

# LEISURE, ENVIRONMENT AND COMMUNITY COMMITTEE

## MINUTES

Of a meeting held in the Penn Chamber, Three Rivers House, Rickmansworth on Wednesday 12 January 2022 between 8.20pm and 9.20pm.

Councillors present:

Roger Seabourne (Lead Member for Community Safety and Partnerships)	Phil Williams (Lead Member Environmental Services. Climate Change and Sustainability)
Chris Lloyd (Lead Member for Leisure)	Reena Ranger (Substitute for Lisa Hudson)
Paula Hiscocks	Alison Scarth
Debbie Morris	David Major
Stephen King	Jon Tankard
Joanna Clemens (Substitute for Alex Michaels)	

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Councillors in attendance: Councillor Raj Khiroya

Officers present:

Ray Figg – Head of Community Services  
Alex Laurie – Principal Tree and Landscape Officer  
Jo Hewitson, Strategic Climate Change and Sustainability Officer  
Sarah Haythorpe - Principal Committee Manager

### **Councillor Chris Lloyd in the Chair**

#### **LEC 29/21 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Lisa Hudson and Alex Michaels and Stephen King, with the substitute Councillors being Reena Ranger and Joanna Clemens.

#### **LEC 30/21 MINUTES**

The minutes of the Leisure, Environment and Community Committee meeting held on Wednesday 24 November were confirmed as a correct record and were signed by the Chair of the meeting.

#### **LEC 31/21 ANY OTHER BUSINESS**

The Chair had ruled that the following urgent item of business, which had not been available for five clear days before the meeting was of sufficient urgency to be considered by the Committee for the reasons indicated.

7a Draft Climate Change Emergency and sustainability Action Plan – to provide the Lead Member for Environmental Services, Climate Change and Sustainability with a decision of the Committee on whether the Council should sign up to the Solar Power Bulk Buy Project on 20 January 2022 subject to legal checking the contract before the Council sign up and not come to the LEC meeting in March after the date for when the Council had been asked to sign up to the project.

**LEC 32/21      DECLARATION OF INTERESTS**

There were no declarations of interest received.

**LEISURE**

**LEC 33/21      THREE RIVERS DISTRICT COUNCIL - TREE STRATEGY 2022 -2027**

The purpose of this report is to summarise the content and implications of the Final Tree Strategy for the District, and recommend that the Final version of the Strategy is adopted by Three Rivers District Council (Appendix B – Final Tree Strategy).

The report was presented at the Policy and Resources Committee on 6 December 2021 where the Committee unanimously agreed the tree strategy, subject to any comments at the LEC meeting.

Should the Leisure & Environment Committee also agree the strategy, additional amendments will be made to it, following comments from members at P&R and LEC, and the final version of the strategy would be published.

The Principal Tree and Landscape Officer advised details of the consultation which had taken place last summer on the strategy (included in Appendix A to the report) and the comments which had been made by Members at the P&R Committee meeting on 6 December which had included:

- Providing more detail on the watering of newly planted trees
- Referencing the Council's tree planting specification
- Some rewording to make it clear that TPO requests can be made purely on the basis of the value of the tree and people don't necessarily have to include information on any particular threat to a tree to request a TPO
- Some grammatical amendments were highlighted

The Head of Community Services advised that the strategy would be coming back to the Committee on annual basis with an update and with any potential amendments which may be required. The work programme for the Committee would be updated accordingly.

Councillor Phil Williams felt that this had been an excellent piece of work and wish to formally move the recommendation, seconded by Councillor Roger Seabourne, that the tree strategy be adopted by the Council.

A member raised the following points

- At Point 31 of the strategy if a tree fell over at the weekend who would you contact.
- If one of our trees in the Conservation Area was overhanging someone's garden and they want it pruning they have to pay for that – was that correct if it was the Council's tree – this was point 71 of the strategy?
- Was glad to see that hedges had been included in the strategy (point 162) but queried high hedges over 2 metres were not allowed?
- Observed that we were minimising risk to communities from trees
- The easy tree portal which was being set up and wondered if there were any data protection issues with this
- Hedgerows were not protected if they were on private residences
- Referred to point 115 which stated that TRDC would endeavour to carry out periodic reviews of the TPOs to ensure that they are up to date and wondered if this wording could be revised/tightened up?
- Under memorial trees at point 98 it mentions locations which may be suitable for memorial trees and would have liked to have seen South Oxhey Playing fields included.
- It stated in the strategy that we were looking to employ an Education officer but was aware that Herts County Council do some of that education already in schools and should look at what is being covered by their officers and did not wish to copy something that was already happening

