
At a meeting of **COUNCIL** held at Penn Chamber, on **Tuesday 10 December 2019** from 7.30pm to 8.55pm

Present: Councillors Paula Hiscocks (Chair), Keith Martin (Vice-Chair), Matthew Bedford, Sara Bedford, Joanna Clemens, Stephen Cox, Donna Duncan, Peter Getkahn, Stephen Giles-Medhurst, Margaret Hofman, Tony Humphreys, Raj Khuroya, Joan King, Stephen King, Chris Lloyd, David Major, Joy Mann, Shanti Maru, Alex Michaels, Debbie Morris, Sarah Nemes, Reena Ranger, David Raw, Michael Revan, David Sansom, Alison Scarth, Andrew Scarth, Roger Seabourne, Stephanie Singer, Dominic Sokalski, Jon Tankard, Martin Trevett, Kate Turner, Alison Wall and Phil Williams.

CL52/19 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Marilyn Butler, Steve Drury, Alex Hayward and Alex Turner.

CL53/19 MINUTES

Minutes of the Council held on 22 October 2019 were agreed and signed by the Chair of the Council.

CL54/19 APPOINTMENT OF HEAD OF PAID SERVICE / CHIEF EXECUTIVE

The Chairman advised that this item had been moved into Part I and would need to be taken as a late/urgent item of business as the report had not been available for 5 clear working days before the meeting. This was due to the appointment not being made until Tuesday 4 December 2019. The reason for urgency was so that the Council could make a permanent appointment to the role of Chief Executive/Head of Paid Service.

The Chairman noted that the appointments panel was made up of 7 Members (4 Liberal Democrat, 2 Conservative and 1 Labour).

There were no questions on the report.

Councillor Sara Bedford said it gave her great pleasure to move the appointment of Joanne Wagstaffe to the role of Chief Executive/Head of Paid Service. Following the interviews Joanne had been selected unanimously by the Panel and Councillor Sara Bedford wished her every success in her new role. It was hoped she would be able to start early in the New Year.

Councillor Reena Ranger congratulated Joanne Wagstaffe on her new appointment and wished her the best in her new role.

On being put to Council the motion was declared **CARRIED** by the Chairman the voting being unanimous.

RESOLVED:

1. That Joanne Wagstaffe is appointed as Head of Paid Service and Chief Executive Officer for Three Rivers District Council and is remunerated at a rate of £125,000 per annum;
2. That Joanne Wagstaffe is appointed as Returning Officer and Electoral Registration Officer for the Council commencing from her start date; and
3. That the Head of Human Resources be given delegated authority to take any further action necessary to give effect to the contents of this report and these recommendations.

Joanne Wagstaffe joined the meeting

The Chairman passed on congratulations from the whole Council on the unanimous vote to Joanne on her new position, and thanked David Hill for stepping in as Interim Chief Executive.

CL55/19 TO RECEIVE THE RECOMMENDATIONS FROM THE INDEPENDENT REMUNERATION PANEL ON:

i) Member Allowances 2020/21

Councillor Sara Bedford moved, duly seconded, the recommendation on the Member Allowances only.

Councillor Roger Seabourne queried Paragraph 3.2 point 5, 'that work be undertaken on developing job descriptions for Councillors, the Leader and Lead Members.'

Councillor David Sansom thought Councillors were the best people to come up with a job description. Councillor Sara Bedford had no problem with a job description to aid new Councillors with details on the role but did not want a job description that would become mandatory. She said Councillors with specific jobs to carry out had more formalised roles. She did not want Councillors to be told exactly what they should be doing and when. Councillors were answerable to the residents.

On the recommendations on the Member Allowances 2020/21 Councillor Roger Seabourne moved an amendment, seconded by Councillor Phil Williams, that Point 5 of the recommendation under Paragraph 3.2 be removed and the Council do not develop any job descriptions.

On being put to the Council, the amended motion was declared CARRIED by the Chairman, the voting being 33 For, 0 Against and 2 Abstentions.

ii) Chairman's Allowance, Vice-Chairman's Allowance and Travel Allowance 2020/21 and the backdating of the allowance.

