

MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON TUESDAY
13 JUNE 2017, AT 7.00 PM

PRESENT: Councillor M Allen (Chairman)
Councillors D Abbott, M Casey, G Cutting,
B Deering, I Devonshire, H Drake,
M Freeman, J Goodeve, P Phillips,
M Stevenson, N Symonds, Mrs D Hollebon
and K Warnell

ALSO PRESENT:

Councillors A Alder, J Jones, P Kenealy,
M Pope, P Ruffles, C Snowdon and J Wyllie

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Isabel Brittain	- Head of Strategic Finance and Property
Fiona Corcoran	- Scrutiny Officer
Mark Kingsland	- Leisure Services Manager
Joseph Liggett	- Leisure Services Development Manager
Andrew Pulham	- Parking Manager
Claire Pullen	- Engagement and Partnerships Officer (Grants)
Helen Standen	- Director
Liz Watts	- Chief Executive

ALSO IN ATTENDANCE:

Ms Lisa Forsyth - Max Associates

49 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all those in attendance. For the benefit of the public, he provided some general "housekeeping" information in relation to fire exits and public conveniences.

The Chairman stated that with Members' consent, he would like to bring agenda item 6 (Priorities for Parking Enforcement) forward. This was supported.

50 APPOINTMENT OF VICE CHAIRMAN

It was moved by Councillor M Freeman and seconded by Councillor K Warnell that Councillor P Phillips be appointed Vice Chairman for the civic year 2017/18.

RESOLVED – that Councillor P Phillips be appointed Vice Chairman for the civic year 2017/18.

51 APOLOGY

An apology for absence was received from Councillor P Moore. It was noted that Councillor K Warnell was substituting for her.

52 DECLARATIONS OF INTEREST

Although not a Disclosable Pecuniary Interest, Councillor I Devonshire asked that his daughter's employment at Fanshawe Pool be recorded.

53 PRIORITIES FOR PARKING ENFORCEMENT (TASK AND FINISH GROUP)

The Parking Manager submitted a report outlining the scope and draft Terms of Reference of the Parking Enforcement

Contract Scrutiny Task and Finish Group. He provided a summary of the report adding that the membership had been agreed and that Group meetings would be held in June and July 2017. The Parking Manager invited Members to contact either himself or the Scrutiny Officer with any comments or observations within the next seven to ten days.

Councillor M Casey referred to the issue of evening enforcement. The Parking Manager explained that the majority of parking restrictions ended at 6:30pm but that there was some evidence of chronic parking on double yellow lines well into the evening, which caused problems.

In response to a query from Councillor P Phillips about reviewing the need for some single and double yellow lines, the Parking Manager explained that a review had been undertaken several years ago and that this was not within the scope of the Task and Finish group.

Councillor Mrs D Hollebon agreed that areas around schools needed greater enforcement attention and that this should be given priority.

In response to a query from Councillor N Symonds, the Parking Manager explained the function of double yellow lines and when penalty charges could be issued to vehicles parked on the footway adjacent to yellow lines.

Members supported the report, as detailed.

RESOLVED – that (A) the scope and Terms of Reference of the Parking Enforcement Contract Scrutiny Task and Finish Group as detailed in Essential Reference Paper “B” of the report submitted, be endorsed; and

(B) Members’ comments or suggestions relating to the remit of the Task and Finish Group be referred to the Lead Officer and Scrutiny Officer.

54 LEISURE STRATEGY: PART 1 - PROPOSED FUTURE DIRECTION OF TRAVEL FOR COUNCIL MANAGED FACILITIES; PART 2 - PROPOSAL TO DEVELOP THE LEISURE AND SPORTS PROVISION IN BISHOP'S STORTFORD

Part 1

The Leisure Task and Finish Group submitted a report setting out the proposed future direction of travel for Council managed leisure facilities.

Councillor M Freeman provided a summary of the Leisure Strategy Facilities report regarding a proposed mix of leisure facilities to be provided by the Council over the next 20 years and the options available. He referred to the remit of the Task and Finish Group, reminding Members that the Council had no statutory obligation to provide leisure facilities, but that there was a statutory responsibility in terms of the health and wellbeing of its community.

A presentation was provided by Councillor M Freeman on the work of the Task and Finish Group which highlighted key challenges, the profile of the communities and the business case evidence for the five facilities. Ms Lisa Forsyth, (Consultant from Max Associates), provided detailed responses to questions previously notified.