In response to the questions the Principal Tree and Landscape officer advised that

- Officers were looking to address emergency contact in the strategy and were looking to have a formal process to which trees can be reported out of hours. Presently Grounds Maintenance pick up any calls and there is an out of hours number residents can call and are advised on who to contact in those circumstances.
- On point 71 this was common law
- There was no fixed height for a hedge it was something that was dealt with by Environmental Health and would look at each specific case and determine by how much the hedge should be reduced
- Tree preservation orders and conservation areas are publicly available information and will be a self service system whereby a member of the public would be able to see if a tree was protected in a particular location but no other information would be provided.
- On the hedgerows that was what the legislation stated and that the legislation would protect only hedgerows in the wider countryside and took out residential curtilage hedgerows so a garden hedge is not protected but a hedge between two fields would be. Hedgerows do get some protection in a Conservation Area and would expect people to submit a Conservation Area notification if

they wish to heavily prune or take out a hedge but outside a Conservation Area there was a very limited amount the Council could do. Trees within a hedgerow can be protected

- Under Paragraph 115 there were two actions detailed one being a desk top review of our existing TPOs to assess which may need some updating and the second developing a capital bid. This was a significant piece of work and at present no timeframe could be put on completing that work although officers had hoped to complete the desk top study by the end of March this year.
- Memorial trees were definitely happening in other places and the list was not exhaustive and was not just the tree sites mentioned.

The Chair advised that the point on the education officer would be noted.

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

RESOLVED:

Following approval of the Final Tree strategy by the Policy & Resources Committee, the Leisure, Environment & Community Committee approved the strategy on 12 January 2022, and that the strategy be formally adopted by Three Rivers District Council with any amendments agreed by the Committees included in the final strategy before publication.

**LEC 34/21**

**LEC 35/21 DRAFT CLIMATE CHANGE EMERGENCY AND SUSTAINABILITY ACTION PLAN**

This report provided details to Leisure, Environment and Community Committee of a proposed joint district 'Solar Bulk Buy Scheme.' It will enable Hemel Garden Community Scheme (HGC), (who had created the scheme) and which would be hosted by Dacorum Borough Council (DBC), and the 10 Hertfordshire Local Authorities including Three Rivers District Council (TRDC), to join together to assist residents to benefit from a solar bulk buy scheme. The scheme enables residents to install a solar photovoltaic array on their own homes, purchased at a bulk rate.

This will contribute to the Sustainable Environment requirement of the Corporate Framework, and assist in the reduction of District carbon emissions which is needed to support the TRDC's target of achieving net-zero by 2045.

At the next Hertfordshire Climate Change and Sustainability Partnership (HCCSP) meeting on 20 January 2022 HGC will be asking members to vote to if they wish to join the scheme. HGC will request that HCCSP approves that DBC are able to sign the contract on behalf of all the parties, to appoint the chosen scheme provider (iChoosr) to proceed with the delivery of the scheme. TRDC will be agreeing to sign an MOU between DBC, Hertfordshire County Council (HCC) and themselves. HGC approached the UK Energy Hub to find a facilitator to run this scheme. The Hub advised that iChoosr are the only provider running a scheme with the suitable assurances and protections for customers.

The Strategic Climate Change and Sustainability Officer made the following points:

- The project had come about from the Hertfordshire Climate Change and Sustainability Project and a number of questions had been asked and answers provided on the project. Full details on the scheme had been provided in the report and were highlighted to the Committee by the officer.
- Berks and Bucks would be able to part of the auction but not part of the contract
- If the Committee agreed to join the scheme the Lead Member for Environmental Services, Climate Change and Sustainability would be able to sign up to the scheme at the HCCSP meeting on 20 January. *Post meeting note: it has been clarified that the meeting is 27<sup>th</sup> January 2022. Subsequently it was agreed that HCCSP would not discuss joining the project on 27 January as other Councils had raised concerns.*
- Solar bulk buy only works if you have a number of organisations taking part in the scheme hence why it was proposed to roll out the scheme across Hertfordshire
- If the Council were to sign up to the scheme it would help to reduce our carbon emissions across the District
- There would be no cost to TRDC in joining the scheme
- It would be a one off scheme
- Out of the 100,000 homes to be targeted they are predicting that 3,500 households will respond but are hoping for around 420 firm contracts.
- The Council had fed back on the MOU and were waiting to hear back on that and to receive the contract and once the Monitoring officer and Lead Member were happy with the responses received and the contract to the recommendation for the Committee was to give delegation to the Lead Member to vote at the meeting on 20 January to be part of the project. . *Post meeting note:- it was clarified the meeting is 27<sup>th</sup> January 2022*