The Chairman and Vice-Chairman of the Council declared an interest in this item on the Chairman/Vice-Chairman allowance, travel allowance and the backdating of the allowance as it would affect them both personally and financially and both left the meeting during the consideration of this item.

Councillor Sara Bedford moved, seconded by Councillor Chris Lloyd, that Councillor Sarah Nelmes be appointed Chairman for this item of business.

This was agreed by Council.

Councillor Sarah Nelmes in the Chair

Councillor Sarah Nelmes moved the recommendations as set out in the report at Paragraph 5.1 points 1 to 4.

Councillor David Sansom said previously, before social media, the Chairman could attend events with the public not being aware, but now with Instagram and other social media sites it was possible for people to see the Chairman attending events and see them wearing the chain of office. Other Councils had taken this on board and it was now an on-going risk. It was important to look after the Chairman's safety.

Councillor Roger Seabourne agreed with Councillor Sansom with regards safety when leaving functions alone and suggested that, if the Chairman's Consort was unable to attend a function they should ask another Councillor to accompany them. He had no problem with the travel allowance suggestion but had concerns on inconsistencies.

Councillor Debbie Morris pointed out that the report stated that the last review of these allowances was November 2003 and travel October 2004. That was a long time for the allowances to remain static.

Councillor Roger Seabourne advised that they were reviewed every year, it was the travel allowances that had not been reviewed. However, he did have concerns on some inconsistencies as follows:

- Paragraph 4.1 'The Panel was asked to review....' It stated that Members had asked for their guidance. He was not aware of himself or anyone else in his Group being asked.
- Paragraph 5.1 item 4) He had concerns with asking for something to be backdated. It would be difficult to decide when to backdate it to.
- Paragraph 4.5 the current Chairman was asked if she wanted to make representations to the Panel, however why were previous Chairs not invited to make representations.

Following a question from Councillor David Sansom on Paragraph 4.2, Councillor Roger Seabourne pointed out that the allowances had not been reviewed by the Executive Committee but were reviewed and updated by Council annually.

Councillor Sara Bedford advised that the allowances had been uplifted with inflation every year. There had not been a change to the role of Chairman. She asked the Chief Executive whether it was usual for allowances to be backdated. He replied that he had no experience of allowances being backdated.

Councillor Roger Seabourne moved, seconded by Councillor Phil Williams, an amendment to the motion that the increase in the Chairman/Vice-Chairman allowance (Point 2) not be backdated to May 2019 in line with the 2019/20 basic Member allowance but that it starts from May 2020 when the new Chairman and Vice-Chairman are appointed at the Annual Council meeting.

Councillor Roger Seabourne asked if a review of the Chairman/Vice-Chairman attending events at night on their own could be undertaken from a personal safety perspective.

On being put to Council the amendment to the motion was declared CARRIED the voting being 20 For, 4 Against and 11 Abstentions.

RESOLVED:

That the recommendations as outlined in Paragraph 3.2 of the report Points 1 to 4 be agreed.

That the recommendations as outlined in Paragraph 5.1 of the report Points 1, 3 and 4 be agreed.

That a review of the Chairman/Vice-Chairman attending events at night on their own could be undertaken from a personal safety perspective.

The Chairman and Vice-Chairman returned to the meeting.

Councillor Paula Hiscocks in the Chair

CL56/19 COUNCIL TAX REDUCTION SCHEME 2020/21

Councillor Matthew Bedford moved the recommendation, duly seconded, as set out in the report that Three Rivers Council Adopts the scheme as operated in 2019/20 for 2020/21. He pointed out that Three Rivers was one of the few Councils to still offer 100% rebate to its most needy residents.

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

RESOLVED:

That Three Rivers Council adopts the scheme as operated in 2019/20 for 2020/21.

CL57/19 BUSINESS RATES DISCRETIONARY RATES RELIEF SCHEME 2020/21

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

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

RESOLVED:

1. That the same criteria are used for the 2020/21 scheme as were used in the previous year's allocation so that Officers be delegated to make any small amendments to the scheme up to the maximum limit of the Government grant if felt appropriate; and
2. That any surplus grant at the end of February each year is distributed to the organisations which applied.