Councillor M Stevenson referred to the Education Funding Agency (EFA) Government funding and queried where this would leave the school and the children if this was clawed back by the Government. The Leisure Services Development Manager explained how Government funding supported education related leisure and the need for the proposal to be commercially viable.

In supporting the proposals, Councillor K Warnell thanked the Task and Finish Group for the report and referred to the Old River Lane proposals and the refurbishment of Bishop's Stortford Town Centre. He hoped that what was being proposed complied with Sport for England specifications.

Councillor J Wyllie fully supported the proposals and the investment in leisure facilities in Bishop's Stortford. He stated that Rye Street was a "hot spot" in terms of traffic and that this would only deteriorate when thousands of homes planned on the Bishop's Stortford North site were developed. He suggested that there was a need to review the infrastructure and use Section 106 monies and New Homes Bonus monies.

Councillor B Deering supported investment in health and fitness. He queried the £31Million proposed investment in terms of the impact this would have on revenue streams and whether this was commercially viable. He sought assurances that a development with the private sector had been fully explored. A query was also raised by Councillor P Phillips on the funding through borrowing and the rate of return on investment. The consultant provided a detailed response on the breakdown of the investment figure and why working with private leisure developers was not feasible in this instance.

The Head of Strategic Finance assured Members that financial modelling had been carried out and was satisfied that the margins necessary to achieve a profit, could be reached.

Councillor C Snowdon was concerned that many current facilities were not properly managed and that there were times through the day when people were turned away. The Leisure Services Development Manager explained how joint use pools were managed and the contributions made by schools.

Councillor H Drake commented on the cost of membership of private sector leisure facilities and of the difficulties of on-site parking. She referred to the concessions provided by some pools to individuals by virtue of their employment and asked that this be reviewed in due course.

Councillor G Cutting referred to the Old River Lane project and the sustainable transport planned for the Bishop's Stortford North housing development and stated that Hertfordshire County Council was aware of the problems and the significant piece of work being done to support infrastructure requirements.

Councillor M Casey reminded Members that Grange Paddocks was 50 years old and of the need to replace the facility with one which could meet the needs of the current population of 40,000 which would likely increase with the new housing. He stated that the level of investment proposed was a lot of money, but when apportioned to population numbers, considered that this offered good value for money. Councillor Mrs D Hollebbon stated that many people from surrounding areas such as Takeley and Stansted used facilities in Bishop's Stortford creating more pressure on demand.

Councillor N Symonds referred to the flooding of the Grange Paddocks football pitches and sought assurances that this would not occur. Approaches to mitigate this were outlined. Councillor G Cutting explained that the Environment Agency was proposing to alter the upper River Stort which would mitigate the flow and so reduce risk.

The Chairman referred to Fanshawe Pool and Gym. The Leisure Services Development Manager explained the difficulties in relation to EPA funding. In the circumstances, Members felt that they could not support investment of this facility.

During the debate, the Leisure Services Development Manager and the Consultant provided Members with detailed response to all of the issues raised.

Members of Overview and Scrutiny Committee acknowledged the investment proposed was a large sum of money but that some of its managed facilities, specifically Grange Paddocks was not meeting the needs of a growing population which would grow further as a result of the Bishop's Stortford North housing development. Members felt that it was important to provide facilities which not only met with demand, but which would contribute to the health and wellbeing of residents and address the key challenges as detailed in the report.

Members of Overview and Scrutiny Committee were unanimous in their support of the investment proposal with the exception of the options proposed in relation to Fanshawe Pool and Gym which they felt they could not support in terms

of further investment and expressed a preference for Option B, which did not include proposals for long term investment at Fanshawe Pool and Gym.

RESOLVED – that the Executive be advised that Overview and Scrutiny Committee (A) unanimously supports the investment proposed with the exception of Option A in relation to the Fanshawe Pool and Gym;

(B) endorses the view that existing joint use facilities should remain in operation until compensating investments had been made at Hartham and Grange Paddock facilities;

(C) endorses the views of the “Vision for Leisure Facilities” and that these be included in the Physical Activity Strategy, as now detailed; and

(D) the remit of the Task and Finish Group be extended to support the leisure service specification in relation to key service policy considerations such as concessionary pricing policy, health and wellbeing and community development.

Part 2

The Leisure Services Development Manager submitted a report which outlined proposals for a leisure facility in Bishop’s Stortford within the context of the emerging leisure facility requirements, Physical Activity Strategy and the Bishop’s Stortford North Section 106 Sports Investment Strategy. He provided a summary of the approach to the Council by the Head teacher of Herts and Essex School as detailed in the report.