Councillor Chris Lloyd moved, duly seconded, the following amendments to the recommendations:

That the outcome of 15.1 to be advised to all the Committee Members and wished to add a new recommendation at 15.4 to be advised how many houses by District were contacted and how many took up the offer following the completion of the project (to be provided in the MIB and directly to the Lead Member) and that this information be provided to the Council as part of the signing of the contract and be included in the contract.

*Post meeting note: Further information can be found at check <https://solartogether.co.uk>. Solar Together is the trading name for iChoosr*

Members raised the following points:

It was advised that IChoosr were the only providers and procurement in other areas had shown there was no interest but it did not mean there would not be any more in the pipeline and was unsure when London and Devon did their procurement exercise but if it was 5 years ago potentially there could be other

suppliers now or coming through which would provide better value. Post meeting note: DBC have confirmed they have no procurement issues for HGC to direct appoint iChoosr. As the cost is below DBC's tender threshold of £75k it can be awarded under the Council's quotation process.

If the Council were to sign up to this scheme would be precluded from promoting another supplier in the future and how long are we committed for.?

*The draft contract between DBC and iChoosr says term is 4 years, but the Draft MOU says participating authorities can withdraw anytime. Both documents have been returned and asked for clarification. The estimated savings to residents ordering through iChoosr are 20 - 30%.*

*Please confirm if iChoosr made the estimate and not an independent body? iChoosr have advised of these savings, they are calculated against a typical market price. The average cost per installed kW for a 12 panel system in iChoosr schemes in 2021 was £1,048.78 The cost per installed kW data published by BEIS (<https://www.gov.uk/government/statistics/solar-pv-cost-data>) shows that the mean cost per installed kW for 4-10kW systems in 2020-21 was £1,685 which is 38% higher.*

*How much commission do HGC receive for each successful installation? From 0-100 installs £30 rising in increments to a maximum of £75 for over 301 installs.*

*Who was giving the contract as the Member thought from the report that the contract was with iChoosr but the warranty was from the supplier. Legally would that work? –Dacorum BC will sign a contract with iChoosr to allow them to undertake an auction and to approach residents of the relevant authority(s). The successful installing contractor enters into a contract with iChoosr to supply and install the product, and the installer contracts with resident.*

*If you were not targeted to take part in the scheme could you still apply to take part? The website link will take interested parties to the eligibility checker before they can proceed to the next phase.*

*How would complaints be handled and would a resident be able to go to the ombudsman? Complaints will be handled first by the contractor, and then the managing agent iChoosr. If the resident is not happy with the outcome of any legal action at stage 1 or 2 then stage 3 of the complaints process is to escalate to the Council. We can't preclude a resident from making a complaint to the Ombudsman and it will be for the Ombudsman to decide whether and complain satisfies their requirements and falls within its jurisdiction Why should the Council become involved in complaints that are between the individual and the supplier not the Council, and it would not be for officers to be involved otherwise the report is incorrect that there is no financial liability to the Council. It would be expected that the Council would have no involvement otherwise there would be a cost. To put into perspective Over the period 2020-2021 iChoosr has delivered 22 Solar Together schemes with 14 local and combined authorities. 16,571 residents have accepted offers and therefore been handed over to winning installers for surveys in that time, and 4,288 installations have taken place. During that time our team has handled 86 complaints made to Local Authorities, meaning that these complaints account for 0.5% of acceptances and 2% of installations. HGC are aiming for 420 homes across the 10 Authorities, which if TRDC have their fair share at 40 this would be an estimate of 1 complaint from installs and 2 at the acceptance level. iChoosr have advised that even if the complaint is directed from the Local Authority they are managed by iChoosr and the relevant authority is advised of the outcome. Most complaints centre on timing.*