CL58/19 RECOMMENDATIONS FROM THE POLICY AND RESOURCES COMMITTEE – 4 NOVEMBER 2019 and 9 DECEMBER 2019

Councillor Matthew Bedford moved, duly seconded, the recommendations from the Policy and Resources Committee on 4 November 2019 with regard to the following

MINUTE PR48/19 BUDGET MONITORING – MONTH 6 (SEPTEMBER)

On being put to Council the motion was declared CARRIED by the Chairman the voting being 21 For, 0 Against and 14 Abstentions.

RESOLVED:

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

	2019/20	2020/21	2021/22	
Variance	£	£	£	
Revenue - (Favourable)/ Unfavourable		(97,730)	8,440	42,080
Capital - Increase / (Decrease)		(678,810)	724,130	0

2. Approved to the change to the financial regulations of the Council's constitution relating to write offs of car parking debts as detailed at Paragraph 8.

Councillor Matthew Bedford moved, duly seconded, the recommendations from the Policy and Resources Committee on 9 December 2019 with regard to the following

MINUTE PR54/19 BUSINESS RATES POOLING 2020/21

On being put to the Council the motion was declared CARRIED by the Chairman the voting being 34 For, 0 Against and 1 Abstention.

RESOLVED:

Council agrees that, subject to a final review following the Local Government Settlement for 2020/21, Three Rivers District Council enters into the Hertfordshire Business Rates Pool.

Delegate authority to the Chief Executive and the Director of Finance, in consultation with the Chairman and Vice Chairman of the Policy and Resources Committee to sign up to the Hertfordshire Business Rates Pool, within 28 days of the Local Government Finance Settlement.

CL59/19 TO RECEIVE ANY PETITIONS UNDER PROCEDURE RULE 18

None received.

CL60/19 QUESTIONS FROM THE PUBLIC UNDER PROCEDURE RULE 15

None received.

CL61/19 CHAIRMAN'S ANNOUNCEMENTS

The Chairman had attended the following events:

- The Mayor of Hillingdon's annual tour of the Battle of Britain Bunker.
- Three Rivers had hosted a visit by the High Sheriff of Hertfordshire.
- The High Sheriff's Civic Justice Service at St Albans Abbey
- The Mayor of St Albans and Hertsmere's Civic Service
- Gave talks at Chorleywood and Rickmansworth Brownies for Women and Politics week.
- A morning at the Reach Free School answering questions
- Commemoration service at St Clement Danes Church in The Strand
- The Hertfordshire Service to Schools Awards gave awards to Three Rivers highlighting the wonderful volunteers
- An afternoon was spent with Councillor Joy Mann at the Pensioner's Forum
- A Harvest Festival Tea for the elderly at St Mary's School
- The Rotary Club Christmas Party in South Oxhey
- Services of Remembrance at Leavesden and Rickmansworth
- Counting British Legion Collection pots.
- She attended the last film to be shown by the Friends of Watersmeet Society.
- An evening at the Christmas house in Lancing Way, Croxley Green.
- Switched on the Christmas lights in Rickmansworth.

CL62/19 REPORTS AND QUESTIONS TO THE LEADER AND LEAD MEMBERS

The Chairman announced that there were no questions for the Leader and Lead Members due to Purdah. The questions which had been received would have written answers provided and the questions and answers would be included as post meeting notes in the minutes.

Leader of the Council

Councillor Sara Bedford was not pleased with the ruling that had been placed upon the Council because of Purdah.

She thanked the Head of Revenue and Benefits and the Benefits Team for having the second fastest benefit processing time in the Country of just four days.

Residents were now established in the accommodation in 15 Bury Lane, and there had been no one in bed and breakfast accommodation for some time. She thanked the Head of Housing and her the team for this. Instead of 22 households living in temporary accommodation in Harlow there were now only five and they were hoping to reduce that number further.

Leavesden Country Park had received two awards, the Best Community Sports Award for the Herts Sports Partnership, and also the Visit Herts Award for the best small project. She thanked everyone who had been involved.

Councillor Reena Ranger also congratulated Jane Walker and her team.

