satisfaction with sport down from 92 – 84%, lowest in 7 years

Out of the sample of 500 people surveyed only 30% had used the sporting facilities over the past year so that reduced to approximately 160 the number of people able to answer the question. This took it down to plus or minus 7% which was not a very statistically robust figure. There was a significant drop in the proportion of this year's sample that had used Council run sports and leisure facilities in the last year from 2016/17.

What was interesting was that those who used the facilities on another question was shown as 53% very satisfied up 39% last year which was the

second highest result a long time. Of that survey number of 160 there was no significant difference by sex, race, age group, or area of residence.

Councillor Alex Hayward asked a supplementary question that if it was not robust and was poor sampling why bother to do the survey?

The Leader of the Council replied that the Council would continue listening to the views of the residents and would continue looking at what needed to be done to improve performance. She stressed that this was one question out of 100 page survey.

INFRASTRUCTURE, HOUSING AND ECONOMIC DEVELOPMENT

Question from Cllr David Sansom to Cllr Stephen Giles-Medhurst, Lead Member for Economic Development

How much money is being lost by the parking meter in the lower Northway car park not working for a month? How are these losses going to be made up?

The Lead Member for Economic Development advised that the Pay and Display machine in the lower deck Northway car park was initially taken out of service on 7 June 2018. Intermittent faults with the machine in the preceding week resulted in an increasing number of complaints and Officers took the decision to take it out of service. All the machines are under a 1 year warranty. Parkeon Engineers did respond but were unable to immediately find or fix the fault. The fault has now been fixed and was back in service on Thursday 5 July. There is minimal financial data at this time on the machine's income to indicate any income patterns/comparisons but based on the June income it was predicted that a Pay and Display income of around £1500 was not received whilst the machine was out of service.

Councillor David Sansom asked a supplementary question stating that one would expect the new equipment to be fixed within a day, would it be expected that the supplier would be able to fix future faults faster than this?

The Lead Member for Economic Development said being an intermittent fault the Engineers had turned up to find the equipment working so were unable to fix it. They were now confident the problem had been resolved and any further issues would be dealt with. Officers had been asked to discuss the time frames for any future issues.

The Lead Member for Economic Development gave the following report:-

The Leavesden Cycle Hub next to the YMCA would reopen on Saturday 21 July, alongside the official opening of the Woodland Café. The Council had provided a substantial capital sum towards the conversion of the former art block at Leavesden. The cycle hub would be at full capacity after September and would then include a range of services: bike service; repair; hire; tuition; a shop; bike maintenance training and weekly rides.

Hertsmere had now been providing the parking controls for three months with a soft introduction, i.e. a limited number of tickets being issued in the first month. There had been positive feedback from residents that they had seen Enforcement Officers being more visible and in areas not previously covered. Hertsmere had also operated a drop in surgery at Three Rivers for residents

with questions on parking and the on-line parking permit system had been positively received.

It was indicated that approximately £18,000 of parking income had been received to date.

The Croxley Green Parking Study had progressed to the second stage of public consultation due to start on 17 August for a 5 week period, subject to any further comments from Ward Councillors. Officers had been asked to separately progress parking issues on the Watford Road near Croxley Station. Officers were also progressing 13 minor parking schemes, mainly to do with requests for yellow lines and parking enforcement changes which should be ready for consultation by mid-August. These had been delayed due to a shortage of Parking Engineers but additional resources were now in place.

An outline plan was now available for the Delta Gain Parade in Carpenders Park. Formal consultation would now begin and the aim was for the scheme to be completed within this financial year.

Officers were investigating the option of rapid charge electric parking points in key car parks.

Northway car park would be getting a deep clean with the addition of pigeon proofing. The work would be undertaken at night.

In response to a question from Councillor David Coltman the Lead Member for Economic Development agreed to meet if required with the Councillor and Officers regarding the improvements at Delta Gain Parade in Carpenders Park but that the Councillor should first discuss the issues with Officers.

Infrastructure and Planning Policy

The Lead Member for Infrastructure and Planning gave an update on the local plan review. As a result of the call for sites exercise last year over 70 new sites had been brought forward for Officers to assess. These assessments were nearly complete so the consultation stage was now ready to begin. The National Planning Policy Framework was currently under review (with publication of any changes imminent) so any new requirements would need to be taken into account.