This cost is one which should be worth covering given that projects such as this are critical in decarbonising the housing stock in our District - a central element of the Climate Emergency Strategy. *Solar bulk buy is the most effective method available to us to achieve significant renewable capacity. Trying to decarbonise private able to pay homes is one of the greatest challenges we face in achieving net zero by 2045.*

Please note at present the draft MOU indicates that there may be administrative expense in terms of marketing / complaints/ provision of information which would fall to the council to carry. *The amendments we are seeking on the MOU focus on those aspects and that we have pushed back on them. Whilst the draft MOU does contain this potential expenditure, nonetheless the principal that there should be no expense to participating authorities and that all expense will be borne by the lead Local Authority is not disputed by the Lead officer who has created the scheme.*

What constituted a suitable house for the scheme: *One that is in private ownership and a house or bungalow, not a flat.*

How frequently do iChoosr vet potential suppliers? *Vetting takes a minimum of 6 weeks but installer outreach and the qualification process starts approximately 3 months before the auction. Installers must qualify for each auction, qualification for, or participation in a previous scheme does not automatically qualify an installer for participation in future schemes.*

Had the insurance back guarantee been validated, what was covered as sometimes you get guarantees where there are so many exceptions that they are worthless?: *All iChoosr installations include a workmanship warranty valid for 10 years. With the workmanship warranty, the workmanship covers the correct functioning of the various system components such as solar panels, inverters, mounting material and other materials is guaranteed. The installer guarantees the correct operation of the entire system, and ensures a cost-free repair if the system does not operate correctly due to bad workmanship. This workmanship warranty is safeguarded by an Insurance Backed Guarantee, which means an insurer will take over the warranty in the event that installer ceases to trade in the future. Dacorum BC will request confirmation of a valid insurance as part of the due diligence. **Quality Inspections:** An independent and specialised third party will thoroughly audit about one in every 25 installations completed to ensure that work has been delivered according to standards.*

Is the time frame of 6 - 9 months from receipt of initial letter to installation or from signing up to installation? *Households will be advised when they might expect the installation once the surveys have been completed. If a household were the first to accept and the last to be installed, which is unlikely, it could be 6 months. Would homeowners be advised of the length of time to installation? (Would also like to add that we should know when and how.) An installation date is agreed with the resident after the surveys.*

iChoosr have worked with 150 local authorities since 2012 on energy switching and solar schemes. What is the percentage split? *iChoosr has*

*worked with over 150 LAs (as they can contract individually) on energy switching. Solar schemes, in many cases multiple years running already, have been run with county councils and combined authorities including The GMCA, Warwickshire, Cambridgeshire, Norfolk, Suffolk, Essex, the GLA, Kent, Surrey, Hampshire, E&W Sussex, WECA, London and Devon*

Is there any data on customer satisfaction or complaints? *This has been answered above*

Is TRDC's name on either the introductory mailshot or any subsequent communications/letters to send to interested residents? If so, in what context? *Yes The Council logo, the name and role of the Council signatory and some introductory words and caveats on liability. This will be referenced in the MOU. When the customer agrees to the T&C with the installer it is made clear that the Local authority does not have any liability.*

*It should be stressed to the individuals to take part in the scheme the lifecycle of the solar panels. It will be provided with post survey quotation.*

It was acknowledged that Councillors may be contacted by residents about the scheme but there should not be any officer time spent on any complaints. Residents will be advised after survey of their install date.

The Strategic Climate Change and Sustainability Officer responded as follows:

- With regard to procurement they were questioned quite thoroughly at the officers meeting which supports the HCCSP and the UK Energy Hub have endorsed the supplier IChoosr and have overseen the procurement process. *Post meeting note: London undertook a procurement in 2018 and re-contracted in 2021 and Devon ran a procurement in 2020.*

In terms of tying the Council in this was just one round of the auction. We could go again, but at present we agree working to one auction in the summer as a set piece event and we would not be tied in for any period of time. **Post meeting note** – *the contract term between IChoosr and Dacorum BC is for 4 years with just one auction planned for this year, but the draft MOU between Dacorum BC and the local Authorities allows individual councils to withdraw after each auction. DBC are hoping that within the 4 year term two auctions will run. Both the contract and MOU are still being finalised and TRDC have sought clarification on the term. IChoosr have responded regarding the term as follows:-“Should you wish to introduce other group buying schemes for PV, the contract can be cancelled at any time to terminate at the conclusion of any running schemes. The contract runs for 4 years as it will take a whole year to complete 1 scheme, we (and you) don't want to waste legal time every year and the contract has no obligation to run schemes beyond the first.”*