Questions to the Leader of the Council included in the Minutes as Post Meeting Notes:

Question to Councillor Sara Bedford, Leader of the Council, from Councillor Alison Wall

When we receive agendas, in particular Policy and Resources and Council, why doesn't this Council make reference to the specific Committee and date of Committee where these decisions and reports are agreed?

Recommendations from either P&R Committee or a Service Committee on a Council agenda include the name of the Committee, date of the Committee meeting and the wording of the recommendation Council need to approve. This enables Members to cross reference as needed. In addition, the report from the relevant Committee meeting is included within the Council Summons. Any recommendations to P&R from a Service Committee also contain the specific Committee and date of the meeting, together with a supporting report.

Question to Councillor Sara Bedford, Leader of the Council, from Councillor David Sansom

Was an environmental impact study of the purchase of new Council office furniture for £132,000 made? If it was can all Councillors see it and if an environmental impact study was not done why not?

An environmental impact study was not carried out on the purchase of new office furniture. There was a need to replace aging and damaged furniture in order to continue to modernise and improve the Council's working methods.

Question to Councillor Sara Bedford, Leader of the Council, from Councillor David Raw

Why is there no Scrutiny Committee at this Council?

Under the Committee Governance arrangements of this Council there is no requirement to have a Scrutiny Committee as we do not have an Executive Committee/Cabinet making decisions. No Member has delegated decision-making powers.

The Committee form of governance allows all Members to be involved in the decision making process of the Council. All the seats on the Council Committees are proportional to the number of seats each Political Group has on the Council. This is in contrast to the Executive form of Governance, such as that used by Councils including Herts County Council. There the opposition Members cannot speak or vote on the Executive and the Panels on which they sit and have no ability to change policy or expenditure.

If Councillor Raw or any other Councillor would like to adopt a similar Executive and Scrutiny governance structure at Three Rivers, then they are free to propose it.

Question to Councillor Sara Bedford, Leader of the Council, from Councillor Stephen Cox

Can an update be provided regarding the on-going issues at the Pavilion especially the car park and access issues for users of nearby facilities?

After fencing was erected by the leaseholder across footpaths, the Council has informed its tenant that the barriers were put up across public footpaths and the barriers have been removed. No further attempt to impede users of the bowls club, scouts or playing fields have been recorded.

INFRASTRUCTURE, HOUSING AND ECONOMIC DEVELOPMENT

Report on Transport and Economic Development

Councillor Stephen Giles-Medhurst, Lead Member for Transport and Economic Development had nothing to report.

Questions to the Lead Member for Transport and Economic Development included in the Minutes as Post Meeting Notes:

Question to Councillor Stephen Giles-Medhurst, Lead Member for Transport and Economic Development from Councillor Reena Ranger

When can the discussion about disabled parking be brought back to Council, so ALL Councillors can be involved in the discussion? Having attended the Code of Conduct training we now know that we could all have participated.

A report on charging for parking for those holding a disabled blue badge is scheduled to be presented to IHED Committee in June 2020.

The Monitoring Officer would remind Members of the advice given in October on participation in a debate on whether or not to charge for blue badge holders to park in Council car parks. The advice was that if you or a close associate had a blue badge you had a non-registrable pecuniary interest to declare and should not take part in the debate at Council without a dispensation.

The clear advice given to all Councillors who attended the code of conduct training on declarations of interests was as follows:

- a) You have an interest if you (or someone close to you etc.) is affected by that decision more than the majority of people;
- b) Once you have declared an interest you then need to decide whether a reasonable person with full possession of the facts would think you should be participating in the decision or whether there is a risk of perceived or actual bias. That will depend on a number of factors including the nature of the decision; and
- c) If in doubt seek the MO's advice so that a general ruling applicable across the Council can be made

Following on from the advice given by Mr Hoey at the training sessions and having spoken to him again, the Monitoring Officer has not changed her original advice. The Monitoring Officer would advise Members to contact her when the matter is next before Committee for debate.

Question to Councillor Stephen Giles-Medhurst, Lead Member for Transport and Economic Development from Councillor David Sansom

Can you confirm that it is completely legal for the Council to not charge Blue Badge Holders to park in Rickmansworth Council car parks?