In order to progress the consultation in September/October, Officers had suggested a meeting of the Working Party take place during the last week of August followed by a special meeting of the Policy and Resources Committee (agreed with the Chairman) in mid-October to review the findings of the consultation. Further meetings of the Working Party would be needed in the new year to agree the draft plan, and statutory consultation would take place during June/July 2019. Subject to agreement the plan would then be submitted for examination in October 2019 with adoption planned for Spring 2020.

Housing

The Lead Member for Housing reported that he had chaired the Housing Development Forum on 18 June. Unfortunately the representative from Homes England was unavailable to give an update. There were

representatives from Housing Associations and Developers at the Forum meeting.

Kimberley Grout had set up a Hertfordshire Housing Portfolio Holders event on 2 July. It was attended by Members and Officers across the County and it had been interesting to hear about the other areas' housing pressures. The willingness of Housing Officers to share tasks and work together on County wide strategic work plans was welcomed.

LEISURE, ENVIRONMENT AND COMMUNITY

Question from Cllr Paula Hiscocks to Cllr Chris Lloyd, Lead Member for Leisure

Do Three Rivers Council charge for parking for leisure facilities?

Councillor Chris Lloyd replied there were no charges at any of the Leisure Centres.

Councillor Paula Hiscocks asked a supplementary question with regard to parking at other leisure places. The Rickmansworth Bowls club had been in existence since 1901 and had previously received free parking in the Council car parks but was now being charged £125 administration fee for parking permits. The parking spaces used were staff spaces at the top of the Rose Garden car park which were not usually used by staff on Saturday afternoons and did not generate any income. No other bowls club in Three Rivers was charged for parking/parking permits and she did not think they should be charged at the weekend when they were paying for parking in the week. The Council should be encouraging people to exercise and play bowls.

Councillor Chris Lloyd responded that the car parks concerned were not Leisure Centre Car Parks.

Environmental Services

The Lead Member for Environmental Services thanked Jenny Probert, Malcolm Clarke and Ray Figg for time spent bringing him up to speed on Environmental issues.

The Lead Member for Community Safety and Partnerships had nothing to report.

RESOURCES AND SHARED SERVICES

The Lead Member for Resources and Shared Services had nothing to report.

Question from Cllr Alex Hayward to Cllr Matthew Bedford, Lead Member for Resources and Shared Services

How can Watersmeet be a special expense charged to Batchworth Community Council for the residents to pay for in their precept when it is not a community hall, it is not hired out at community hall rates, and it is actually registered on the GOV.UK Valuation Office Agency as a Theatre and not a Hall?

The Lead Member for Resources and Shared Services replied that Watersmeet provides the functions both of a theatre and a community hall. The total costs are split to reflect this.

All the parishes in Three Rivers, with the exception of Batchworth, provide community halls. These do provide many of the same functions as Watersmeet including film shows, musical performances (including opera & choral societies) and amateur dramatics. Some possess a stage with lighting and sound systems and have permission to sell alcoholic and non-alcoholic beverages.

It was therefore right that the community hall function should continue to be treated as a special expense, allocated to Batchworth parish and the unparished area as these are the two parts of the district that do not have this function provided by a parish council. The remaining costs, including capital charges and the pantomime, are treated as a general expense and allocated to taxpayers across the whole District.

In the current year 2018/19, the total cost allocated to the Watersmeet cost centres, including recharges and capital charges, is £326k.

This is split as follows:

Special expense Batchworth = £64k (20%)

Special expense unparished = £69k (21%)

Remaining costs (district-wide) = £193k (59%)

In the last outturn it showed additional income of £28,000 of bar and bookings, how does that get deducted or set against those costs?

The Lead Member for Resources and Shared Services advised that the special expenses were based on the budgeted figures for each year. The Council Tax bills were sent out at the start of the year so this would not have a retrospective impact. If it meant that the budget for the following year showed a smaller net cost from Watersmeet then that would be reflected as appropriate in the relevant proportion of the costs.

Question from Cllr David Sansom to Cllr Matthew Bedford, Lead Member for Resources and Shared Services

Is it Council policy that the Prince2 project management system is used for all projects and yet it appears that the Temporary Housing at WRVS project is not using this system?