- There would be one letter per household and we would do some marketing of the scheme via our social media channels. There was another scheme called Solar Streets which was considered, but it proved difficult to recruit sufficient people in one street to make the scheme worthwhile.
- *The feedback we had so far on the estimated savings was based on the work done with other Local Authorities but would provide a written response.*
- IChoosr appoint the supplier and the individual installer would have the contract with homeowner to provide the work and provide the warranties and insurance backed guarantee

- The targeting workings on a huge data set and would be looking at houses which qualify – in private ownership and a house or bungalow, not flat. If anyone else wanted to take part they would be able to if they qualify. Instead of sending to all 39,000 households in Three Rivers they will identify those which qualify and target them directly.
- With regards to complaints there is no financial obligation for Three Rivers but if the scheme was agreed and the Council would be supporting the scheme at the final stage. Once it was agreed which LAs would be taking part in the scheme there would be a meeting with officers and Hemel Garden Community to decide how we want to handle complaints. *On whether it would go to the ombudsman a written response would be provided.*
- *Clarification would be provided to the Committee on the financial liabilities to the Council of signing up to the scheme. The Principal Committee Manager advised that should it be identified there was any financial cost then a report would need to come to the P&R Committee*
- A suitable house was based upon EPCs and you would not be putting solar panels on an F or G rated property as you would sort the house out before you put the renewable energy in. It would also be driven on what tenure they are possibly looking at the orientation of the property. The scheme was targeting private households and looking at targeting around 25% of the homes in the District. *Post Meeting Note: The main selection criteria will be focussed on private households in bungalows and houses.*
- The lead officer has confirmed that installers would be vetted for the auction which would be a one off event.
- The insurance backed warranties will cover the event that the company may go bust and provides that security. The systems do have to be MCS accredited
- Lead officer confirmed that the lead-time for installation is from registering an interest to installation but is seeking clarification and will submit a written response.
- Herts County Council are providing the data on the residencies which could be targeted.

Councillor Chris Lloyd moved, duly seconded, a further recommendation to state that if any financial cost was identified a report has to come to P&R Committee and any signing done on 20 January by the Lead Member would be conditional until the conclusion of the P&R Committee meeting on 24 January as there would need to be a report to them. The reason the report had come to this Committee tonight was because the recommendation was within policy and budget.

Councillor Phil Williams moved, duly seconded, the recommendations with the amendments proposed by Councillor Lloyd. The Councillor was sure that the other authorities in Hertfordshire were probably all having the same discussions and raising the same points and would not agree to join up to the scheme unless those points were resolved.

On being put to the Committee the motion with the amendments was declared CARRIED the voting being 7 For, 0 Against and 2 Abstentions. Councillor Seabourne had left the meeting for the vote.

RESOLVED:

- 1) That: Delegation be given to the Monitoring Officer in consultation with the Lead Member for Environmental Services, Climate Change and Sustainability to agree the Memorandum of Understanding for the Solar Bulk Buy Scheme.
- 2) Subject to the Monitoring Officer and Lead Member agreeing the MOU delegation be given to the Lead Member for Environmental Services, Climate Change and Sustainability to vote at HCCSP on January 20<sup>th</sup> 2022 to join the Solar Bulk Buy Scheme and give approval to be part of the contract signed by HGC/DBC with IChoosr for the benefit of Three River's residents and reduction in District carbon emissions.
- 3) The outcome of 15.1 to be advised to the whole Committee.
- 4) If we do go ahead with the project the Council to be advised how many houses by District were contacted and how many took up the offer following the completion of the project (to be provided in the MIB and directly to the Lead Member) and that this information be provided to the Council as part of the signing of the contract and be included in the contract.
- 5) That if any financial cost was identified a report has to come to P&R Committee and any signing done on 20 January by the Lead Member would be conditional until the conclusion of the P&R Committee meeting on 24 January as there would need to be a report to them.

**LEC35/21      WORK PROGRAMME**

A Member asked about an item on the work programme on the Physical Activity Strategy while not included mental health in the strategy and health eating.

The Head of Community Services advised that they could not see any issue with adding healthy eating to the strategy but with regard to mental health would need to check this with the Head of Community Partnerships and report back to the Committee.

RESOLVED:

That the work programme be agreed.

**CHAIR**