The Council can introduce any reasonable, evidence-based improvement to parking provision. However, it would not be reasonable to pursue proposals that do not robustly meet legal requirements, for example under Equalities legislation. The EqIA has shown that there is no necessary connection between

a person having a blue badge and that person being unable to afford to pay a parking fee.

Charging is required within the current TRO and making an exemption to this user group is difficult to support with no Equalities justification. Any decision not to charge could be challenged by those that do pay to park and those blue badge holders that have paid in the long term car park for years.

Report on Housing

Councillor Andrew Scarth, Lead Member for Housing, reported that on 4 November 2019, he and Kimberley Grout, Head of Housing visited 38 Lincoln Drive in South Oxhey to see the temporary accommodation managed by Watford Community Housing. There were 20 flats there and they were shown around one of the flats by Watford Community Housing who were in charge of the day to day running of this property and 15 Bury Lane. It was well kept and quite modern in line with other properties in South Oxhey.

As per the Members' Information Bulletin they had been visited by the Homelessness adviser from the Ministry of Housing, Communities and Local Government. The adviser was with the housing team for a number of hours and expressed how well the officers were working. No criticisms were mentioned and the only recommendation was that the team should be publicised to other Authorities on how they run the service. He passed on his congratulations to the officers.

15 Bury Lane now had clear visible signage up on the wall so post and visitors know where it was.

Question to the Lead Member for Housing included in the Minutes as a Post Meeting Note:

Question to Councillor Andrew Scarth, Lead Member for Housing, from Councillor David Raw

We received a response to our question concerning the Bury opening – we were told that a formal opening was not arranged. However does this negate the need for Officers to inform Ward Councillors of the key ward information?

Officers will endeavour to inform Ward Councillors of key ward information. The Leader of the Council and Lead Member for Housing were informed of the practical completion date for 15 Bury Lane. In this circumstance, the priority was for officers to move the residents into the scheme as quickly as possible.

Report on Infrastructure and Planning Policy – no update as Lead Member not present at the meeting.

LEISURE, ENVIRONMENT AND COMMUNITY

Report on Leisure

Councillor Chris Lloyd, Lead Member for Leisure, announced that there was a Civic night for the Pantomime on 20 December 2019 and tickets were still available. At the sports awards the Chairman had presented an award to a Three Rivers team and thanked the Chairman for attending the evening. He asked Councillors to nominate a sports club or sports person for the 2020 awards, and

to speak to him after the meeting or e-mail him during the year regarding nominations.

With regard to the awards for Leavesden Country Park he pointed out that the Council had been up against 11 other organisations. He hoped that Councillors would think about nominating other projects for awards.

Councillor Reena Ranger asked for clarification on what type of organisations they were looking for nominations from. Councillor Chris Lloyd said he would send an e-mail next week with the details.

Questions to the Lead Member for Leisure included in the Minutes as a Post Meeting Note:

Question to Councillor Chris Lloyd, Lead Member for Leisure, from Councillor Joan King

Following the motion passed at Full Council in July, what progress, if any, has been made in assisting Watford Rural Parish Council's desire to secure 'Village Green' status for South Oxhey Playing Fields?

Since July, we have been progressing this work and have been in contact with HCC (Richard Cuthbeth) who has been guiding us through the process by answering our various questions along with assistance with filling out the Section 15 form. A site inspection has been carried out to assist with the paperwork required for the section 15 and the Clerk at Watford Rural Parish Council has been informed that this matter is being dealt with. Internally, we have been liaising with other departments to gauge how the village green status could impact their work and future budgets and updates will be provided going forward.

Question to Councillor Chris Lloyd, Lead Member for Leisure, from Councillor Stephen King

How many trees has Three Rivers District Council planted in the last year?

The number of trees planted in 2018 was 13 and the Council will be planting a further 11 trees which are due to be planted during this month (December 2019) (full lists are attached). To note that we are looking to increase this significantly from next year and looking to draft a Tree Resilience Strategy which will detail how we intend to do this.