The Lead Member for Resources and Shared services advised that it was not Council Policy that Prince 2 is used for all projects. It is Council policy that Prince2 or an appropriate system is used (you will recall the Motion agreed at Council on 25/02/14). As regards the project at The Bury, the Council had engaged Calford Seadon (CS) as Employer's Agent and they produced a pre-commencement project programme on their own (Microsoft) system.

He advised that the project was being managed by CS within a JCT Design and Build contract in accordance with normal practice. The Contractor is responsible for producing and maintaining the contract programme.

What are the current financial projections for the project?

The contract sum and current projection is £1,693,134 plus VAT.

If CS are managing the project within a JCT Design and Build contract, what are the Council doing to ensure they are delivering all their commitments?

Officers are overseeing the work of the project as expected.

CL39/18 REPORTS AND QUESTIONS TO THE CHAIRMEN OF THE AUDIT, PLANNING, LICENSING AND REGULATORY SERVICES COMMITTEES (RULE 14)

AUDIT COMMITTEE

There was nothing to report as the Committee had not met since March. The Lead Member had met with Officers to discuss ways of making Audit Committee more effective for Three Rivers Council tax payers.

PLANNING COMMITTEE

The Chairman reported that the Planning Team continued to receive a high level of applications and their performance continued to be excellent in dealing with them. The quality of service was being measured against both the speed of reaching decisions and in the number of applications overturned by the inspectorate. She stressed the importance of targets being met to avoid the planning function being taken away from the Council. Training had been provided for all Members of the Planning Committee. This training would be made available to all Councillors and Parish Councillors to give them a better understanding of the planning process, reasons for application refusal and when applications get called in.

LICENSING

The Chairman had nothing to report on Licensing.

Question from Cllr David Sansom to Cllr Steve Drury, Chairman of the Licensing Committee

Why is Three Rivers District Council not informing any neighbours of Pubs Licensing applications?

POST MEETING NOTE (Answer given as post meeting note due to time constraints at the meeting):

The consultation process for applications for a premises licence or a club premises certificate, or for a variation to a premises certificate or a club premises certificate, is governed by The Licensing Act 2003 and guidance published by the Home Office. Neither the Act, nor the Guidance, make it compulsory for a Local Authority to consult with local residents on an application.

The TRDC Licensing Policy was reviewed and renewed on 7 January 2016. At that time the procedure of advising local residents of an application was removed from the Council's Licensing Policy. This was as a result of a Court case involving the City of Westminster Court which had revealed a serious legal and financial threat to any Council that had a policy of informing local residents of any applications.

Whilst TRDC does not have a policy of sending notification letters to local residents the applications are still publicised as follows:

On receipt of an application there is a 28 day consultation period. During this period representations for or against the application can be made. The Licensing Authority ensures that all the other Responsible Authorities are informed. These Authorities are entitled to make representations about the application.

During this period the applicant must display a public notice at the premises providing details of the application. The applicant must place an advert about the application in a local newspaper. The details in the advert must be the same as those in the public notice.

REGULATORY SERVICES

The Chairman of the Regulatory Services Committee advised that there had been a meeting to discuss the Oxhey Hall voting area, this had now gone out to public consultation.

CL40/18 MOTIONS UNDER PROCEDURE RULE 11

Councillors Stephen Giles-Medhurst, seconded by Councillor Roger Seabourne, moved the motion under Notice duly given as follows:

Fire and Rescue Service

Council reaffirms its view that the Fire and Rescue Service should remain under the control and democratic accountability of Hertfordshire County Council, rather than being taken over by the Police & Crime Commissioner.

Council therefore fully supports the view taken by the County Council in this regard, and its Leader's submission to the Home Office.

Council instructs the Chief Executive to write to the Home Office in a similar vein.

On being put to Council the Motion was declared CARRIED by the Chairman of the Council the voting being unanimous.

RESOLVED:

Council reaffirms its view that the Fire and Rescue Service should remain under the control and democratic accountability of Hertfordshire County Council, rather than being taken over by the Police & Crime Commissioner.

Council therefore fully supports the view taken by the County Council in this regard, and its Leader's submission to the Home Office.

Council instructs the Chief Executive to write to the Home Office in a similar vein.

Councillor Stephen Giles-Medhurst, seconded by Councillor Sara Bedford moved the motion under Notice duly given as follows:

Cycle Hire Scheme

Council recognises the benefits of cycling, both to health and well-being and in reducing congestion and air pollution.