Members debated the issue of funding in relation to the Bishop’s Stortford North 106 Sports Investment Strategy and noted that the projects identified within the Strategy, totalled approximately £22.8 million with a contribution being sought from the Council of £3 million. The benefits of supporting the Strategy were summarised.

Councillor B Deering queried what safeguards were in place to protect the Council's financial investment. The Leisure Services Development Manager assured the Member that a water tight agreement would be drawn up to protect the Council's interests and if necessary, would take legal action should there be any departure from the agreement.

Councillor K Warnell expressed concern regarding the loss of £23,000 revenue. The Leisure Services Development Manager referred to Sports Halls and explained how cross subsidisation worked.

Councillor J Wyllie referred to the issue of infrastructure and the impact this would have on extra traffic using Beldams Lane in Bishop's Stortford. He did not support a suggestion he had heard (outside of the meeting) that 6th Formers would be able to park on the site.

In response to a query from Councillor H Drake regarding planning permission and other financial queries, the Leisure Services Development Manager explained the planning process and the expenditure versus profit element. He reassured Members that the school was familiar with public liability insurances and was confident in the school's ability to ensure equity in the use of the facility.

Councillor G Cutting suggested that a Contract Guarantee be drawn up.

Councillor M Casey acknowledged that £3 million was a lot of money and stated that, given the demand and rising population, this represented good value for money. He noted that the dedicated Dojo represented 1/3 of the overall £3 million sought and also expressed concern about cars and coaches using Beldams Lane which, he reminded Members, was narrow and had traffic calming measures in place. The Leisure Services Development Manager commented that the issue of access would be addressed at the planning stage. He reminded Members that there was strong martial arts support in Bishop's Stortford and cited other disciplines which could use the Dojo, such as Karate, Yoga and Tae Kwando.

In response to a query regarding the submission of the planning application, the Leisure Services Development Manager explained the background to EPA Funding from the Government and the timing of the application. He explained that this was time limited.

Councillor M Pope referred to the shortage of football pitches across the District.

The Chairman queried the impact of the proposal on the Council's Medium Term Financial Plan. The Head of Strategic Finance provided a detailed response.

Members of Overview and Scrutiny Committee were unanimous in their support of a proposal to invest in a leisure facility development proposed by Herts and Essex School to develop leisure and sports provision in Bishop's Stortford.

RESOLVED – that the Executive be advised that Overview and Scrutiny Committee unanimously supports the investment proposed by Herts and Essex School to develop leisure and sports provision in Bishop's Stortford.

55 REVIEW OF PLANNING ENFORCEMENT

The Director submitted a report outlining the current position in regard to the Council's Planning Enforcement Service. She provided a summary of the report and of the action being taken including the production of an action plan, employment of additional staff and the use of a specialist enforcement company to help clear the backlog.

Councillor M Freeman welcomed the action being taken and asked that the Chairman of Development Management Committee be kept informed of progress.

Councillor I Devonshire and Councillor M Casey welcomed the report. It was acknowledged that some of the enforcement delays could be attributed to re-structuring the department. Councillor M Casey hoped that developers would be made aware of the steps which were being put into

action.

Concern was expressed by Members regarding the disregard by some developers in terms of the planning process. Councillor K Warnell asked Officers to ensure that consultants were advised to stick with the legal process regarding unauthorised developments. The Director provided assurances that the Council would take whatever action was appropriate.

In response to a query regarding the basis for external charging and follow ups, the Director explained that the Consultants would provide a cost basis for handling each enforcement action and would ensure that the Enforcement Team were provided with the resources and ability to support the action needed.

Members received the report.

RESOLVED – that (A) the report be received; and

(B) an Action Plan be presented to the next meeting of Overview and Scrutiny Committee.

56 DRAFT WORK PROGRAMME 2017 /18

The Chairman submitted a report setting out the draft work programme for Overview and Scrutiny Committee for the civic year 2017/18. The Scrutiny Officer advised that the report before Members was a draft and that further reports would be added to the programme. She stated that a meeting would be held on 12 July 2017 to which all Members were invited, to consider other items for inclusion on the draft work programme.

The Scrutiny Officer explained that the two new Scrutiny Committees would also be supported by Claire Pullen who would be co-ordinating with Officers.

Members approved the draft Work Programme for Overview and Scrutiny Committee.

RESOLVED – that the draft Work Programme for Overview and Scrutiny Committee, as now detailed, be approved.

The meeting closed at 9.28 pm

Chairman
Date