The Council already has significant areas of woodland which are maintained and stewarded in line with best practice. Further trees can only be planted where they do not affect existing facilities or use.

Report on Environment and Sustainability

Councillor Phil Williams, Lead Member for Environment and Sustainability, wanted to say a big thank you to Malcom Clarke and the Environmental Protection team who had improved the recycling rate from 62.4 to 63% which puts the Council 3rd in the Country. He also wish to congratulate the residents who also played a very big part in the way we recycle.

Councillor Reena Ranger said the recycling report was excellent. She asked why the climate change report that was promised at the end of the year was not going to be discussed. The Chairman said the question could be taken as it was not in response to Councillor Williams report.

Report on Community Safety

Councillor Roger Seabourne, Lead Member for Community Safety, said since the last meeting the Police and Crime Commissioner had visited the District and was very complimentary on what the Police were doing and congratulated them on their fantastic job. He wondered why they did not publicise what they did and how successful they had been. This would not only alert a large number of the public who did not know there maybe crime going on they knew nothing about although it could create a fear of crime, even though the crime was no longer a threat.

This year Three Rivers had been targeted by a gang from South America and Chile where they would find rich businesses and track the owner's home and rob their houses then fly back to their own countries. The Police had now shut down the operation. It had been solved by the Police sitting at desks for hours and hours holding police meetings with other agencies and by intelligent policing.

Councillor Debbie Morris wanted to know if the Police Commissioner's visit was office based or was he given a tour of the District, and whether Ward Councillors were notified of the visit. If he came to visit her Ward she would have liked the opportunity to have met him to discuss her residents' crime concerns.

Councillor Roger Seabourne replied that the programme was not office based. He first met with the Local Police, himself, the Chief Executive and the Community Safety Team. He (Councillor Seabourne) did not have any input and he did not think he should. He noted Councillor Morris's concerns and would mention to the Community Safety team for next year, to see if the Police Commissioner was happy to widen the programme to all Members.

Councillor Andrew Scarth said we should always put out good news stories from the Police and asked Councillor Seabourne to encourage the Police to do this.

Councillor Roger Seabourne said he would continue to encourage them to put out good news stories but there was a reluctance from them to do this.

Councillor Reena Ranger pointed out that she had to reassure one of her residents that a machete found was not found in Moor Park/Eastbury as the bin had another Authority name on it. It was important that we have Neighbourhood Watch as there was a lot of fake news spread on Social media sites.

RESOURCES AND SHARED SERVICES

Report on Resources and Shared Services

Councillor Matthew Bedford had nothing to report.

Question to the Lead Member for Resources and Shared Services included in the Minutes as a Post Meeting Note:

Question to Councillor Matthew Bedford, Lead Member Resources and Shared Services, from Councillor Joanna Clemens

Why does this Council have so much difficulty obtaining sufficient bids for tendering processes?

In common with all other public bodies, TRDC tenders are advertised on portals established for this purpose. Suppliers are familiar with this process for winning business from local authorities and other public sector bodies. Please see attached list of TRDC tenders showing the number of potential bidders who accessed each tender opportunity and the number of actual bidders in each case. Some tenders are procured via framework agreements and those are restricted to suppliers on the relevant frameworks. On average, over 22% of potential bidders who accessed information about a tender went on to submit a bid. We do not know the reasons for a potential bidder not going on to make a bid but this may include their capability or capacity not meeting our requirements or specification.

CL63/19 REPORTS AND QUESTIONS TO THE CHAIRMEN OF THE AUDIT, PLANNING, LICENSING AND REGULATORY SERVICES COMMITTEES

AUDIT REPORT

Councillor Keith Martin had nothing to report.

PLANNING REPORT

Councillor Sarah Nelmes wanted to remind Councillors that the December Planning Committee meeting had been moved to 17 December.

LICENSING AND REGULATORY REPORT

Councillor Martin Trevett had nothing to report on Licencing.

Councillor Martin Trevett said on Regulatory, an item on Polling Places and Polling Stations had been deferred due to the upcoming election but would be discussed at the next meeting on 12 February 2020.

CL64/19 MOTIONS UNDER PROCEDURE RULE 11

No Motions submitted.

CHAIR