Council agrees to support exploration without any commitment at this stage into a joint bike hire scheme with Watford Borough Council, Hertfordshire County Council and others on such a scheme, with a report being brought to the IHED Committee by the end of 2018.

On being put to Council the Motion was declared CARRIED by the Chairman of the Council the voting being 22 For, 9 Against and 7 Abstentions.

RESOLVED:

Council recognises the benefits of cycling, both to health and well-being and in reducing congestion and air pollution.

Council agrees to support exploration without any commitment at this stage into a joint bike hire scheme with Watford Borough Council, Hertfordshire County Council and others on such a scheme, with a report being brought to the IHED Committee by the end of 2018.

Councillor Alex Michaels, seconded by Councillor Sara Bedford, moved the motion under Notice duly given as follows:

Single Use Plastics

Council notes that 300 million tons of new plastic is made each year - half of which is used just once before being thrown away, but can last for 600 years.

Council further notes that the Government has refused to commit to eliminating avoidable plastic waste until 2042.

Council recognises the success of the plastic bag levy which has led to an 85% drop in disposable bag usage.

Council therefore commits to:

- a) replace single-use plastics with sustainable or reusable alternatives where possible;
- b) inform the public about plastic waste through local campaigns;
- c) encourage local businesses to reduce the amount of plastic waste they produce;
- d) support shops and supermarkets that introduce 'plastic-free aisles';
- e) champion re-usable water bottles and places to re-fill for free;
- f) where reduction and re-use isn't possible, reduce the amount of plastic that enters the residual waste stream by increasing the options for plastic recycling.

RESOLVED:

This Motion was DEFERRED to the October meeting.

CL41/18 EXCLUSION OF PRESS AND PUBLIC

If Council 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.”

CL42/18 PROPERTY INVESTMENT BOARD – FINANCIAL INVESTMENTS

Councillor Matthew Bedford advised an opportunity had arisen for the Council to invest additional funds in loans to Housing Associations to support affordable housing in the Hertfordshire area. This would generate net additional income for the Council.

Councillor Joan King asked why the Council were borrowing money to lend to the Housing Associations to build houses outside the District. This would bring no benefit to Three Rivers residents? Why they were unable to borrow the money at a lower rate than the Council was offering? There was insufficient information in the report. How can the Council borrow money at one rate and lend at another?

Councillor Alex Hayward asked why the Council would borrow money when there was already an overspend? Why were the Housing Associations able to dictate the terms?

Councillor Paula Hiscocks said the budget had been agreed and therefore the Council should live within its means.

Councillor Sarah Nelmes explained that the Council was trying to secure some income to be able to support the residents and services provided. This was a high return and low risk investment

Councillor Joanna Clemens questioned the robustness of the risk assessment modelling.

Councillor Stephen King asked if the Council had approached the Housing Associations or did they approach the Council?

Councillor Matthew Bedford replied that a very robust risk assessment process had been completed and one discussion point had been the level of coverage of the asset versus the size of the loan. The Council was not proposing to lend 100% of the assets as the loan. He believed it was the Housing Associations that approached the Council. It was not a case of spending funds it was a case of generating a revenue return.

Councillor Steve Drury sought amendment to the decision ‘That public access to the decision be denied until the Council minutes be published and that public access to the loan agreements be denied until they have been signed’.

Councillor Matthew Bedford moved, duly seconded, the recommendations in the report with the amendment proposed by Councillor Steve Drury.

On being put to Council the Motion was declared CARRIED by the Chairman of the Council the voting being 20 For, 18 Against and 0 Abstentions.

RESOLVED:

- 1 Agreed to create a separate category of Financial Investments, meeting the definition of loans under the Statutory Guidance on Local Authority Investments, within the remit of the Property Investment Board and financed by borrowing.
- 2 Agreed to the potential £8M loan to Thrive Homes being approved within this category, subject to final due diligence, and the Authorised Limit and Operational Boundary for borrowing be increased by a corresponding amount.
- 3 Agreed to a further £2.5M being approved within this category, subject to final due diligence, and the Authorised Limit and Operational Boundary for borrowing be increased by a corresponding amount.
- 4 The budget be increased by a corresponding amount, to be ring-fenced to financial investments that meet the relevant loans definition within the statutory guidance.
- 5 That public access to the decision be denied until the Council minutes have been published.
- 6 That public access to the report be denied until the loan agreements have been signed.

CHAIRMAN